

Response to the debate of the National House of Traditional Leaders

Tshwane Municipal Council Chambers, 2 April 2008

Chairperson of the National House of Traditional Leaders, Khosi F P Kutama,
Deputy Chairperson of the National House, Kgosi P P Maubane,
Chairpersons and Deputy Chairpersons of Provincial Houses of Traditional Leaders,
Traditional leaders present,
Minister Mufamadi,
Government officials,
Distinguished guests,
Ladies and Gentlemen:

I would like to thank the National House of Traditional Leaders for the issues raised in this debate, as presented by inKosi Mavundla, Kgosikgadi Moroka, inKosikazi Mhlauli and Hosi Ngove, on behalf of the House.

I am indeed happy that through this meeting as well as other engagements, we continue to develop close collaboration on the many matters facing the Institution of Traditional Leadership.

Clearly, we still have to work harder to ensure that together we overcome all the challenges and fully address the many and varied problems that face both the traditional leadership as well as the communities you serve.

Once more, I wish to commend the National House of Traditional Leaders for the many initiatives in which it is engaged, including the work done with traditional leaders from the SADC countries, the outreach programmes, signing of the memorandum of understanding with SALGA, involvement in the women indaba, promotion of cultural tourism, promotion of the indigenous language systems, involvement in the health issues including the fight against HIV and AIDS, and the work done with other government departments.

As government, we would like to make a commitment that we will work together with you in the preparations for the launch of the SADC House of Traditional Leaders in July this year.

All of us appreciate and value the work you continue to do - to defend, uphold and promote our culture in the face of strong encroachments of alien cultures some of which seek deliberately to destroy our indigenous cultures.

In this regard, among other things, I also wish to congratulate this House for the strong position you adopted after the indecent assault of a woman in Noord Street in Johannesburg simply because she was wearing a short skirt. I believe that traditional leaders, as custodians of the cultures and traditions of our communities, have the responsibility to correct any perversion and misuse of our culture and traditions.

Again, we are encouraged by the work of this House in the programmes of government, especially those aimed at accelerating service delivery and the development of the masses of our people in the rural communities, in the spirit of Business Unusual, with All Hands on Deck!

In this regard, I am confident that this House will continue to work with government in realising the government's programme of action and the apex priorities as I indicated in the State of the Nation Address earlier this year.

Chairperson,

The finalisation of the policy and legislation on traditional leadership meant that the country ushered in a new era with regard to the role and status of the Institution of Traditional Leadership. This is the era of recognition, respect, empowerment, partnership and solidarity as we work together to improve our service to the people.

As Africans, the role and status of this institution is very important because it enriches our democracy and gives further testament to the fact that our traditions and cultures are critical to the strength, vibrancy and dynamism of modern societies.

It is because of this understanding and indeed as a response to the matters of capacity raised by our traditional leaders today, that we have developed the National Programme of Support for Traditional Leadership, the approval of the establishment of the new Department for Traditional Leadership as well as other numerous initiatives by government.

As you are aware, Cabinet approved the establishment of a new Department for Traditional Leadership on 5 March 2008. The Department of Provincial and Local Government has been tasked with leading the process for the establishment of this new department. We have targeted that the new department will start functioning from 1 April 2009 and the House will be kept informed of this progress.

These measures and others, Chairperson, will undoubtedly go a long way to address the various concerns that have been raised in this debate. These concerns, as raised today and in the past include matters of integration, support to the institution, resources and capacity to the institution and members, always taking into account the need for uniformity across the country.

As we all know, the programme of support was developed in consultation with the Houses of Traditional Leaders, and traditional leaders generally. This programme is in many respects similar to the one government developed to support the municipalities so as to better discharge their constitutional mandate.

I have no doubt that through the establishment of the new department, capacity and resources will be streamlined to provide adequate support for the institution of traditional leadership.

As the House has indicated, there are many issues to be attended to in the short as well as the long term. The new Department will therefore be charged with the task of addressing the many issues raised by the House on behalf of the entire institution of traditional leadership; and these include issues relating to whether there is a need for more members of the House to be full-time in addition to the current full-time Chairperson and the Deputy Chairperson, and many other issues raised today.

Government is also aware of the concerns raised by the House about some of the issues that the Commission for the Remuneration of Public Office-bearers has not finalised. As I indicated during the opening of the House on 22 February, I did convey these concerns to the Chairperson of the Commission; and when the Commission makes its recommendations I would hope that these issues will be addressed.

I am advised that the Commission for the Remuneration of Public Office-bearers has not finalised certain aspects of the overall remuneration package due to traditional leaders. As a result of this, traditional leaders have then raised the possibility of members of the Houses being paid a gratuity at the end of their term of office. Although the request relates solely to members of the Houses, it is clear that other traditional leaders may raise similar claims.

Thus the request for an ex gratia payment is not only complex, but it also has a bearing on the overall framework for the remuneration of public office-bearers. We therefore have to accept that, whatever we do, will also impact on those serving in municipal councils, provincial legislatures and parliament. The Directors-General for Provincial and Local Government and National Treasury are seized with this matter.

Further, as we know, the finalisation of the policy and legislation on traditional leadership was a product of a multi-stakeholder committee and engagement. This House, traditional leaders in general and provincial governments, will be fully consulted in the process of finalising any legislation amending the Framework Act on Traditional Leadership, and in the drafting of the Bill aligning the National House of Traditional Leaders Act with the White Paper on Traditional Leadership and Governance.

I also wish, Chairperson, to reiterate the commitment of government to ensure that the relevant government departments do indeed allocate functions or roles to traditional leaders and their councils. This constitutes part of the implementation of section 20 of the Framework Act passed in 2003.

The Department of Land Affairs is currently finalising regulations based on the Communal Land Rights Act and as in the past, traditional leaders will be consulted on these regulations.

I am indeed happy that the Department of Justice and Constitutional Development has finalised the Bill on Traditional Courts to be piloted through parliament during the current year.

Among others, this confirms that government is committed to the statutory affirmation of the pivotal role that traditional leaders play in conflict resolution and in the administration of justice in our country.

The establishment of the Inter-Departmental Committee on traditional leadership, and the impending Inter-Ministerial Committee meeting, to discuss the allocation of roles and functions by all relevant departments to traditional leaders and their councils, is further confirmation that government is fully committed to the implementation of the provisions of the Framework Act passed in 2003. The processes adopted in the committees mentioned above will be expedited to ensure that the allocation of roles and functions takes place as provided for in legislation.

Clearly, the allocation of additional roles and functions will present traditional leaders with new challenges. As government we will ensure that traditional leaders have capacity and receive appropriate training so that all of us are able to handle these additional challenges.

In this regard, the Local Government SETA has drafted a training programme and all of us should work towards ensuring that this initiative succeeds.

Chairperson,

Government has noted the discrepancies occurring in provinces with regard to the support provided to the institution of traditional leadership. This problem is a legacy of colonialism and apartheid planning, resource allocation and the general treatment of traditional leaders in different former homelands.

Accordingly, among other things, the National Programme of Support for Traditional Leadership is meant to address this matter by standardising support in all provinces, and ensuring that clear guidelines are issued at national level to guide provinces regarding all matters of support to the institution.

It is against this background that the National House and the Department of Provincial and Local Government have designed a programme of engagement to address issues raised by the House today and in the past.

In addition, I have invited this House to address Cabinet on the issues that are important to this institution. We will also make sure that government at all levels improves engagement with traditional leadership so that together we are able to address the challenges facing all of us.

This is critical because the challenges of poverty and underdevelopment, especially in the rural areas, need greater levels of coordination and integration.

Chairperson,

I have received the report from the Commission for Traditional Leadership Disputes and Claims relating to determinations on kingships and we will engage this House on this report.

In addition, we remain committed to finalising the policy on the Khoi and San communities and leadership. In this regard, a meeting is planned between Minister Mufamadi and the National Khoi-San Council, which will take place before the end of April. This meeting will finalise the policy document for submission to Cabinet, after which public consultations will be conducted.

Finally, Chairperson, this institution of traditional leadership is important to us as an African country. It is one of the institutions that we know will never fail us in our quest to define ourselves and to create a unifying identity that is unashamedly African.

I am saying this because this institution, like our cultures and traditions, has survived centuries of brutality, repression and systematic efforts to destroy it. Today, we are proud Africans because of this resilience. As an institution, you represent that resilience. Thus, even when we think we are facing serious challenges, what should sustain us is the memory of the road our people have travelled and the trials and tribulations they have overcome.

I am confident that the measures we have outlined and the many things we will still do together will inspire us further to serve our people.

Thank you.