House of Traditional Leaders: Role, problems and future

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Summary

A national House of Traditional Leaders and provincial Houses of Traditional Leaders have been established in terms of Constitution of the Republic of South Africa, 1993. The role of Traditional leaders at provincial and national level in the National House of Traditional Leaders and the Provincial Houses of Traditional Leaders has not yet been clearly defined in South Africa.

The National and Provincial Houses of Traditional Leaders experience various problems that hamper their functioning. The purpose of this paper is to discuss the significant role of the National House of Traditional Leaders and the Provincial Houses of Traditional Leaders as Constitutional institutions at national and provincial levels and to make proposals regarding their future role and functioning.

It can be expected of Constitutional institutions to function properly and effectively. That is, however, not the case with the National House and the various provincial Houses of Traditional Leaders. In the rural areas are the poorest of the poor. This is a result not only of the former apartheid policy but also of a lack of interest by former governments to invest in rural areas. Attention and investment were focused mostly on the development of urban areas. People in rural areas had no voice. It should be ensured that their comments on legislation are for example taken seriously and are not discarded as a mere formality.

The 1996 Constitution gives them this voice, but for the intended institutions to function properly, they must be effective.

In this article a brief overview of the recognition of traditional institutions in the 1993 and 1996 Constitutions is given, whereafter the National House and Provinical Houses of Traditional Leaders are discussed with regard to their composition, role...
and the problems they experience in order to make recommendations with regard to their problems and future role.