

Woodlands Residents Association  
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National Council of Provinces  
P.O. Box 15  
Cape Town  
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**Submission on the Traditional Courts Bill by the Woodlands  
Residents Association**

Woodlands village is one of the many villages, which forms part of the Ngqushwa municipality and is situated in ward 9. There are about 350 household in the village with an estimated population of about 2600 people. The area is characterised by high unemployment rate, most of the people rely on social grants and pensions and that those who work are employed in the big cities. It also has a high unemployment, poor infrastructure and a desperate lack of basic services. This village is under chief Makinana who the community do not recognise.

An NGO we work with came to explain the bill in a our community meeting and the following issues were highlighted around the bill:

- As a community we are shocked to learn that government is seriously introducing structures which we do not support
- That the bill gives to much power to traditional leadership who we understand are not democratic in nature
- We are not convinced that the traditional leadership who will be presiding officers do have the capacity to perform the functions as mentioned in the bill.
- As a community we remember the sufferings we under went under the administration of the chiefs.
- Women in the meeting felt that not much is said about their role and feel that this bill defeats the freedoms they have endured. This bill will only bring hardship and violate our human rights.
- The bill does not clarify the role that existing community structures are playing in the administration of justice presently and gives this functions to institutions that rural communities do not support and recognise.
- That most of the traditional leadership are gatekeepers and block development in our communities.

As a community we recommend the following:

- That we be informed of what happened to the outcomes of the Commission that was tasked to investigate the legitimacy of some of the traditional leadership
- That the role that is proposed in the bill be implemented by our community leadership instead of institutions that helped the survival of the apartheid government.
- The bill be withdrawn in its entirety since no proper consultation took place with communities affected by the bill,
- It gives too much power to institutions that communities have no confidence in and not recognise
- We doubt whether these institutions have the capacity to perform the functions as stipulated in the bill

In closing it should be mentioned that we don't support the bill, that the functions proposed in the bill should be given to our legitimate leadership instead of institutions that only want to enrich themselves at the expense of the community. We believe that this bill takes us back to the apartheid and Bantustan days and should be withdrawn