



TU 3

No.....

IRIPHABLIKI YETRANSKEI

REPUBLIC OF TRANSKEI

iAdilesi yoCingo } "UTHUTHO"
Telegraphic Address }

iNgxowa eYodwa yePost } X5036
Private Bag }

IMIBUZO }
ENQUIRIES }

iFoni } 9
Tel. }

ISEBE LEZOTHUTHO,
DEPARTMENT OF TRANSPORT
UMTATA
1992 3. 10.

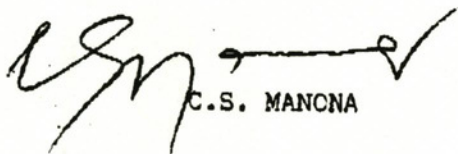
Rev. T.J. Mohapi
CODESA
P.O. Box 507
ISANDO
1600

Sir

Enclosed herewith is a submission highlighting reasons why King Zwelithini and other Traditional leaders should participate at future Codesa meetings.

I am prepared to give oral evidence at the meeting scheduled for 18th and 19th March 1992.

Yours sincerely


C.S. MANONA

ZAMBIA

Colin Legum who edited speeches by Kenneth Kaunda in a volume entitled ZAMBIA INDEPENDENCE AND BEYOND states that the onerous task of clearing the decks for the independence in Zambia was borne by Kaunda whom he styles the "forgiving victor". If the view held by Historians who analysed the fall of the Holy Roman Empire, is that the surprising thing is not that it crumbled when it did, but that it lasted as long as it did, the surprising thing is that the role of traditional leaders has never been underestimated.

However when the mantle ultimately fell on Kenneth Kaunda, he acquitted himself creditably.

If there is any lesson to be learnt from the man and his times particularly re the constitutional development of Zambia, it is that the traditional leaders were never elbowed out nor put in a lumber room. Kaunda left no one in doubt as to what the role of the traditional leaders was going to be. He never veered from this view. Viewed in retrospect the man was vindicated.

'It has been the Government's aim throughout the discussions with the opposition parties, and with the Chiefs, prior to the independence conference, and at the conference itself, to do all that was possible to create confidence in the new State of Zambia among our people, and in the world outside. The provisions of the constitution are ones which, I believe, will give the confidence and will convince all our people, and those in other countries of our good intentions":¹ Whilst Kaunda was keenly aware of the dim role some of the Chiefs played during the days of the Federal Government, he was at the same time cognisant of the need to utilise them, if the position were to be redeemed.² The redeeming feature was that this was the prevailing view in the length and breadth of the country.

Rather than quote in extenso from the writings of Colin Legum

we found it necessary to put the few pages as they are so as to highlight his views about the role of the Chiefs in his country or possibly in any given society. This is what he propounded as a new Prime Minister at the helm.³

-2-

"Some words of the late President Kennedy have the greatest relevance for the people of an underdeveloped country. Those words I repeat to you now.

A special problem was the Government's relation to the Chiefs. While many of the traditional leaders had loyally supported the nationalist struggle, others had been suborned by the colonial regime and especially by the Federal Government to treat the nationalists as enemies of Chieftaincy and of African traditional institutions. The Chiefs had to be made to understand that they owed an overriding duty to the Central Government, and that, while their position as traditional leaders would be respected, their role would have to change to meet the modern circumstances of a new society. Based on genuine co-operation, the Chiefs had an important role to play.⁴

On April 8, the Prime Minister appeared before the Chiefs with several of his Ministers as "an indication of the importance which the present Government placed upon the House of Chiefs as an instrument of the constitution".⁵ The Prime Minister went on to say:

"I would also like to point out to you that the subject of Chiefs is one which is retained within my own portfolio; this again is an indication of the importance which I personally place not only upon the House of Chiefs but upon the position of the Chiefs themselves.⁶

"It is our intention that the status and standing of this House should be maintained within the framework of the constitution, and that Ministers should obtain the advice and opinions of this House on all matters which are the direct concern of the Chiefs and their peoples. We hope thereby to continue to foster a spirit of goodwill and co-operation between the Chiefs on the one hand and the Government on the other. Consultation between this House and the Government can take place in a number of different ways, and the method of Ministerial Statement, which I am adopting now, will be followed at this meeting by a number of my colleagues. We will be putting to you the policies of this Government in a number of fields, and it will be open to Honourable Members to ask us questions upon what we have said.

"In this way, Mr President, or by means of debates in this House, the views

-3-

and opinions of Honourable Members who are representative of some 230 Chiefs in the whole territory, can be made readily available to the Government. I can say that we intend now and in the future to continue to ask for your advice, and having done so, to give the fullest consideration to your views".

"If we could not entirely square this happy picture with the earlier days of our struggle for independence and with that period when our faith in Her Majesty's Government was dimmed by the imposition of a Federal Government in Central Africa, nevertheless we do not wish to indulge in recriminations. There is no bitterness in our minds and we can offer the hand of friendship to all men, whether they have been our political friends or opponents. When we embarked upon this struggle for independence many years ago our origins were humble but our heads were high. We realised that the struggle might be long, it might be arduous and would often result in personal inconvenience but we know so well that anyone who looks for honey in the bush must expect bee stings. We have been stung in the past, but we feel that the reward of the honey is now ours to share amongst our people.

"When we look back along the path which led to this conference room today we cannot entirely forget, but we can certainly forgive, the days of our imprisonment and the occasions when many of us have been subject to personal indignities and hardship because of our political ideas. These unhappy memories have served only to broaden our minds, just as fruitful labour builds the body; and, let me repeat, Mr Chairman, we have no place for bitterness in our minds or in our actions.⁷

"To the contrary, I would state most emphatically and without fear of contradiction from any man at any time, that our promise as to our beliefs and our attitudes to people is both a solemn pledge and also a promise to God and to the people whom we serve. Our pledge is that we regard all our people as human beings, the possibility of ill-treatment of discrimination against people because of their tribal or racial origins, or their religious or political beliefs does not exist; this problem does not arise because it has no place in our hearts or in our intentions.

4/.....

-4-

"Our aim is to create a society in our independent Zambia in which every law-abiding citizen throughout the country will feel free at all times to go about his legitimate business and to lead his own life without fear of interference.

"We recognize the past contribution of Her Majesty's Government to the establishment of a modern form of Government in this country and we are indeed grateful for the assistance which the people of this country have been given in building up the modern state which Northern Rhodesia has become".

"It is with considerable satisfaction, Mr Chairman, that I am able to inform you that as a result of discussions that I and my colleagues have had in Lusaka with leaders of the African National Congress and of the National Progress Party, and with a Committee of the House of Chiefs, general agreement has been reached on the type of Independence Constitution we want for our country.

"Another feature of our present Constitution which will be adopted in the independence Constitution is the House of Chiefs. My views on, and support for, our Chiefs are well known, and I reaffirm that it will be the intention of my Government to uphold the position of Chiefs in our country and to consult them, and seek their advice, on all matters affecting their people and themselves. As proof of this I need only point to the last meeting of the House of Chiefs when not only I, but a number of Ministers, addressed the House of Chiefs and sought their advice on a number of most important points. It is our full intention to continue in this manner in the future. 8

"There was some criticism of the fact that the Chiefs were not represented at the conference in London, but as I pointed out to the House of Chiefs they are now represented, as are their people, by an elected Government and it would not therefore be appropriate for the Chiefs to be specially represented at the conference. It would in fact have suggested a lack of confidence in their elected representatives and I may add that this point was agreed by the Chiefs at a private meeting I had with the Standing Committee

5/.....

-5-

of the House of Chiefs before leaving for London, when they also gave complete support for our proposals for the Independence Constitution. In this respect I am glad to report that the provisional agreement, which was reached in Lusaka with the Litunga and the Northern Rhodesia Government under the Chairmanship of His Excellency the Governor, has now been endorsed by the British Government. I am glad to say that common sense has prevailed and that Barotseland will be part and parcel of the independent Republic of Zambia".

Having announced the new constitution to the Legislature, the Prime Minister on July 2 summoned a special meeting of the House of Chiefs:

"We consider, and we have said it before in public and private, that the Chiefs have a major role to play in the future development of Zambia. My Government has already announced some of its plans for the expansion of economic and social activity in the rural areas where you all come from. I hope before long that we shall be able to indicate our long-term plans for this major task of re-construction in the rural areas, which must be a top priority. The mobilization of the efforts of the people will be a task for which all Chiefs are fitted, by reason of the respect for a Chieftainship which you have inherited from your predecessors. You can act as a link between the old and new in Zambia which will enable the country to go ahead as one nation, as one people. Your customary rights and responsibilities in respect of land will remain unaffected by the new Constitution. Chieftainships will be respected by my Government as part of our inheritance, but narrow, rigid and obstructive tribalism cannot be tolerated.

"The House of Chiefs will continue to function after the grant of independence in exactly the same form as at present. This Government will wish to seek the advice of the Chiefs on all matters affecting their people and themselves, and it is the House of Chiefs which will form a platform for discussion and consultation. This House will continue to meet shortly before meetings of Parliament, so that proposed Government legislation and other matters on which the advice of the Chiefs is needed can be placed before you for discussion. My Cabinet colleagues and I have established a system by which we, or our senior officials, address you and answer your questions so far as

-6-

we are able. This method of consultation at that level will continue as before. In brief, Mr President, the House of Chiefs is to be preserved without any basic change, and I am confident that your contribution to the future successful Government of this country will be greatly enhanced by virtue of our success in obtaining the type of Independence Constitution which I have outlined".

BOTSWANA

Here Chiefs participated in the making of the Constitution. Valuable information on this can be gleaned from the Journal of Modern Political Studies published in 1965 by Professor J.H. Proctor, in an article entitled The House of Chiefs and the Political Development of Botswana.⁹

Prior to the establishment of the Protectorate over Bechuanaland in 1885 the country was inhabited by the Botswana people who were divided into eight tribes - each of whom was ruled by a powerful hereditary Chief and was politically distinct from the others:

There was no Paramount Chief in existence nor was there any national consciousness that transcended tribal loyalties. The British Government through a form of indirect rule thus allowed a great deal of autonomy to eight separate tribal administrations.

Even the Native Advisory Council that was created in 1920 consisted of the eight Tribal Chiefs as ex officio members. The Chiefs in Botswana had been repeatedly pressing the Central Administration for the power to make laws. In 1961 a Legislative Council of ten elected Africans, ten elected Europeans, one elected Asian, ten elected officials and a few nominated unofficial members, was created.¹⁰

This body provided a forum in which the Central Government could consult the Chiefs and other tribal spokesmen.

According to Proctor the Committee which drew up the new constitution affirmed

-7-

that the legislation affecting the Chiefs' powers and functions, Tribal Administration, African Courts, and Customary Law required special consideration and anticipated that no bill making significant changes in these areas would be presented to the Legislative Council until it had been considered by the African Council. The Chiefs were given ex officio seats on this body rather than on the Legislative Council because it was believed it was in the African Council that their own specific and important contribution to good Government would best be discharged.¹¹

When Britain considered a further advance toward Self Government in Botswana she authorised the Resident Commissioner in April 1963 to undertake consultations on the revision of the constitution. The Resident Commissioner invited the Chiefs to designate three of their number to meet with three representatives from each of the three political parties, three Europeans, one Asian and two officials, in a series of joint discussions under his Chairmanship.

In the first round of negotiations the delegates confined themselves to a consideration of general principles. According to Proctor it was readily agreed that the traditional institutions were of great importance to so many people in Bechuanaland and the need for harmonious relations between the Tribal structure and the Central Government was recognised to be so crucial for the stability of the new system that a specific role for the Chiefs at the national level was deemed essential.

Proctor states that at a special meeting with the Commissioner held in August 1963 the Chiefs' representatives opted for the Advisory Council primarily because they believed that the traditional rulers could be more influential if they were organised as a collegial body with a chamber of their own in which they could reinforce one another and speak with a strong collective voice.¹² To further illustrate that they participated in the discussion they insisted on certain improvements in their Council, particularly by increasing the number of sub-Chiefs to four, removing the limits on the scope of subjects with regard to which it might be consulted by the Government, and authorising it to discuss on its own initiative any matter which it considered would affect the interests of the tribes and to make representations thereon to the

-8-

Prime Minister or Cabinet.

As a result of these inputs from the Chiefs the British officials then prepared a tentative outline of a constitution and invited all the delegates back to Lobatsi to discuss these detailed provisions at the beginning of October. The Chiefs now asked that the name of the institution be changed to "House of Chiefs", and this was done. The House, it was accepted, connoted, a Legislative Chamber.¹³

According to Proctor the arrangements for the House of Chiefs were then accepted by all present.

It is said that although the Chiefs preferred a house with a law making authority which would enable them to protect themselves more adequately, they were, however, caught up in the strong emotional urge for unanimity which prevailed at the conference and accepted those terms as best they could hope to secure from the politicians who outnumbered them by three to one. It can be seen, therefore that the establishment of the House of Chiefs in Botswana was a result of the Chiefs' direct participation in the Constitution making process of that country. Proctor rightly opines that to have denied the Chiefs a position at the centre would have been a serious affront, especially since they had functioned as a major link between the tribes and the Government in the earlier Councils. It was also realised that they still possessed sufficient influence in their tribal areas to hinder the implementation of Government policy if they should choose to do so. It was also realised that tribesmen still looked to the Chief for leadership and often regarded them as the only personification of political authority. The new Constitution then became effective on 30 January 1965.¹⁴

GHANA

In Ghana the first involvement of Chiefs was in 1949 in the Coussey Committee¹⁵ on Constitutional Reform which had strong representation from the traditional elements. Again one of the main parties campaigning for independence, the National Liberation Movement drew its main support from the traditional

-9-

authorities and their supporters, principally in Ashanti. As a result of these endeavours Ghana established a House of Chiefs at independence sometimes styled the National Assembly. "no African of the Gold Coast is without some admiration for the best aspects of Chieftaincy".¹⁶

The first Constitution of Ghana in 1957 undertook to "guarantee and preserve Chieftainship but the most serious assessment of Chiefly authority came four years later with the Chieftaincy Act (No. 81) of 1961.¹⁷ Many Ahafo Chiefs who were not of the C.P.P. persuasion remembered with unhappy memories how Dr Kwame Nkrumah had asserted that he would 'set the Chiefs running without their sandals' but the 1961 Act does not reflect a particularly harsh attitude to traditional authority".¹⁸

According to Independence and Opportunity in Ghana at this time Chiefs were divided into four grades:

- (a) The Asantehene and Paramount Chiefs;
- (b) Paramount Chiefs who were subordinate to the Asantehene;
- (c) Divisional Chiefs; and
- (d) Headmen and other Chiefs not included above.¹⁹

Chiefs were expected to be competent and were under the Minister of Local Government. At this time it was an offence to undermine the authority of a Chief. Chiefs could not just be deposed at random, according to the Legislative Instrument. Their power was also clearly defined in order to protect subjects. The issue of Chiefs was regarded as a National Crusade in which everyone was expected to take an active part. No lackadaisical bearing or mien was countenanced. The regional adviser of the Brong - Ahafo State Council emphasized the importance and necessity of discovering most of our traditions, customs and festivals which had died down or (were) lost from the face of Ghana through the British Colonial misrule.²⁰ He therefore implored the Chiefs to co-operate and keep the Government to bring to light our "Traditions customs which were buried by the Colonialists". A Chieftaincy Secretariat was established and the Commissioners under the Chairmanship of Mr Justice Akujo Addo looking into the new Constitution

-10-

for Ghana suggested that the whole problem of the place and status of Chiefs in the Government and administration of the country in proper perspective.

The promulgation of the new Ghananian Constitution left no one in doubt about the unique position of Chiefs.

"The institution of Chieftaincy together with its Traditional Councils as established by customary law and usage is hereby guaranteed". A National and Regional Houses of Chiefs were set up to administer traditional affairs but at the lower level the integrated traditional secular Local Councils for which the constitution made provision were not established before the Progress Party Government of Dr Busia was overthrown by the second military coup d'etat in 1972.²¹

Equally pertinent is the N.L.C. Decree of 1966:

"It would be good to have Chiefs in the National Assembly because when the elders are there the young men will not have the opportunity to play the fool".²²

"The value of a Chief as a Communal symbol remains great. The office is the kind of community growth."²³

NIGERIA

In Nigeria there has always been two houses: the House of Assembly and the House of Chiefs.²⁴ Doubtless Nigeria has had a number of coup d'etats (four successful, 2 unsuccessful) but the House of Chiefs has operated undisturbed except in 1965 when both were dissolved.²⁵ They hold their parliament in Lagos. This is much akin to the House of Lords in Britain (the Peers). "Men may come and men may go but I go on forever"- Father Tiber, Chiefs therefore are the anchor in Nigeria and how well has Horatios kept the bridge.

KING ZWELITHINI'S POSITION VIS - A VI OTHER PARAMOUNT CHIEFS

Though the British Government had consistently refused to annex Port Natal which had come under its wing in 1824, by 1837 the Voortrekkers had reached and inhabited Natal, an event which brought the Trekkers face to face with the Zulus. The British Government started fearing that if they did not intervene, chaos would reign as the Boers would either collide or enter into some agreements with the Zulus.²⁶

After Natal had been annexed, in 1845 civil servants were so few that the British were forced to use Chiefs in administering the African population.²⁷ The use of Chiefs in administration was "more acceptable to the Government in Natal than in the Cape Colony".²⁸

Many Chiefs were commoners appointed to the office by Shepstone, they were therefore more amenable to control. Coupled with this was the fact that tribal organisation in Natal had been pulverised and then refurbished through Shepstone. Also the Natal tribes were fewer than at the Cape.

Theophilus Shepstone who was known as the Architect of the segregationist system and a great believer in the use of hereditary Chiefs as a means of maintaining white supremacy, had however to monitor the system.

"Chieftainship does not depend upon hereditary succession but upon appointment by the Supreme Chief".²⁹

Just like Tshaka, Theophilus Shepstone used the policy of divide et impera. Acts of contumacy by Chiefs were treated ruthlessly by the Natal authorities. Shepstone acknowledged that "the transfer of power from Chiefs to the Supreme Chief has entirely changed the political relationship between Chiefs and people and that the social and political status of Chiefs had seriously declined", indeed it was ostensibly part of his long term policy that the legitimacy of hereditary Chieftainship should decline.³⁰

No doubt Shepstone rightly claimed that his administrative system had ushered

-2-

in an era of tranquillity in Natal, while in other parts of South Africa wars with Blacks and tribal revolts were common.

In comparison with Natal the Cape was endowed with militant and bellicose Chiefs from the start. During Lord Charles Somerset's regime (1814 - 1826) attempts to oust Ndlambe and elevate Ngqika did not only fail but resulted in the Battle of Amalinde (1819). Makana died on Robben Island but remained a martyr.

The 1834 - 35 war had broken out between the British Government and the area now called Ciskei. Hintsa had not been involved but was accused of allowing Transkei to be used as a receptacle for stolen stock. It was during this war that Hintsa was murdered by Richard Southey.

Sarili another Paramount Chief suffered as a result of Nongqause in 1856.

The nine Xhosa wars (1779 - 1877) are indicative of the bedevilled relations between the White man and the Blacks. Small wonder South-Africa was in erstwhile times known as the White man's grave. (reference not only to malaria but to the wars).

History teems with numerous factors which are not in harmony with the view that King Zwelithini is above the other Paramount Chiefs. These are they:

1. In Mqhayi's Ityala Lamawele on Page 58 Mqhayi says:

"Kuzo zonke ezi zizwe, uXhosa akafumanekanga engomncinane nakwesinye sazo. UTshaka ubusekile ubukumkani bakwaZulu ngekrele lakhe, nangobugorha bakhe, namakhaba akowabo, ngexesha likaHintsa - ngomnyaka we 1820. UHintsa lowo wayesel'enobukumkani obunezithanga zabo, obuqalele eMbashe, baya kuphathelel' emaXelelwa, (Gamtoos R.) nakwezo ntaba zikaNojoli (Somerset East). UMshweshwe ubusekile ubukumkani baseLusuthu ngowe-1824 ngengqondo yakhe, nangobulumko bakhe nobamagqala akowabo waburqaka ngokonzalikezi enqaka usana lwakhe".

2. David Welsh, in "The Roots of Segregation: Native Policy in Natal 1845 - 1910" states:

-3-

"Many years later, when asked by the Cape Government Commission on Native Laws and customs, Shepstone agreed that there were no such great Chiefs in Natal as Sarili and Ngangelizwe: our most considerable Chief in Natal would not be able to raise more than five thousand men"³²

3. Both the Colonies (Cape and Natal) and the Republics had always been administered as separate entities. There never was any unity until 1910. There was no Prime Minister of South Africa until 1910. Pretorius, Burgers, Botha were Presidents of the Transvaal only, the Orange Free State was headed by Presidents like Brandt (- "Alles sal reg Komen") and the Cape by Cecil Rhodes etc. Decentralization was in vogue.
4. Each Paramount Chief was supreme only in his only domain. Never were Paramount Chiefs put in close juxtaposition. Each colony, republic, had its own "native" policy - the policy of divide and rule.
5. During the Tembu - Gcaleka war an official who was involved in the war reminded a protagonist of peace:

"In the lack of unanimity amongst the native tribes, lies the safety of the colony".
6. South Africa has always been the land of contrasts - the English at logger-heads with the Dutch and the Whites at each others throat with the Blacks.
7. There has never been amity amongst the Blacks themselves at the Cape - 1877 - 78 Fingo - Gcaleka war, let alone the strife between the Zulu and the Xhosa.
8. Be it also noted and remembered that when Eric Louw (former Minister of Foreign Affairs) adumbrated a dubious statement in 1955:

that the Black should remember that Van Riebeeck arrived at the Cape on 6th April 1652, long before the Blacks met the White man along the Fish River, Professor Monica Wilson took up cudgels against Louw. She

-4-

shed ample light on past events, with historical evidence, some of which was based on Radio Carbon dating. The survivors of the ship Sao Joao³³ in 1552, produced evidence of huts, utensils, stock that belonged to Tembu Chiefs who inhabited Transkei as early as then, 100 years before Van Riebeeck set foot in South Africa, Monica stated.

Among these Tembu people were Paramount Chiefs. Little wonder Ngangelizwe, Ngubengcuka, Sabata inhabited this area - (Buyelekaya's forbears). Historical records prove this and an analysis of earlier wrecks in Transkei will be found useful.³⁴

Radio Carbon dating tells it like it is.

9. The Zulu Rebellion and the Bambata Rebellion were fought by the Zulu quite independently of the Xhosa.
10. The Langalibalele Rebellion of 1873 in Natal is another classical case. Langalibalele suffered at the hands of Pine and others. Not only did the "Paramount Chief" not intervene but there was no assistance from the Cape (Xhosa) Chiefs. Only Bishop John Colenso and the Aborigines Protectionist Society could nerve Cannarvon into action in 1875.³⁵
11. The use of the phrase "Supreme Chief" was anathema to the Zulu. It was only on sufferance that they put up with it.

"To Africans the Supreme Chief was part of a system which they regarded as oppressive".³⁶
12. At the Cape there has never been any period during which a Paramount Chief was superseded by a White man called the "Supreme Chief" as in this way his power would be diluted.³⁷

Taking sight of the following pages in "The Roots of Segregation"
287 - 289 might be to the Reader's edification.³⁸

ORAL SUBMISSION -

18/03/92

SUBMISSION AT CODESA RE: PARTICIPATION OF THE KING OF THE ZULU
PEOPLE

BY

PROF S J MAPHALALA
DEPARTMENT OF HISTORY
UNIVERSITY OF ZULULAND

18 MARCH 1992

THE PARTICIPATION OF THE ZULU KING AT CODESA

Before deciding whether the Zulu King should participate at Codesa or not, one should understand the formation of the Zulu Kingdom, the role of the Zulu kings in that kingdom and in the struggle for liberation.

THE PERIOD 1816-1828

There were hundreds of independent clans and their amakhosi (traditional leaders), living in what is today known as the province of Natal. When Inkosi Shaka of the Zulu clan succeeded his father in about 1816, he united all these clans into what was called the Zulu kingdom which was confederal in nature. In this manner Inkosi Shaka became known as the king; to distinguish him from the ordinary amakhosi. The Zulu people referred to him as the Isilo (leopard) and Ingonyama (lion). The border of the Zulu kingdom before the death of King Shaka in 1828 stretched from the Ingwavuma district in the north, to south of the Mzimkhulu river in the south and from the Indian Ocean in the east to the Drakensberg mountains in the west.

1.1 THE ZULU KING AND THE LAND

The Zulu amakhosi in the Zulu kingdom held land on behalf of the king who, in turn, owned it on behalf of the whole Zulu nation. *He is a custodian of the land of the Zulu people.* The land was therefore indivisible. It was and is still

unthinkable to resolve issues regarding land without the involvement of the Zulu King, e.g.

- (a) when the British settlers arrived at Sibubulungu (Durban) in 1824 in search of land, the Inkosi who was the king's representative in the area referred them to King Shaka at the Royal Kwa-Bulawayo Umuzi (Palace). It was here that they were given sites for their usage like any other persons in the kingdom.

2 KING DINGANE'S RULE

He ascended the Zulu throne when King Shaka had consolidated most parts of the Zulu kingdom. Unlike King Shaka who participated in most of the campaigns uniting the clans, King Dingane lived at the Mgungundlovu umuzi (Palace) for the most part of his rule. Ndlela kaSompisi Ntuli was King Dingane's Prime Minister while Dambuza Ntombela was his deputy.

2.1 The Land Issue under King Dingane

The concept of land ownership was still the same under King Dingane. That is why the Voortrekkers also came to present their case to him about this issue. The King and his isigungu (cabinet)

agreed to give the Voortrekkers sites under certain conditions, namely that they returned stolen cattle. However, before the actual presentation of the stolen cattle, the Voortrekkers were seen loitering at the King's palace at night. The penalty for doing this at the King's palace and even in an ordinary Zulu umuzi was death because only the abathakathi (sorcerers) walked about at the people's imizi at night. Therefore, Piet Retief and his relatives including those at Kwa-Nobamba (Weenen) were put to death in 1838. This led to the battle of Ncome on 16 December 1838 which resulted in the defeat of the Zulu army and subsequent loss of the territory of KwaZulu south of the Thukela river. What we should keep in mind is the fact that the killing of Piet Retief and his followers had nothing to do with land since land was indivisible. They were to be given sites in the normal way had they not been seen loitering in the palace at night.

3.0 KING MPANDE'S RULE (1840-1872)

Having lost the KwaZulu territory south of the Thukela river, King Mpande ruled over part of KwaZulu north of the Thukela river. We should keep in mind however, that the Zulu people south of the Thukela river still regarded King Mpande as their king. For this reason when the British ruled the territory south of the Thukela in 1843, they did not interfere with the system of amakhosi obtaining

north of the Thukela. But the king's place was taken by the British governor who became known as the "Supreme Chief over natives." The British magistrates worked hand in hand with the Zulu amakhosi who still knew who their "real" king was.

King Mpande, his Prime Minister Masiphula Ntshangase and isigungu gave sites to the Afrikaners living on the territory west of the Mzinyathi (Buffalo) river. As was the case in all subjects of the Zulu Kingdom, that land was not meant to be regarded as private property, but was for the usage only. The missionaries who also arrived from overseas to introduce Christianity, were given land by King Mpande along similar lines. Thus, in all matters pertaining to land King Mpande was involved.

THE ERA OF KING CETSHWAYO: 1872-1884

King Cetshwayo strictly adhered to Zulu traditions propounded by his predecessors in governing KwaZulu. He and his prime minister, Mnyamana Buthelezi and isigungu made it known to their neighbours (The South African Republic, Orange Free State Republic and the British Colony of Natal) that they desired to live in peace and good neighbourliness.

- a) When the Afrikaners wanted to annex part of the Zulu kingdom

territory west of the Mzinyathi river in 1876, King Cetshwayo and his isigunqu resisted. The Boundary Commission which was instituted by the British in 1878 to investigate the matter upheld the KwaZulu Claim. Once again the Zulu King stood with his people in this land issue.

- b) The British government regarded as the greatest imperialist in the nineteenth century invaded the KwaZulu territory in January 1879 in order to usurp KwaZulu territory. The King and his prime minister convened the meeting of the isigunqu and the imbizo (National meeting). The Zulu people agreed to defend their kingdom against the imperialists who had the advantage of reinforcements from Australia, New Zealand, Canada and other British colonies. After bloody battles in which the British troops killed even the wounded Zulu amabutho (royal regiments) and burnt the Zulu imizi, the Zulu forces were defeated. The King who had stood with his people throughout the war was captured on 31 August 1879 and banished ~~to~~ Cape Town.

The British government tried to switch the clock back to pre-Shakan period in the absence of King Cetshwayo. The result was a civil war which made KwaZulu Kingdom ungovernable. When the King was restored to the KwaZulu kingdom in 1883, the

civil war which was fanned by the British authorities was being waged and resulted in the burning of the Ondini Royal Palace for the second time.

Once again we see a monarch who never failed his people in so far as the land issue and matters affecting the Zulu nation were concerned.

KING DIN^UZULU AND THE ZULU NATION 1884-1913

King Din^Uzulu ascended the Zulu throne when he was 16 years old and the civil war which had cost the life of his father in February 1884 was at its climax. The British government wanted to obliterate the Zulu nation through the arming of Zibhebhu. This led to the annexation of the Zulu kingdom in 1887 and the so-called USuthu uprising in 1888. King Din^Uzulu was sentenced to 10 years and banished to St. Helena.

On 6 January 1898 when King Din^Uzulu returned from banishment, KwaZulu had already been incorporated into Natal. The British called him "Local induna" and "ordinary chief". But at a meeting of 300 amakhosi and their izinduna, J L H^Ulett, Secretary for Native Affairs was told in no uncertain terms that the Zulu people would always regard Din^Uzulu as King over all the Zulu people. The

British government's reply was the prohibition of the formation of amabutho (Royal regiments). Thus, despite the fact that King Din^u_^zulu was restored to the barren uSuthu district, the Zulu people from Natal, Swazi delegations from Swaziland and King Lerotholi of Lesotho's messengers all came to the oSuthu Palace for consultations.

During the Anglo-Boer War (1899-1902), the British military authorities placed KwaZulu under martial Law and ordered King Din^u_^zulu to arm the Zulu people to wage war against the Afrikaners in return for the restoration of the Vryheid District. The ensuing confrontation between the Zulu people and the Afrikaner burghers resulted in the killing of 56 Afrikaners on 6 May 1902 at Holkrantz. It was mentioned by some Afrikaner generals as one of the reasons for their signing the Peace of Vereening^g_^ on 31 May 1902. Thus in all national events Zulu kings featured prominently.

After the Poll Tax ²rsistance_^ (Bhambatha rebellion) in 1906 (regarded as the last armed struggle within the borders of South Africa), King Din^u_^zulu was sentenced to four years imprisonment in 1909 and eventually banished to Rietfontein farm near Middelburg in 1910, for harbouring Inkosi Bhambatha Zondi and his wife during the resistance. But before he died on 18 October 1913:

- a) The South African Native National Congress (later ANC) called upon all the people to collect money to enable the king to receive treatment at Carlsbad in Germany. Pixley kaIsaka Seme (the king's brother-in-law) collected monies in the Transvaal, Burd Mbelle in the Cape and Free State and Dr John Dube in Natal. Although the collection was prohibited by the Natal government, but it should be clear to us that the Zulu King's role in national matters was regarded as significant even by non-Zulu people.

The present Zulu King's grandfather King Solomon also played an important role in national events. The same applies to King Bhekuzulu.

What should also be kept in mind is the fact that all Zulu kings' prime ministers served them loyally. In November 1909, for example, King Din^uzulu's prime minister was given a choice of being ^{freed} on a bail of 50 pounds ~~or~~ remain with the King in Pietermaritzburg Central prison. He easily chose to remain in prison.

Therefore, the participation of King Goodwill Zwelithini at Codesa is of vital importance. It is in line with previous historical events in the Zulu nation. The Zulu people are

over 7 million. It was revealed by the Freiberg Conference in 1978 that 60% of the Africans living in Soweto at that time were Zulu people.

The fact that the Zulu people unanimously regard King Zwelithini as their King augurs well for the eventual acceptance of the constitution emanating from Codesa if the King participates in the constitutional deliberations. It has already been stated that for all matters concerning land boundaries Zulu kings were involved. The new constitution which will eventually be produced by Codesa will result in the shifting of the existing boundaries in South Africa.

Lastly, it seems to me that the refusal of participation in Codesa by Prime Minister Mangosuthu Buthelezi is in line with the history of all prime ministers of the Zulu nation. Their first loyalty was to their kings as outlined above.

With regard to item 1(1): "Participants in the Convention shall be the political parties, the South African Government, organisations and administrations listed in the Annexure hereto."

I strongly recommend ~~that~~ this item be amended to accommodate

King Goodwill Zwelithini of the Zulu people. The Management Committee of Codesa should resist the temptation of making Codesa a rigid middle class political exercise which will be meaningless in the eyes of millions of fellow South Africans.

- b) The participation of traditional leaders of other African peoples in South Africa.

These traditional leaders are the following:

- aa) Qwa-Qwa: The traditional Leaders in this territory are linked to the powerful kingdom of Lesotho founded by King Moshoeshoe in 1824. They played a vital role during the British invasion of Lesotho 1849-1853 and during the Afrikaner invasion (1855-1868).
- bb) Kwa-Ndebele: The traditional leaders in this territory should not be confused with the followers of Mzilikazi Khumalo, former prime minister of King Shaka, who settled in the Transvaal in 1826-1837. These ^{NGUNI}~~Sotho~~-speaking Ndzundza or Transvaal Ndebele came from the South-east Transvaal at a much earlier period. Their traditional leader was Mabhogo. His land was beaoned off by the Republican authorities in 1860. The Ndzudza fought war against the Afrikaner Republic in 1860-

1865. Mabhogo died in 1865. In 1876 the Ndzudza supported the burghers, and in 1879 Wolseley against the Pedi. In 1883 Mabhogo's successor Nyabela was attacked and defeated by the Boer Commando. The Ndzudza Ndebele territory was divided among members of the invaders.

- cc) KwaNgwane: The history of the traditional leaders in this territory is similar to that of the kingdom of Swaziland.
- dd) Lebowa: The well-known traditional leaders of the BaPedi are Sekwati who was succeeded by Sikhukhuni in 1862. They fought numerous wars with Afrikaner and British authorities until September 1879 when three of Sikhukhuni's brothers and nine of his sons were killed.
- ee) Venda: One of the greatest Venda traditional leaders, Ramabulana died in 1864. Thereafter rivalry ensued between his sons, Davhana and Machado. The latter eventually won. The Venda traditional leaders fought war against the South African Republic in 1867. After Machado's death in 1895 another rivalry erupted between Sinthomule and Mphephu. The latter was driven across the Limpopo in 1898.
- ff) Gazankulu: Some of the traditional leaders in Gazankulu are

directly linked to Soshangane who fled KwaZulu after the defeat of the Ndwandwe by King Shaka. Soshangane dominated the Tsonga and Thonga subjects until his death in 1858.

- gg) The Transkei and Ciskei: The ^opolitical systems of the traditional leaders in these territories were loosely structured. They belonged politically to distinct clusters of which the Xhosa, Thembu, Mpondo, Mpondomise and Bomvana were the most important.

Other groups, for example, amaBhele, amaZizi and amaHlubi were collectively referred to as "amaMfengu" in the 1830s. During the nineteenth Century the BhaCa people, the Xesibe and Ntlangwini also arrived in the area.

The Xhosa people were therefore united under many traditional leaders. At the beginning of the nineteenth century further political divisions occurred when Ndlambe of the Rharhabe and Ngqika of the Gcaleka separated.

The Xhosa people fought numerous wars against the British imperialists until their defeat in 1894.

The participation of traditional leaders in Codesa may

necessitate bigger venue to accommodate them. This problem of numbers can also be solved by limiting the number of traditional leaders to be dispatched from each territory.