

Judge RRD Mokgoatlheng
Gauteng Local Division of High Court
9th Floor
Room 908
Johannesburg
23 October 2015

The Office of the Chief Justice
41 Fox Street
14th Floor Edura Building
Marshalltown
Johannesburg

ATT: Mr Sello Chiloane .

RE: My nominee as Commissioner of IEC - Adv. M.C. Mokoditwa

I have known Adv. Madibeng Chris Mokoditwa for more than 45 years, more intimately in his capacity as my articulated clerk, my advocate upon his admission when I was attorney, and my assessor on his return from a highly trendsetting Chairmanship of the Special Pensions Review/Appeal Board when I became judge.

I also know his previous involvement in the Pan Africanist Congress (PAC) Dube Village Branch recruited by Dr. Thami Mazwai from 1960 onward. It was in this era that in the company of his PAC senior late Mmutle, they addressed students at Kilnerton High School including the now Honourable Deputy Chief Justice of South Africa, Dikgang Moseneke who inadvertently shared a fence residentially

with the Buys family of Mokoditwa less than two weeks before his arrest and subsequent imprisonment on Robben Island.

He was subsequently involved in student politics ending in his expulsion from Fort Hare. His leadership in the formation of the South African Students Organisation (SASO) with Steve Biko, Barney Pitjana and others, was a precursor to his election as vice president of the first Black People's Convention (BPC) and as head of the Legal Secretariat of Azanian People's Organisation (Azapo) for more than 5 years, a few years after his release from House Arrest and Banning Orders he endured for 7 years.

He is diligent, dependable, honest and competent. His qualifications speak for themselves regarding academic competence in political, legal and human rights. His community involvement in the Association for the Education and Cultural advancement of the African (Asseca), the University Christian Movement - the midwife to SASO and the National Catholic Students Federation (NCSF), makes him a suitable candidate.

When the first House Arrest and Banning Orders for 5 years was imposed on him he was serving his legal clerkship with a white firm of attorneys who upon his principal leaving the partnership, urged him out of the firm. Upon the renewal of the House Arrest and Banning Orders at the end of the 5 years whilst working for Shun Chetty, the Minister of Justice John Vorster, terminated his employment in clear terms providing for the said termination in the orders aforesaid. I invited him to join my firm Matjila Mokgoatheng Attorneys and he did so. It is also during this period that I negotiated his purchase of his current residential place from my client on very liberal and affordable terms from my client.

With my assistance he applied to the Chief Magistrate of Johannesburg for the variation of his orders so that he be allowed to move to the house and area of Molapo Township from which he was not allowed entry.

Notwithstanding being under House Arrest Orders, he was arrested and confined in Modderbee Prison under Preventative Detention Laws for a period of period of

5 months with Dr. Motlana now Dr. Mark Shinnars among many others during the 1976 uprising. Ironically he was happy to have company once more.

Prior to the aforesaid House Arrest and Banning Orders, he represented several organisations of South Africa, in the USA, England, Holland, Switzerland, Germany, Nigeria and Rome where he met with the then Pope.

He also worked for 3 years as Executive Assistant to the now Catholic Archbishop Buti Tlhagale, then Director for the Educational Opportunities Council (EOC), administering British and USAid overseas scholarships for South African Blacks only.

To my knowledge he was associated with the IEC for about two years as Legal Secretariat head of Azapo and is no stranger thereto. His acquisition of Laer and Hoër Afrikaans Taalbond, that he speaks Sepedi, Setswana, Sesotho, and understands IsiZulu, IsiXhosa, Tshivenda and Tshitsonga are advantageous.

His appointment by Minister of Finance Trevor Manuel as Chairperson of the Special Pensions Appeal/Review Board with 2 others for 4 annually renewable contract for 4 years to liberation struggle veterans' pensions could not be faulted. His first role as assessor in 2008 was with me locally and on Circuit. He has since worked with 10 other judges for 8 years to date. His enhanced objectivity as well as his abilities will be an invaluable asset to the IEC.

He furthermore enrolled with 6 universities for legal studies, was expelled from 3, but finally acquired:

- a) BA Law degree with Political Science, Public Administration and Private Law as majors.
- b) LLB Degree
- c) LLM in Human Rights and Constitutional Law

I recall clearly how we unexpectedly met in Parliament, Cape Town for the interview for the position of Public Protector. We were both unwittingly contesting for the position for which we had both been shortlisted and provided with air tickets. He had been overseas prior thereto to study the Ombudsman in

United States and Sweden sent by the Black Lawyers Association and USSALEP. We both failed and Adv. Mushwana was appointed.

In the Department of Agriculture, Forestry and Fisheries, he participated in 3 rural communities of Mpumalanga and 1 in the North West province in facilitation, drafting and adoption of their respective communal ownership of land constitutions upon acquisition or restoration of their land - the CPA.

He is in good health and has never been absent due to ill health. I have no hesitation in the light of his aforesaid qualities to recommend him for appointment to the Independent Electoral Commission of South Africa as Commissioner.

Please find attached hereto his written consent to the nomination, his comprehensive curriculum vitae and a certified copy of his RSA identity document.

Yours Faithfully,


Judge RRD Mokgoatheng.

of the Gauteng Local
Division

26 October 2015

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2023

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23 October 2015

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41 Fox Street

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Johannesburg

ATT: Mr Sello Chiloane.

Consent to Nomination as Independent Electoral Commission Commissioner:

I, Madibeng Chris Mokoditwa do hereby consent to my nomination as commissioner of the Independent Electoral Commission of the RSA and declare my availability, willingness and desire to serve on a part-time basis as envisaged, if appointed.

I have enclosed my full curriculum vitae and will gladly elaborate thereon if so requested.

Yours faithfully,


Adv. M.C. Mokoditwa

CURRICULUM VITÆ OF MADIBENG CHRIS MOKODITWA

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MOLAPO (SOWETO)
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Excom
2023

MOBILE NUMBERS : 082 698 2071
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PERSONAL DETAILS

SURNAME : Mokoditwa
FIRST NAME[S] : Madibeng Chris
DATE OF BIRTH : 03 November 1938
ID No : 3811035271086
GENDER : Male
MARITAL STATUS : Married
NATIONALITY : South African
DRIVERS LICENCE : Code 8
HOME LANGUAGE : Sepedi
OTHER LANGUAGES : English, Afrikaans, Setswana, Sesotho, IsiXhosa,
IsiZulu, Tshivenda & Tshitsonga
CRIMINAL RECORDS : None

EDUCATIONAL QUALIFICATIONS

1958 : Pax Institute Polokoane: Attained Joint Matriculation
Board Certificate

1965-1968 : University of Fort Hare – expelled by University

- 1972 : University of South Africa: Attained B.A degree; Political Science 111, Public Administration 11, and Private Law 111 as majors
- 1982-1983 : University of Witwatersrand: LLb (Part-time) – excluded on academic ground.
Mini-Thesis: “A Comparative study of detention without trial in the Republic of South Africa, Zambia, Zimbabwe Kenya and Mozambique.”
- 1985-1988 : University of Bophuthatswana: LLB (full time student and part time graduate-assistant - In the Unibo law Clinic) - expelled by government and re-instated after honest representation to cabinet by Prof. Caraman Nathan & Judge Monama.
Was appointed fulltime lecturer and allocated residence outside university.
:LLb attained. Mini Thesis; “Access to Justice: A developmental Model for Bophuthatswana.”
Worked in the Law Clinic, and provided legal advice and legal service to members of the public and students.
- Reason for termination: : To get back to family in Soweto and join (EOC) Educational Opportunities Council
- 1990 : Pretoria University LLM (first year) Part-Time
Mini –Thesis: “Justice for the indigent.”
- 1991 : Rand Afrikaanse University (RAU): Attained LLM in Human Rights and Constitutional Development

Employment history

1961-1971

- ❖ Gillett south Africa sales representative-promoting of razors and shaving creams to wholesalers, and retailers in Soweto, Free-State, Northern Cape, and Lesotho.

Reason for termination: was appointed full time Secretary-General of University Christian Movement (UCM)

1971-1972

- ❖ University Christian Movement (UCM) Secretary General: I also administered the Christian scholarship Fund for expelled Black University Students and Black Theology.

Reason for termination: Organisation was dissolved to allow South African Students Organisation (SASO) and Black People's Convention (B.P.C) to take over its projects.

1973-1976

- ❖ Attorneys Michel Lazarus, Joffe & Kobrin: Articles of clerkship for Attorneys

Reason of termination: Principal Michel Lazarus relocated to Cape Town.

1978:

- ❖ Attorneys Shun Chetty and Co: Legal Clerk-handling political trials whilst banned and house arrested

Reason for termination: renewal of banning and house arrest orders with a provision for instant termination of my services by the Minister of Justice for a further 2 year period.

1978-1985: for

- ❖ Attorney's Matjila and Mokgoatheng legal clerk –handling political trials, consulting released political detainees and appearing with counsel in political trials.

Reason for termination: Further studies and subsequent fulltime employment as Lecturer University Of Bophuthatswana Law Clinic (see section on Education).

1988:

- ❖ Educational Opportunities Council [EOC] scholarship –organisation granting International scholarships to Blacks on behalf USAID and BRITISH COUNCIL. Executive assistant to Director – the now Catholic Archbishop Buti Tlhagale, as administrator and personnel manager.

Reason for termination: To do pupillage and commence practice as an advocate.

- ❖ 1994: Admitted as advocate of High court of South Africa.
- ❖ Handling: Criminal, civil, and appeals trials in magistrate, high courts, and labour courts, when instructed by attorneys or Legal Aid Board.

2003/03-2007

- ❖ Department of Finance (National Treasury): Directorate, Special Pensions Review Board Decisions: Chairperson Special Pensions Review Board, considering appeals and review of declined applications Special Pensions Board (SPB)

Reason for termination: Project terminated

2008 - 2015

- ❖ South Gauteng High Court: Criminal Trials - Assessor with the Honourable Justice R.D Mokgoathheng in High Profile protracted criminal trial of State V.Maleke and 12 others. Mokgoathheng subsequently on circuit in Potchefstroom, Klerksdorp, Delmas
- ❖ Vereeniging Local High Court: Assessor with the Honourable Justice GSS Maluleke in various criminal cases. Subsequently criminal trials on circuit in Potchefstroom and Klerksdorp.
- ❖ Served as Assessor in Criminal Trials, South Gauteng & Palm Ridge with J.Monama, J.Vally, AJ. Pandya, J.Moshidi , AJ. Mahalelo, AJ.Mophosho, AJ.Brenner, AJ.Bashall, and J. Spilg

INTERNATIONAL EXPOSURE

1971

- ❖ London(SCM) for two weeks: Visited Anti-Apartheid Movement
- ❖ Holland: Visited Anti-Apartheid Movement<Amsterdam.
- ❖ Switzerland: Visited the World Council of Churches
- ❖ Germany: Visited Anti-Apartheid Movement
- ❖ Switzerland: Attended Pax Romana as representative of UCM

- ❖ Rome: Had audience with Pope John Paul 2
- ❖ Ibadan University Nigeria: Attended and represented University Christian Movement at All Africa Youth Conference

1984

- ❖ Underwent training in legal clinics in the United States of America under the auspices of the Black Lawyers Association and United States South Africa Project (USSALEP) at the Legal Assistance Foundation Chicago; Neighbourhood Clinics in Washington D.C and in New York and the United Nations. Studied Ombudsman Institution in Denmark and Sweden.

LOCAL EXPOSURE

1987

- ❖ Worked Part-Time for Black Lawyers Association Law Clinic in Alexandra.
- ❖ Potchefstroom University: Practise Legal training of the Association of law Societies of the Republic of South Africa.

1989

- ❖ Business Development Corporation: Small Business Development Course

CANDIDATURE

I was considered, short listed and interviewed for all but one of these very senior positions:-

- 1998 : Human Rights Commission of South Africa
- 2001 : Road Accident Fund Board
- 2002 : Public Protector for South Africa
- 2003 : Holland: Prosecutor International Criminal Justice

COMMUNITY AND POLITICAL INVOLVEMENT

- 1960 : Pan Africanist Congress (PAC) Dube branch (SOWETO) - Member
- 1970-1972 : South African Students Organisation (SASO) Vice-Chairperson - Soweto
- : Association for the Education and Cultural Advancement of the African people (ASSECA): Executive Member at both

National and Local Executive Committees levels.

1972

: Black People's Convention (BPC):Vice-President

: Catholic Justice and Peace Commission - Member

: National Union of South African Student (NUSAS) Member

1975

: Azapo Head of Legal Secretarial and Independent Electoral Commission
Representative

EXTRA MURAL ACTIVITIES AND HOBBIES

Extramural: A

- ❖ Government Employees Pension Fund (GEFP) Choir
- ❖ University of Bophuthatswana Choir
- ❖ Phiri Catholic Church Choir
- ❖ Fort Hare University Choir
- ❖ Dube Catholic Church Choir
- ❖ 15 kilometres Soweto Walk (3 Medals)
- ❖ Body Building and KARATE

Extramural: B

Served as school governing body member/Chairperson at Troyville Primary School, Raucall High School and Emmaculata Catholic High School.

ARTICLES

1984

: Manipulated Medical Services in South Africa

1984

: A Sermon: Good Samaritan

1989

: Article and Papers: Sharpeville 29 years of Massacre, Izwilethu

Nactu: Vol,7. No 3

1989

: Seana Marena High School. Questioning Liberation first education

REFERENCES:

Prof .Dr. Z Chuenyane

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Judge Mokgoatlheng

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Judge Maluleke

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Attorneys Ms P.Mbekwa

082 302 1878

Prof. Barrie: RAU

(011) 489-2124

Ms Puleng Zulu

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