

**SPEAKERS NOTES BY MEC MADALA MASUKU, AT THE HTL LEKGOTLA ON THE**

**08 MARCH 2011: THE RIDGE-WITBANK**

Chairperson of the House of Traditional Leaders, Ikosi Mahlangu

Members of the Mpumalanga House of Traditional Leaders,

Representatives of the National House of Traditional Leaders

Members of the Local Houses of Traditional Leaders

The Honourable Members of the Legislature,

Honourable MECs,

Executive Mayors and Councilors,

Speakers of Municipalities,

Government Officials,

Distinguished Guest

Ladies and Gentlemen

It is indeed an honour for me to be here with you here today at the Lekogtla of the House of Traditional Leaders under the theme “To promote dialogue between the three spheres of government and institutions of traditional leadership on matters of governance”. The reconfiguration of the government departments by President Jacob Zuma at National and by Premier David Mabuza provincially was a deliberate effort to make sure that government is realigned to address the needs of our people more effectively and efficiently. This current administration under the leadership of President Zuma took a decision that the issue of Traditional Leaders could no longer be relegated to the background of government priorities but rather that it become one of governments priorities and it is brought to the center of development in rural areas, hence the change from the Department Local Government to the department of Co-operative Governance and Traditional Affairs.

This indicates the need that has been identified to pay special attention to matters of Co-operative Governance and Traditional Affairs. To further emphasise the strategic thrust of government towards matters of Traditional Leadership, the department of Traditional Affairs has been formed.

In line with governments re-alignment, the department has repositioned itself to better monitor and support municipalities and our esteemed Traditional Councils under our Amakhosi. Our constitutional obligation is to make sure that all spheres of government work together and as Minister Sicelo Shiceka often puts it we are the choir conductor. It is therefore important that today we are gathered here under the theme “To promote dialogue between the three spheres of government and institutions of traditional leadership on matters of governance”.

The matter of the involvement of Traditional Leaders in matters of governance is still a matter of concern to us as government. We are still concerned that the involvement of Traditional Leaders on matters of governance and development that affect areas under their jurisdiction is still very minimal and in some instances non-existent at all. We are also concerned that there are still some challenges that continue to affect the working relations between our traditional leaders and government. However we are encouraged by gatherings such as these, as they offer us an opportunity to come together as the different spheres of government and traditional leaders to discuss matters of governance and how we can bring a better life to all our people.

One of the mandates of the department is to support, strengthen and capacitate the developmental capacity and capability of Traditional and Royal Councils to accelerate rural development. The department has two core functions that are Local Government and Traditional Affairs. Within the Traditional Affairs component we have the Chief Directorate Institutional Management which deals with the support and the Provincial House of Traditional Leaders which has an oversight role.

The role of the Department is to ensure that Institutional administration and financial framework of traditional institutions are well managed. The implementation of administrative policy guidelines and capacity building programmes to traditional council are taking place. It is also to ensure that Traditional Leaders participate in the development agenda of the province.

Our programmes of capacity building will focus on capacitating Amakhosi on IDPs, LED, through Local Government Seta, to promote participation of traditional council in local governance structures. Poor performance of staff in Traditional Council Offices has been noted and the Department has taken the responsibility of in the training of staff in asset and financial management.

The National Department of Traditional Affairs has undertaken to train staff within the Chief directorate and Provincial House of Traditional Leaders on geonology.

In the execution of its mandate, the department is guided by the following pieces of legislation:

- Constitution , 1996, The South African Constitution states clearly the role of Amakhosi and their participation in Municipalities, therefore , Local municipalities are expected to work collectively with Amakhosi to deliver basic services in Traditional Areas.
- Local Government :Municipal Structures Act, 1998
- Traditional leadership and Governance Framework Act ,2003
- Mpumalanga Traditional Leadership and Governance Act , 2005
- Local Government: Municipal Systems Act, 2000

While the aforesaid legislation provides for clear roles and responsibility for the institution of traditional leaders, the Department has identified challenges or key issues which require common approach and further discussion. These challenges include the participation of traditional leaders in Municipal Councils, the involvement of Traditional Leaders in matters of public participation and the involvement of Traditional Leaders on matters of the development of the IDP is still very minimal.

Section 81 of the Structures Act, 1998 provides for the **participation** of traditional leaders in municipal councils. The MEC has after consultation with the House has published the names of traditional leaders who must participate in the municipal councils. At Ehlanzeni and Gert Sibande municipalities, traditional leaders are participating however, in Nkangala municipalities traditional leaders are not participating because they are of the opinion that their participation is irrelevant and they think that their duty would be to rubber stamp the decision of the politicians. Some of the traditional leaders have considered electing proxies. We however would like to advise that the proposed election of proxies might cause tension between government and traditional leaders and this will defeat the spirit and the purpose of the Constitution, 1996.

The Traditional Councils which were established under the Traditional Leadership and Governance Framework Act 2005 were meant to also assist strengthen and deepen democracy at local government and in Traditional Authorities. The Department conducted elections of the traditional councils (60 % and 40%), however as we are all aware they have not yet been operationalised due the lack of clearly defined areas of jurisdiction amongst others.

We have taken a stance as a department that the issues that have hindered the operationalisation of traditional councils and guidelines are being developed in consultation with relevant stakeholders.

The department has been looking into various forms of support that can be given to Traditional Leaders. The Department undertook a study tour to compare best practice with other provinces on their tools of trade.

In line with providing this support it was important that we set up the necessary guidelines and frameworks that will guide the support that we will be providing. Cabinet has approved the Policy on Tools of Trade for Traditional Leaders. The Policy covers the provision of Vehicles, furniture and Human Resource Support. I am pleased to also indicate that as part of the support being provided to Traditional Leaders, the department has bought 57 vehicles for traditional leaders. We will be handing over these vehicles to the traditional leaders shortly.

We have also commenced on the process of developing a policy on tools of trade for Kings and will be finalizing this soon. The Policy will be implemented in 2011/12 financial year.

The moral fiber of our society is very important in determining the kind of society that we build. We know that there are many social ills that are facing our communities and Traditional Leaders have a very important role to play in addressing these challenges. We must go back to our traditional ways of doing things and instill all the norms and values that have been passed on from generation to generation. This will go a long way in assisting us deal with the scourge of aids that has ravaged our province and other social ills. **The Department will continue to provide annual grants and support cultural ceremonies such as ummomo as part of our culture. As government we are appreciative of the role that has been played by our traditional Leaders by visiting schools to instill moral regeneration and hospitals. You have also played a very important role in assisting the community to easily access their social grants by allocating office space to SASSA within their areas of jurisdiction. You have also played a very important role by assisting communities to get their ID's and birth certificates.**

The Department has started a process of engagement with Emakhosikati (Wives of Traditional Leaders, with a view to afford them a platform to express their views on their role in traditional governance, leadership and socio-economic development. This program will also create and motivate women in traditional communities to direct their actions towards self and community development. The Department believes that this initiative will enhance Local Economic Development. Traditional Leaders are requested to support this initiative.

Matters of Land under the jurisdiction of traditional leaders continues to be a matter raised as a challenge. This land is categorized as unsurveyed, unregistered state land and trust land. As government we are clear, there can be no dispute on how these matters of land should be dealt with. They cannot be dealt with without involving Traditional Leaders. The department together with the department of Rural Development and Land Reform and local municipalities are facilitating the inclusion of traditional communities in Spatial Development Frameworks. Land formalization projects were supported within Bushbuckridge and Mbombela (Community resolutions on land formalization obtained.)

Our esteemed Amakhosi, we are aware that there are a number of challenges that you are still faced with. These challenges include the following:

- The inundated complains from headman/women not receiving stipends and the department has advised traditional leaders not to continue with the appointment of headman/women until such time that their areas of jurisdiction has been identified.
- Infighting within Traditional Councils over land disputes.
- A huge number of complaints on land matters by community members directed to the department without being first exhausted at traditional council level.
- The absence of regulation, regulating how Royal Family/ inner Royal Family should be constituted
- Unwritten cultures of traditional communities on the identification of successors
- This issues should be discuss frankly and objectively

I want to assure this gathering that the Mpumalanga Provincial Government remains committed to working with Traditional Leaders to strengthening the working relations on matters of governance Traditional Councils. We also remain committed to working with Traditional Leaders to bring about development in rural areas. We will walk this journey together and indeed working together we can and we will do more.

**I THANK YOU**