## A CLAIM OF RIGHT by Jeremy Acton

In relation to:

The Constitution of South Africa Section 235 "Self determination"

"The Right of the South African people as a whole to self determination, as manifested in this Constitution, does not preclude, within the framework of this right, recognition of the notion of the right of self determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way, determined by national legislation."

In view of my own research into the history of Cannabis and the history and origin of its Prohibition, and my knowledge of its medical, environmental, economic and spiritual benefits, and my knowledge that Prohibition was, and still is, based on racism, prejudice, lies, the protection of vested interests, and imperialist cultural and economic influences from outside of South Africa, I state here that the right of ALL citizens (and not only the rights of the Members of the Dagga Culture.) to Self Determination is being violated by the Single Convention on Narcotics

I claim here the right to the Right of Self Determination for my own cultural community, the Dagga Culture of South Africa, whose members share a common cultural heritage, the Dagga Tree (*Cannabis sativa*), within a territorial entity in the Republic, this territorial entity being defined as being all area within the borders of the Republic of South Africa, including the extent of its marine boundaries.

After 90 years of enforcing Prohibition, the State cannot be trusted, or be regarded as competent, to draft law for the legalization of Dagga. It should be the right of members of the Dagga Culture, who have suffered persecution and stigmatization for many years, to determine for the benefit of their own culture and their Tree, legislation which is also for the good of all citizens, and does not in any way violate the rights of others. This process must be facilitated by the State, the State in truth being the servant and expression of the will of citizens.

Should any doubt be held regarding the real will of the citizens of the Nation, the State is obliged to establish the will of the citizens and to only enact legislation which is based on public discussion and participation in the wording of the law, for the benefit and good of all. In the case of writing legislation for Dagga relegalization, the State must also establish the will of the Dagga Culture, by allowing this culture to initially draft the law, before this first draft is submitted to the public for broader discussion, and to the Constitutional Court for consideration of its constitutionality. This process should ideally be regarded as a creative and constructive debate and engagement between citizens, and I claim here my right to participate in this process.

Jeremy Acton 6 April 2011.