

## KANGWANE COUNCIL OF CHIEFS

SUBMISSION TO THE CODESA SUBCOMMITTEE ON THE PARTICIPATION OF  
TRADITIONAL LEADERS IN CODESA

The KaNgwane Council of Chiefs (KCC) commends CODESA for making the correct decision of giving us, as traditional leaders and rightful owners of the land of our forefathers, the opportunity to contribute to the process of transition in our country. This is even more important when our role in such a process is being decided.

The truth of the matter is that land used to belong to traditional leaders and their tribes before the arrival of Whites in this country. The traditional leader used to be in full control of his land during those days and nothing could be done without his authority. The KCC does not wish to use this opportunity to rub salt on wounds that were caused by the introduction of oppressive laws into our beloved country. We hope that the process of change will, once again, restore the dignity, respect and authority that we used to command as born leaders of our tribes.

The KCC regards traditional leaders as being above politics. Politicians are, in fact, our subjects, like it is the case with business people and church leaders. Above us is God Almighty and it was He, who placed us over our tribes to rule them. Just like

we cannot raise ourselves to the level of our God, the King of all kings, we do not expect politicians, who are our subjects, to raise themselves to our level. Neither are we prepared to lower ourselves to the level of politicians.

The KCC, however, submits that traditional leaders shall always (and rightfully so) continue to have a vested interest in matters that have to do with their subjects in general, but the land in particular. Under no circumstance shall they be disregarded whenever such issues are discussed. The conflict in South Africa is about the land and how the people should live on it. The resolution of this conflict must, therefore, include all affected parties. Traditional leaders are an affected party.

The manner in which traditional leaders should be involved in the conflict resolution process, is where the KCC differs with other structures of such leaders. The KCC would like traditional leaders to be involved but without their status and dignity being reduced to that of commoners. The situation should be avoided whereby a traditional leader is forced into an argument or debate with a commoner to even such an extent that the latter wins such an argument or debate. In our culture, the traditional leaders word is final. Obviously, this is not the rule in politics. The KCC strongly feels that a consultation channel should rather be created and used whereby traditional leaders, individually or collectively, can make their inputs on any matter under discussion by political, business or church forums. In the same



vein, should a decision be arrived at by politicians, such should be cleared with the traditional leadership prior to implementation.

The KCC regards CODESA as an All Party Conference where only political parties and organisations are partisan with the view to make all necessary arrangements that will ultimately usher South Africa into a full democracy. CODESA is therefore merely a preparatory forum and extensively lacks the legitimacy of finalising constitution-making. The KCC believes that the constitution is the center of our problems in South Africa and is the one issue that, when addressed, should draw opinion heavily from all interested parties. Extensive consultation with such sectors as traditional leadership, business sector, professional groupings etc. shall have to take place. It will be naive to expect all these people to sit in one meeting and have any fruitful discussions. The KCC therefore, believes that only political parties and organisations should sit at CODESA and the anticipated elected constitution-making body.

However, in the event of failure to consult us by CODESA or the constitution-making body, or agreement being arrived at on the question of traditional leaders participating in CODESA, the KCC shall not allow it to be left out in spite of our clear position on this matter. The matter shall henceforth be treated on the all-or-none basis : it will be attendance by all traditional leaders or none of them. If any leader is allowed to attend, we

shall insist and demand that we attend also.

Attendance by traditional leaders at CODESA should preferably not be at the level of Management and working groups but at plenary session level only. It is preferable that traditional leaders be granted observer status and that only a small delegation be allowed so as to avoid a situation where the plenary session is predominantly composed of observers.

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