



**PAPER/ PRESENTATION OF THE NATIONAL HOUSE OF TRADITIONAL LEADERS'  
DELIVERED AT THE MUNICIPAL DEMARCATION BOARD'S SEMINAR  
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**Theme of seminar 1:** *'Social cohesion and Demarcations'*.

**Topic of seminar 1:** *Municipal Boundary Demarcation in Traditional areas: A potential source of strife.*

Municipal boundary demarcation in traditional areas, a potential source of strife? I don't think so and certainly the institution of traditional leadership does not agree with that perception. Is it because of the Vuwani lessonS, probably yes, does it give a reflection on the position of the institution of traditional leadership, I don't think so. What about other demarcations challenges we experienced before, were they from the traditional leadership perspective, No. The question therefore is what drives the municipal boundary demarcation related discord? That is what we need to get to the bottom of, united as we are, in order to guide a smooth process of boundary determinations without conflict, henceforth.

Let me appreciate the fact that the National House of Traditional Leaders (NHTL) is invited to share its perspective on municipal boundary demarcations in traditional areas. Let us then appreciate the fact that there is misalignment of municipal boundaries to traditional area boundaries. Therefore, the participation of traditional leaders in boundary (re)determination and how they can support the work of the MDB remains critical as we are bound to address the misalignment I spoke about.

The functions of the MDB as per the MDB Act, 1998, includes amongst others, the (re) determination of municipal boundaries in accordance with the said act and other appropriate legislation. The Municipal Structures Act No.117 of 1998 recognizes the Institution of Traditional Leadership as a critical component of a particular municipal area. In performing its constitutional and legislative mandate, the MDB is required to consult and amongst those to be consulted is the NHTL and the Institution of Traditional Leadership.

The challenge of traditional authorities straddling across two municipalities or crossing over provincial boundaries is a real life situation that is facing us. There are issues of service delivery that could be addressed through the municipal boundary demarcation processes. The conflict, which sometimes prevail between councillors and traditional leaders, does not help the situation as well. We need to rise above these simple problems face real crocodiles.

Traditional Leaders and Communities acknowledge that it is the work of government to ensure proper integration of traditional land use development processes into formal systems of spatial planning and land use management without removing traditional leaders or their powers in the administration of such in their traditional communities.

The reintegration can be done by ensuring that there are systems in place in traditional communities to ensure their inclusion in municipal planning where each traditional community will have a comprehensive development plan in the LED plan annually.

The Spatial Planning and Land Use Management Act provides that the State must respect, promote and fulfil social, economic and environmental rights of everyone and strive to meet the basic needs of previously disadvantaged communities. It is equal the duty of the state to respect the cultural diversity upheld by the Constitution.

The existing powers of the institution of traditional leadership on land management in their areas of jurisdiction should be strengthened working in tandem with Municipalities. The complete and sole management of space by municipalities in traditional areas will make access to land an economic nightmare to the previously disadvantaged, indigenous and or traditional communities and will create conflict.

SPLUMA further provides that the sustainable development of land requires the integration of social, economic and environmental considerations in both forward

planning and ongoing land use management to ensure that development of land serves present and future generations, but it does not sound to us that the state has considered the social environment of the poor people in rural communities when it decided to regard the communities as similar to townships and cities because that means that people who could do subsistence farming on their communal land will use limited space for such and may not even be able to afford getting a piece of land for their own sustainability. For Traditional Leadership, this will increase dependence on government and will threaten food security and existing sustainable livelihoods in rural communities.

The State says it wants to establish a uniform, recognisable and comprehensive system of spatial planning and land use management that will be established throughout the Republic to maintain economic unity, equal opportunity and equal access to government services through SPLUMA. The Institution is sure that if the state could consider the need for maintenance of cultural identity and development strategies integrating traditional leaders into government administration at all levels, then this can be achieved.

Cognizance is made of the objects of the Act which are:

1. Provide for a uniform, effective and comprehensive system of spatial planning and land use management for the Republic:- That can be done with traditional communities and their leaders.
2. Ensure that the system of Spatial planning and Land use management promotes social and economic inclusion:- An inherent responsibility of Traditional Leadership which is a reason for their inclusion.
3. Provide for development principles and norms and standards; there has not been norms and standards incorporating traditional communities - Development of such with traditional leaders and empowerment of traditional council offices with all forms of resources will have achieved that.
4. Provide for the sustainable and efficient use of land and space. This does not have to mean removing land from the hands of traditional communities to municipalities and government where what has been the pride of an African will now be used for commercial reasons and in 10 years' time there will be no land enough for our

sustainability and we will not be able to practice our cultures, traditions and customs. This will affect our heritage and identity as Africans.

5. Provide for cooperative governance and Intergovernmental relations amongst the national, provincial and local spheres of Government: - This will be more effective if Traditional Leaders and their Communities will retain the powers in terms of land distribution in their communities, without having to hear that someone has been authorised by municipalities without them knowing as they do not appear in the tribunals, to use a piece of their land. We are of the view that Traditional Councils and Municipalities co-exist for a common purpose and thus implying cooperation.
6. Redress the imbalances of the past and to ensure that there is equity in the application of spatial development planning and land use management systems: - Traditional Councils should be sufficiently resourced in order to deliver on their mandates.

Spatial transformation will be non-responsive to the citizens, particularly those in rural communities if their views and aspirations are side-lined. The institution of traditional leadership co-exists with municipalities at a local government level and should therefore be mainstreamed in the work of Government at that level. Spatial transformation will as a result be better informed by the common constituencies traditional leadership sector and municipalities

Integrated human settlements.

The existing settlements of the traditional leadership sector is characterised by large household yard dwellings, which provides space for sustainable food security for household consumption. The provision of water, electricity, sanitation and other amenities at the existing human settlements should not be seen as a challenge.

The pattern of rural integrated human settlements have taken the shape of urban based development so as to better serve rural communities, adjusting from the typical rural setting to a modern rural setting. This could be attributed to good working relations between rural municipalities and traditional leadership sector.

The rallying call being made by the institution is that traditional leaders must be central in the planning and all other phases of managing space in rural areas.

Coherent land use and management means that the role of Traditional Leaders and Communities in managing space in their areas of jurisdiction should be that of decision making and should be fully integrated with all related decision making structures of Government.

Social cohesion is an inherent responsibility of traditional leaders and the MDB is required to ensure that its processes promotes social cohesion and nation building. Therefore, thorough consultations with traditional leadership structures is paramount. The MDB is urged to consult and secure the services of the traditional leadership structures such as Houses and Traditional Councils including Kingship/Queenship councils when engaged in municipal boundary demarcation processes. It is through these structures among others that conflict can be minimised. The consultation process as provided for currently is minimal and creates doubts and conflicts.

This is the National House of Traditional Leaders' submission.

I thank you.