



VOORLEGGING OP DIE VOORGENOME VIER-EN-TWINTIGSTE KONSTITUSIONELE WYSIGINGSWET, 2026, TEN AANSIEN VAN DIE VOORGESTELDE HERROEPING VAN ARTIKEL 235 VAN DIE GRONDWET

Aan: Die Speaker van die Nasionale Vergadering Republiek van Suid-Afrika

En aan: Mnr. Mzwanele Manyi, LP

Van: Orania Dorpsraad

24 April 2026

Note: An English version of this submission follows the Afrikaans

Die Orania Dorpsraad, synde die instelling waaronder die Orania Dorpsgebied resorteer, lê hiermee sy beswaar teen die voorgenome herroeping van artikel 235 van die Grondwet van Suid-Afrika voor.

Dit dien reeds vermeld te word dat die blote voorneme om artikel 235 te herroep in sy wese teen alle redelike beginsels van billikheid en regverdigheid, asook die konstitusionele orde en oogmerk van 'n breër Suid-Afrikaanse samelewing, indruis. Om hierdie rede alleen behoort die privaat wysigingswetsontwerp teruggetrek te word.

Die aard en inhoud van artikel 235 en die internasionaal-erkende reg op selfbeskikking is ook omvattend en die oorweging daarvan, alhoewel die reg daartoe in sy eenvoud edel is, by die uitleg en konteks binne Suid-Afrika kompleks.

Die inhoud van hierdie voorlegging waarin ons beswaar uiteengesit word, is 'n samevatting van wesenlike aspekte en nie op hierdie stadium bedoel om elke aspek in volle omvang en besonderhede aan te spreek nie. Indien daar in die onbillikheid en onregverdigheid van die voorneme om artikel 235 te herroep volhard word, is dit die oogmerk van Orania Dorpsraad om verdere voorleggings ten aansien hiervan te maak.

Alhoewel die voorgenome herroeping van artikel 235 van die Grondwet op die betrokke artikel self betrekking het, slaan dit ook by implikasie direk ag op Orania as 'n gemeenskap wat daarvoor bekend is dat dit die praktiese uitvoering daarvan nastreef.

Daar kan derhalwe in kort op die volgende paar aspekte gewys word:

“In erkenning van die verlede”

Orania, as die praktiese vergestaltung van een van die mees natuurlike menslike behoeftes, maar ook een van die mees basiese menseregte, naamlik selfbeskikking, staan nie in isolasie van die werklikhede van ons tyd en die ontplooiing daarvan vanuit die verlede nie.

Trouens, Orania spreek ten diepste tot die erkenning van die verlede van Suid-Afrika en om dit wat Suid-Afrika tot beter voordeel van gesonde verhoudings, samewerking en regverdigheid neem en dit ook te beklemtoon.

Dit is welbekend dat 'n valse narratief gereeld vir kwaadwillige oogmerke rakende Orania se bestaansrede versprei word. Daar word deur ons aan die hand gedoen dat die bedoeling agter die poging om artikel 235 van die Grondwet te herroep eweneens op 'n valse narratief berus. Hierdie valse narratief wil voorgee dat Orania in ontkenning van die verlede, of in voortsetting van die verlede sou bestaan. 'n Bekende, maar valse, beskuldiging in hierdie verband is dat Orania 'n “enklawe” is wat op ras gebaseer word.

In werklikheid is die Orania-gedagte onder andere gebore vanuit die diepe besef dat 'n verlede waar een groep, volk of ras oor ander moet regeer, hetsy as minderheid of meerderheid, nie herhaal moet word nie. Dit beteken dat Orania 'n diepliggende breuk met die verkeerde van die verlede gemaak het om dit wat regverdig en billik teenoor die verskeidenheid van mense van Suid-Afrika is, prakties neerslag te laat vind.

Die ontwikkeling van Orania volg dan ook op die erkenning dat gemeenskappe, soos in artikel 235 verwoord, nie daartoe belet word om aan die hand van die erkende en gevestigde reg op selfbeskikking hulself binne die raamwerk van die reg te organiseer en praktiese uitvoering daaraan te gee nie.

Orania streef selfbeskikking binne die raamwerk van die reg na en dit word op 'n verantwoordelike, wettige en volhoubare basis gedoen.

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Die leuse van Suid-Afrika kan vertaal word as “eenheid in verskeidenheid”. Dit bevestig in wese 'n belangrike aspek van Suid-Afrika soos dit vandag daar uitsien: 'n verskeidenheid van tale en kulture soos dit in min ander state waargeneem kan word.

Hierdie verskeidenheid is sodanig teenwoordig omrede Britse kolonialisme en die bou van “empire” die grense van die staat rondom 'n groot verskeidenheid van kultuur- en taalgroepe daargestel het, dieselfde koloniale grense wat byvoorbeeld die MK-

party graag wil sien behoue moet bly. Afrikaners, as een van die volke van Suid-Afrika, het self 'n duur prys in ons stryd teen Britse imperialisme betaal.

Die toepassing van die leuse van Suid-Afrika slaan wel direk op artikel 235 van die Grondwet. Die aandrang van byvoorbeeld die MK-party om vanuit sentralistiese staatsbeheer imperialisme op die mense van Suid-Afrika toe te pas is nie slegs 'n ernstige inbreuk op die vryheid van die mense van Suid-Afrika nie, maar ook 'n verskuiwing van die leuse na "eenheid van die staat ten koste van verskeidenheid".

Die geskiedenis van die mensdom, gevestig binne kultuur- en taalgroepe, wys egter daarop dat om die eenheid van die staat ten koste van verskeidenheid af te dwing, gewoon onnatuurlik, onvolhoubaar en onmoontlik is. Dit lei gewoonlik tot spanning en konflik terwyl die einste eenheid wat op onnatuurlike wyse afgedwing word in duie stort.

Orania Dorpsraad is van oordeel dat die ryke verskeidenheid van Suid-Afrika beter en meer volhoubaar in stabiliteit en vrede kan bestaan waar daar respek vir verskeidenheid is. Deur die onderskeie Godgegewe kultuur- en taalgroepe van Suid-Afrika nie as 'n bedreiging te beskou nie, maar hul bestaan en aspirasies met respek te omhels, sal dit direk tot beter onderlinge verhoudinge lei.

Die voorgenome herroeping van artikel 235 druis dan ook teen die grein in van dit wat natuurlik, heilsaam en in respek vir mekaar tot voordeel van alle mense van Suid-Afrika is. Dit dui slegs oppervlakkig op die erkenning van die verskeidenheid van Suid-Afrika, maar meer diepgaande op die verwerping van die basiese reg wat hierdie verskeidenheid toekom.

Om die Oranjerivier met 'n sif te probeer opdam

Die voorgenome herroeping van artikel 235 berus derhalwe, en ten eerste, op 'n valse narratief, maar ten tweede op die ontkenning van die werklikheid en met die bedoeling om by wyse van sentralistiese staatsbeheer imperialisme op die verskeidenheid van mense in Suid-Afrika af te forseer.

Die effek van sodanige herroeping van artikel 235, indien dit wel sou geskied, sal egter neerkom op 'n poging om die Oranjerivier met 'n sif te probeer opdam. Dit sal sorg vir hoogstens 'n kortstondige versteuring in die reg, maar met bloot 'n versterkte vloei wat daarop volg.

Die rede is eenvoudig: Die reg op selfbeskikking is 'n internasionaal-erkende en verskanste reg, een wat ook sodanig deur Suid-Afrika in die ondertekening van verskeie verdrae en ooreenkomste bevestig word. In die internasionale reg kan onder andere vermeld word die Handves van die Verenigde Nasies (1945) wat selfbeskikking erken en die Internasionale Verdrae oor Burgerlike en Politieke Regte (ICCPR) en die Internasionale Verdrag oor Ekonomiese, Sosiale en Kulturele Regte (ICESCR) wat beide dieselfde bewoording in artikel 1 bevat: "*Alle volke het die reg op selfbeskikking. Op grond van daardie reg bepaal hulle vryelik hul politieke status en streef hulle vryelik hul ekonomiese, sosiale en kulturele ontwikkeling na.*"

Die reg op selfbeskikking word dan ook met goeie rede op 'n wye grondslag as 'n basiese mensereg aanvaar en, tot voordeel van die vooruitgang van verskeie state, sodanig toegepas. Orania se ontwikkeling dien as 'n praktiese voorbeeld van hoe hierdie regsbeginsel op 'n vreedsame wyse binne 'n groter staatsverband verwesenlik kan word. Die gemeenskap dra ekonomies by, funksioneer selfstandig en stel 'n model van gedesentraliseerde ontwikkeling voor wat internasionaal toenemend erkenning geniet. Orania is nie 'n las op die staat nie, maar 'n bate in die vorm van selfstandigheid, wat, dit ten spyt, belasting aan die owerhede van Suid-Afrika oorbetaal.

Die verwydering van die betrokke artikel in die Suid-Afrikaanse Grondwet sal derhalwe 'n aanduiding van die bedoeling tot kwaadwilligheid teenoor die mense van Suid-Afrika beklemtoon, maar sal dit nie die mense van Suid-Afrika verhoed om in goeder trou steeds hul basiese reg op selfbeskikking na te streef nie. Deur artikel 235 egter nie te wil herroep nie, maar eerder daarop verder uit te brei en die bedoeling daarvan te versterk, sal 'n aanduiding wees dat daar erns met die regte en vryheid van die verskeidenheid van mense in Suid-Afrika gemaak word.

Dit is dan ook opmerklik dat die reg op selfbeskikking deur sekere politici in Suid-Afrika hoogs selektief benader word. In die realistiese wete dat dit 'n basiese en onvervreembare reg is, sal erkenning en ook aandrag daarvan ten aansien van ander kultuur- en taalgroepe uitgespreek word, maar binne Suid-Afrika skielik en inkonsekwent geïgnoreer word. Daar kan talryke voorbeelde geopper word, insluitend die driftige ondersteuning van die reg op selfbeskikking vir die Palestyne. Ons ondersteun selfbeskikking vir alle mense, maar beperk dit nie tot slegs mense wat buite Suid-Afrika woon nie. In konsekwentheid, sou die vraagstuk ook met opregte eerlikheid benader word, sal sekere politici in Suid-Afrika 'n wettige en ontvanklike strewe tot selfbeskikking binne Suid-Afrika met dieselfde geesdrif ondersteun as wat dit jeens selektiewe groepe buite Suid-Afrika gedoen word.

'n Enkele ander voorbeeld van ondersteuning van selfbeskikking kan uitgelig word: Die regering van Suid-Afrika onder leiding van pres. Jacob Zuma het op 9 Julie 2011 die mense van Suid-Soedan met die uitoefening van hul reg op selfbeskikking by wyse van hul onafhanklikheid gelukgewens. Ons gaan hierin met pres. Zuma en sy regering se standpunt akkoord, naamlik dat selfbeskikking vir mense gelukwense verdien — nie vyandskap nie.

Die MK-party self se standpunt jeens die vraagstuk van die territoriale integriteit van Marokko en die Wes-Sahara-vraagstuk dien as voorbeeld van die erkenning en verwagte toepassing van selfbeskikking. Die volgende gedeelte, soos dit in die MK-party se dokument getiteld "*A Strategic Partnership for African Unity, Economic Emancipation & Territorial Integrity: Morocco*" verskyn, is 'n benadering wat, sonder dat ons ons hierin enigszins oor die Marokko- en Wes-Sahara-vraagstuk uitspreek, as 'n algemene benadering deur Orania ondersteun kan word:

"Autonomy Initiative as the only Solution Morocco's proposal for autonomy in Western Sahara must be looked into within the context of the unification of African people and

the principles of self-determination. Morocco's proposal allows for significant local governance by the Sahrawi people, while ensuring that Morocco retains its sovereignty over the region. This approach could offer a balanced path forward that promotes stability, peace, and development in a region long plagued by conflict. Furthermore, the Umkhonto weSizwe Party, firmly, believes that any solution must take into account the interests of all parties involved, including Morocco and the Sahrawi population."

Voormelde bewoording deur die MK-party erken die logiese, naamlik dat selfbeskikking juis as erkende en gevestigde reg tot bevordering van stabiliteit, vrede en ontwikkeling bydra. Ons is van oordeel dat sodanige benadering tot selfbeskikking op die minste reeds billik is en sou verwag dat die MK-party in konsekwentheid dieselfde benadering jeens die gemeenskap van Orania sou volg.

Die reg op selfbeskikking was die deurslaggewende regsbasis waarop die stryd, veral in Afrika, teen kolonialisme gevoer is. Dit moet 'n besonder hardnekkige ontkenning van die groot opofferings wat talle gemeenskappe oor Afrika heen (die Afrikaner as een van die volke van Afrika ingesluit) teen kolonialisme gebring het vereis om hierdie edele regsfeit vanuit die Grondwet van Suid-Afrika te wil verwyder.

Die reg op selfbeskikking is so sterk en as gegewe gevestig dat geen enkele politieke party in Suid-Afrika in die verlede, hede of toekoms in ontkenning daarvan kan leef nie. Die feite spreek tot die teendeel en sal 'n poging om artikel 235 van die Grondwet te herroep in wese neerkom op 'n futiele poging, soos om die Oranjerivier met 'n sif te probeer opdam.

Die fundamentele fout

Die oogmerk vir die herroeping van artikel 235 is derhalwe nie slegs gebaseer op 'n valse narratief wat in ontkenning van die verlede bevorder word nie, nie slegs 'n ontkenning van die werklikheid soos vergestalt in die verskeidenheid van Suid-Afrika se kultuur- en taalgroepe nie en nie slegs gegewe die gevestigde aard en algemene erkenning van die reg op selfbeskikking 'n futiele poging nie, maar berus insover dit Orania spesifiek aangaan op 'n fundamentele fout.

Hierdie fundamentele fout wat in die argument teen artikel 235 en by implikasie maar spesifiek teen Orania geopper word, is dat Orania as gemeenskap sou bestaan omdat artikel 235 in die Grondwet vervat is.

Orania as gemeenskap bestaan nie danksy artikel 235 nie, maar omdat die Afrikaner, net soos enige ander volk en in gelyke mate daartoe, as 'n Godgegewe erkende feit bestaan. Kultuur- en taalgroepe vorm natuurlik, nie as gevolg van wetgewing nie.

Die bestaan van artikel 235 onderskryf egter die basiese reg wat die gemeenskap van Orania in die besonder, maar ook alle ander gemeenskappe in Suid-Afrika in die algemeen toekom. Deur artikel 235 op die basis van sodanige fundamentele fout te wil herroep is derhalwe onredelik, onbillik en onregverdig.

Grondwet het stewige fondasie gelê

Wat die Grondwet van Suid-Afrika en artikel 235 in die besonder daarstel, is die positiewe bevestiging van die bestaan van die reg op selfbeskikking.

Die regering, gegewe die besondere historiese konteks by die aanvaarding van die Grondwet van Suid-Afrika, het, eenvoudig gestel, die fondasie vir selfbeskikking gelê. Hierop volg die geleentheid vir gemeenskappe om op hierdie fondasie hul huis te bou, met die voorbehoud dat daar by wyse van latere wetgewing besluit sal word hoe die dak daarvan moet uitsien.

Orania is een van die gemeenskappe wat hierdie geleentheid opgeneem het en die strewe na selfbeskikking prakties laat vergestalt het. Orania het die huis begin bou, welwetend dat dit binne die raamwerk van die reg moet geskied. Hierdie proses is aangepak en word mee volhard ten spyte van kwaadwillige en valse beskuldigings wat van Orania iets poog te maak wat dit nie is nie.

Die motivering vir die herroeping van artikel 235 met woorde soos "confusion" en "contradictions" kan dan ook nie voor die deur van 'n gemeenskap wat op die positiewe uitnodiging van 'n fondasie van selfbeskikking deur die regering daargestel is, gelê word nie. Indien daar enige onsekerheid of teenstrydighede ten aansien van artikel 235 is, sal die antwoord daarop wees om nie die betrokke artikel en die reg wat daarmee gepaardgaan destruktief te benader nie, maar eerder op 'n konstruktiewe basis erkenning en verdere inhoud daaraan te gee.

Dit kan gestel word dat gemeenskappe in Suid-Afrika selfbeskikking as 'n gevestigde en onvervreembare reg benader. Die voorgenome herroeping van artikel 235 sal 'n poging wees om die fondasie en dus gevestigde reg waarop selfbeskikking, soos in Orania se geval, reeds praktiese uitvoering beleef, in fiksie te ontken.

Konstruktief, nie destruktief nie

Die reg op selfbeskikking kan op 'n verskeidenheid van wyses manifesteer. In die meeste gevalle oor die wêreld heen is dit geen bedreiging vir die "territoriale integriteit" van state nie, soos wat die MK-party aanvoer.

Indien daar egter politici is wat 'n staat wil sien waarin onstabiliteit gedy, waar mense onderdruk word en hulle regte ontken word en waarin onnodige konflik opvlam, sal hulle die reg op selfbeskikking teenstaan. Politici wat in imperialisme glo, sal die reg op selfbeskikking teenstaan.

Artikel 235 is 'n belangrike aanwyser van 'n staat wat die belange van sy mense op die hart dra, ook in die erkenning van die verskeidenheid daarvan.

Soos vermeld moet artikel 235 en die vraagstuk rakende gemeenskappe se reg op selfbeskikking eerder konstruktief benader word as wat 'n destruktiewe poging tot die verwydering daarvan aangewend word.

Mense se reg op en strewe na vryheid kan nie onderdruk word nie. Suid-Afrika se geskiedenis het dit by herhaling bewys.

Belanghebbende party

Die Orania-gemeenskap is hierin 'n belanghebbende party en verlang dat, waar enigiemand bereid is om 'n konstruktiewe benadering te volg, daar ook met ons in hierdie verband geskakel word.

Waar daar op die oomblik 'n destruktiewe poging tot die herroeping van artikel 235 geloods word, word ter rekord gestel dat Orania eweneens 'n belanghebbende party is en dienooreenkomstig aan enige en alle verdere prosesse wil deelneem.

Einde.

In English –

SUBMISSION ON THE PROPOSED TWENTY-FOURTH CONSTITUTIONAL AMENDMENT ACT, 2026, REGARDING THE PROPOSED REPEAL OF SECTION 235 OF THE CONSTITUTION

To: The Speaker of the National Assembly, Republic of South Africa

And to: Mr. Mzwanele Manyi, MP

From: Orania Town Council

The Orania Town Council, being the institution under which the Orania Town Area falls, hereby submits its objection to the proposed repeal of section 235 of the Constitution of South Africa.

It should already be stated that the mere intention to repeal section 235 is, in its essence, contrary to all reasonable principles of fairness and justice, as well as the constitutional order and objective of a broader South African society. For this reason alone, the private member's amendment bill ought to be withdrawn.

The nature and content of section 235 and the internationally recognised right to self-determination are also extensive, and although the right thereto in its simplicity is noble, its interpretation and context within South Africa are complex.

The content of this submission in which our objection is set out is a summary of essential aspects and is not at this stage intended to address every aspect in full scope and detail. Should the unfairness and injustice of the intention to repeal section 235 be persisted with, it is the intention of the Orania Town Council to make further submissions in this regard.

Although the proposed repeal of section 235 of the Constitution relates to the relevant section itself, it also by implication directly affects Orania as a community known for seeking the practical implementation thereof.

Attention can therefore briefly be drawn to the following aspects:

“In recognition of the past”

Orania, as the practical manifestation of one of the most natural human needs, but also one of the most basic human rights, namely self-determination, does not stand in isolation from the realities of our time and its unfolding from the past.

In fact, Orania speaks deeply to the recognition of South Africa's past and to what South Africa draws for the better benefit of healthy relations, cooperation and fairness, and also emphasises it.

It is well known that a false narrative is frequently spread for malicious purposes regarding Orania's reason for existence. It is submitted by us that the intention behind the attempt to repeal section 235 of the Constitution is likewise based on a false narrative. This false narrative seeks to suggest that Orania exists in denial of the past, or as a continuation of the past. A well-known, but false, accusation in this regard is that Orania is an “enclave” based on race.

In reality, the Orania idea was born, among other things, from the deep realisation that a past in which one group, nation or race must rule over others, whether as minority or majority, must not be repeated. This means that Orania has made a profound break with the wrongs of the past in order to give practical expression to what is just and fair towards the diversity of people of South Africa.

The development of Orania also follows on the recognition that communities, as expressed in section 235, are not prevented from organising themselves within the framework of the law in accordance with the recognised and established right to self-determination and giving it practical effect.

Orania pursues self-determination within the framework of the law, and this is done on a responsible, lawful and sustainable basis.

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The motto of South Africa can be translated as **“unity in diversity”**. It essentially confirms an important aspect of South Africa as it stands today: a diversity of languages and cultures as is observed in few other states.

This diversity is present due to British colonialism and the building of “empire” which established the borders of the state around a wide variety of cultural and linguistic groups, the same colonial borders which, for example, the MK Party wishes to see maintained. Afrikaners, as one of the peoples of South Africa, themselves paid a high price in our struggle against British imperialism.

The application of the motto of South Africa directly relates to section 235 of the Constitution. The insistence of, for example, the MK Party to apply imperialism to the people of South Africa through centralised state control is not only a serious infringement on the freedom of the people of South Africa, but also a shift of the motto to “unity of the state at the expense of diversity”.

The history of humanity, rooted in cultural and linguistic groups, however shows that enforcing unity of the state at the expense of diversity is simply unnatural, unsustainable and impossible. It usually leads to tension and conflict, while the very unity that is artificially imposed eventually collapses.

The Orania Town Council is of the view that the rich diversity of South Africa can better and more sustainably exist in stability and peace where there is respect for diversity. By not regarding the various God-given cultural and linguistic groups of South Africa as a threat, but by embracing their existence and aspirations with respect, this will directly lead to better mutual relations.

The proposed repeal of section 235 also runs contrary to what is natural, wholesome and respectful towards one another for the benefit of all people of South Africa. It only superficially reflects recognition of South Africa's diversity, but more deeply the rejection of the basic right that this diversity is entitled to.

To try to hold back the tide

The proposed repeal of section 235 is therefore, in the first instance, based on a false narrative, but secondly on the denial of reality and with the intention to forcibly impose imperialism on the diversity of people in South Africa through centralised state control.

The effect of such a repeal of section 235, should it indeed occur, will however amount to an attempt to hold back the tide. It will cause at most a short-lived disturbance in the flow, only for it rush back stronger thereafter.

The reason is simple: the right to self-determination is an internationally recognised and entrenched right, one which is also confirmed by South Africa through the signing of various treaties and agreements. In international law, mention can be made *inter alia* of the Charter of the United Nations (1945), which recognises self-determination, and the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both of which contain the same wording in article 1: *"All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."*

The right to self-determination is therefore for good reason widely accepted as a basic human right and, for the benefit of the progress of various states, applied as such. Orania's development serves as a practical example of how this legal principle can be realised peacefully within a larger state framework. The community contributes economically, functions independently, and presents a model of decentralised development that is increasingly receiving international recognition. Orania is not a burden on the state, but an asset in the form of self-reliance, which, notwithstanding this, pays taxes to the authorities of South Africa.

The removal of the relevant section in the South African Constitution will therefore emphasise an indication of intent of malice towards the people of South Africa, but

will not prevent them from continuing to pursue their basic right to self-determination in good faith. By not repealing section 235, but rather expanding on it and strengthening its intention, it will indicate that seriousness is attached to the rights and freedom of the diversity of people in South Africa.

It is also noteworthy that the right to self-determination is approached in a highly selective manner by certain politicians in South Africa. In the realistic knowledge that it is a basic and inalienable right, recognition and also insistence thereof is expressed in respect of other cultural and linguistic groups, but within South Africa it is suddenly and inconsistently ignored. Numerous examples can be raised, including the fervent support for the right to self-determination for the Palestinians. We support self-determination for all people, but do not limit it only to people living outside South Africa. In consistency, if the matter were to be approached with sincere honesty, certain politicians in South Africa would support a lawful and genuine pursuit of self-determination within South Africa with the same enthusiasm as is shown towards selective groups outside South Africa.

One further example of support for self-determination can be highlighted: the government of South Africa under the leadership of President Jacob Zuma congratulated the people of South Sudan on 9 July 2011 on the exercise of their right to self-determination through their independence. We agree with President Zuma and his government's position in this regard, namely that self-determination for people deserves congratulations — not hostility.

The MK Party itself's position regarding the question of the territorial integrity of Morocco and the Western Sahara issue serves as an example of recognition and expected application of self-determination. The following passage, as it appears in the MK Party's document entitled "*A Strategic Partnership for African Unity, Economic Emancipation & Territorial Integrity: Morocco*", is an approach which, without us expressing any position on the Morocco and Western Sahara issue, can on a general basis be supported by Orania:

"Autonomy Initiative as the only Solution Morocco's proposal for autonomy in Western Sahara must be looked into within the context of the unification of African people and the principles of self-determination. Morocco's proposal allows for significant local governance by the Sahrawi people, while ensuring that Morocco retains its sovereignty over the region. This approach could offer a balanced path forward that promotes stability, peace, and development in a region long plagued by conflict. Furthermore, the Umkhonto weSizwe Party, firmly, believes that any solution must take into account the interests of all parties involved, including Morocco and the Sahrawi population."

The above wording by the MK Party recognises the logical, namely that self-determination as a recognised and established right contributes precisely to the promotion of stability, peace and development. We are of the view that such an approach to self-determination is at the very least fair and would expect that the MK Party would consistently apply the same approach towards the community of Orania.

The right to self-determination was the decisive legal basis on which the struggle against colonialism, particularly in Africa, was fought. It would require an exceptionally stubborn denial of the great sacrifices made by numerous communities across Africa (including the Afrikaner as one of the peoples of Africa) against colonialism to wish to remove this noble legal fact from the Constitution of South Africa.

The right to self-determination is so strong and so established that no single political party in South Africa, in the past, present or future, can live in denial thereof. The facts speak to the contrary, and an attempt to repeal section 235 of the Constitution will in essence amount to a futile attempt, like trying to dam the Orange River with a sieve.

The fundamental error

The objective of repealing section 235 is therefore not only based on a false narrative promoted in denial of the past, not only a denial of reality as manifested in the diversity of South Africa's cultural and linguistic groups, and not only, given the established nature and general recognition of the right to self-determination, a futile attempt, but insofar as Orania specifically is concerned, rests on a fundamental error.

This fundamental error raised in the argument against section 235 and by implication but specifically against Orania, is that Orania as a community exists because section 235 is contained in the Constitution.

Orania as a community does not exist as a result of section 235, but because the Afrikaner, like any other nation and to an equal degree, exists as a God-given recognised fact. Cultural and linguistic groups arise naturally, not as a result of legislation.

The existence of section 235, however, confirms the basic right which the Orania community in particular, but also all other communities in South Africa in general, are entitled to. To seek to repeal section 235 on the basis of such a fundamental error is therefore unreasonable, unfair and unjust.

Foundation laid

What the Constitution of South Africa and section 235 in particular establish is the positive confirmation of the existence of the right to self-determination.

The government, and given the particular historical context at the adoption of the Constitution of South Africa, has, simply put, laid the foundation for self-determination. From this follows the opportunity for communities to build their house on this foundation, with the proviso that subsequent legislation will determine how the roof should be constructed.

Orania is one of the communities that has taken up this opportunity and has practically given expression to the pursuit of self-determination. Orania has begun building the house, well aware that this must take place within the framework of the law. This process has been undertaken and is being continued despite malicious and false accusations that attempt to portray Orania as something it is not.

The motivation for the repeal of section 235 with words such as "confusion" and "contradictions" therefore cannot be placed at the door of a community that has acted on the positive invitation of a foundation of self-determination established by the government. If there is any uncertainty or contradiction in respect of section 235, the answer is not to approach the relevant section and the right associated with it destructively, but rather to recognise and further develop it on a constructive basis.

It can be stated that communities in South Africa approach self-determination as an established and inalienable right. The proposed repeal of section 235 will be an attempt to deny in fiction the foundation and thus established right upon which self-determination, as in Orania's case, already enjoys practical implementation.

Constructive, not destructive

The right to self-determination can manifest in a variety of ways. In most cases across the world it poses no threat to the "territorial integrity" of states, as the MK Party claims.

If there are politicians who wish to see a country in which instability prevails, people are oppressed and their rights are denied, and in which unnecessary conflict flares up, they will oppose the right to self-determination.

Section 235 is an important indicator of a state that has the interests of its people at heart, also in recognising their diversity.

As stated, section 235 and the question regarding communities' right to self-determination should rather be approached constructively than subjected to a destructive attempt at its removal.

People's right to and pursuit of freedom cannot be suppressed. South Africa's history has proven this repeatedly.

Interested party

The Orania community is herein an interested party and wishes that, where anyone is willing to follow a constructive approach, we are also engaged in this regard.

Where at present a destructive attempt is being made to repeal section 235, it is placed on record that Orania is likewise an interested party and accordingly wishes to participate in any and all further processes.

Yours faithfully,



Mrs. Lida Strydom
Mayor of Orania