

RESPONSE STATEMENT TO CONTRALESA REMARKS

To all media houses:

Date: 28 February 2023

My name is Victor Modimakwane, and I am an applicant number 4, in a matter between Constance Mogale and Others v Speaker of National Assembly and Others [CCT 73/22].

I was watching news during afternoon on NewzRoom Africa presented by Dudusile Ramela where she interviews the President of CONTRALESA Kgosi Mokwena in relation to Constitutional Court Challenges brought by Alliance for Rural Democracy (ARD) National Coordinator Constance Mogale, Land Access Movement of South Africa (LAMOSA), Mashona Wetu Dlamini a member of the uMgungundlovu community (Eastern Cape) and Victor Modimakwane a member of Bakgatla Ba Kgafela community (Moruleng, North West).

During interview, what was not factually correct are the following:

- 1.The applicants are misguided (Lost in understanding the contents and ever lasting impact on rural communities)
- 2.Legal Resource Centre is there to destroy the institution of Bogosi.
- 3.Playing Race Card
- 4.CONTRALESAs was not served with papers.
- 5.CONTRALESAs is also concern about certain contents of the Traditional and Khoi-San Leadership Act.

My response to the above:

The President of CONTRALESA have display elements of disrespecting the legal team, questioning their IQ level of understanding, not only the legal team, he did extend disrespect to the applicants also questioning our own level of understanding of customary law.

The allegation he made by saying Legal Resources Centre is there to destroy the institution of Bogosi was previously mentioned by the team of Mr Nyalala Pilane in a Commission of Inquiry into Leadership Dispute in North West. What he is not aware of, is that the same institution of traditional leadership has destroyed itself decades ago. The question is How? The moment they have allowed illegitimate individual to be part of the institution was the first step to self-destruction.

The moment they co-opt an individual who is highly controversial, suspected of corrupt activities, theft of tribal funds, theft of tribal farms, is the second step to self-destruction.

The institution of Bogosi, in particular in areas that are rich in minerals like Bakgatla Ba Kgafela community, they become the law unto themselves because they are using tribal funds to buy protection from politicians, Judges, Police and some members of traditional Leaders.

Now what Legal Resource Centre does, is to protect the same institution against misuse by highly compromised individual within the system.

What Legal Resources Centre does, is to protect communities against individuals who has his own personal interest rather that community interest. Communities do call assistance of Legal Resource Centre, not Legal Resource Centre imposing themselves in communities. The LRC has been in existence for more than 40 years, so it is completely irrational to suggest that LRC was founded to destroy the institutions of traditional leadership because this was already done by the apartheid government many years prior.

Playing a race cards, this including Mr Nyalala Pilane's legal team also his own Brother in a Commission, so is not amazing, when one failed to account race card will be his or her defence and all time.

CONTRALESA was not aware or served with papers, shocking nee!

CONTRALESA also have challenges with certain sections in the Act. It sounds very interesting at the same time surprising because their main body is represented in Parliament and has a permanent seat in Parliament, to assist him please consult NATIONAL HOUSE OF TRADITIONAL LEADERS.

Lastly CONTRALESA is pre-empting what is coming, particularly regards Mr Nyalala Pilane and the mounting court challenge he is about to face, and some members of CONTRALESA will have no financial support because they have been benefiting from monies belonging to Bakgatla ba Kgafela community.

I welcome any opportunity to be interviewed as I can share more details of this important case

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