

LITSEMBALETFU FARMERS ASSOCIATION

MZINTI, NKOMAZI IN MPUMALANGA

04 FEBRUARY 2012

**SUBMISSION ON THE TRADITIONAL COURTS BILL BY LITSEMBALETFU FARMERS ASSOCIATION(SUGAR CANE PROJECT)**

NGINGU SOLOMON HILTON DHLAKUDE LOLISEKELA LAMABHALANE ENHLANGANWENI LITSEMBA LETFU, INHLANGANO YEKULIMA UMOBA EMZINTI. NGIPHINDZE NGIBE LILUNGA LE WARD 19 KOMIDI(WARD COMMITTEE MEMBER).NGIKE NGABA NGUMABHALANE WENKHUNDLA YASE MZINTI(SECRETARY OF MZINTI TRIBAL COUNCIL, A SUBCOUNCIL OF MATSAMO TRIBAL AUTHORITY).

SIYINHLANGANO YEBALIMI BEMOBA SIYABONGA KUTSI HULUMENDE WETFU UTAMA NGATO TONKHE TINDLELA KUTSI AYISHINTSHE YONKHE IMITSETFO LEMIDZALA, ASHAYE LEMISHA ENDAZWENI YALELEMIDZALA. NANOMA IBONAKALA IYINHLE LENHLOSO YAHULUMENDE,KEPHA SICALO SALOMSEBENTI SIBONAKALA SINGETEKANGA KAHLE. EMACALA KUNGUMANJE ATEKELWA ETINKUNDLENI(TRIBAL COURTS). **TSINE SIBONA KWANGATSI UMSEBENTI WEKUSHINTSHA LOLOHLELO LWAKUDZALADZALA NGABE LUCALE KHIONA ETINKHUNDLENI. KEPHA LESIKUBONAKO KULOMTSETFO SIVVINYO LOMUSHA( NEWTRIBAL COURTS BILL),USEMENDELA(CEMENTING) LOMSTSETFO WETINKHUNDLA TAKUDZALADZALA LETINKINGA TAWO SIYATATI,UMA BESITFWELE LISAKA LINYE LASEMENDE SESIYOTFWALA ABE MABILI UMUNTFU MUNYE)**

ENDZAWENI YAKITSI ASIZANGE SIVE SIMMEMETELO,NOBE KUFIKE SISHAYAMTSETFO SIVAKASHELE EMALUNGA ENKHUNDLA, NOBE SIVE KUTSI KUKHULUNYWA NGEKUSHINTSHA KWMTSETFO WENKHUNDLA(TRADITIONAL COURT). NAYO LEMITSETFO LEMIBILI LESHAYIWE , LENGAKA HAMBANGA KAHLE(I TLFA NE TLGA) KUBE BEYICALE EBANTFWINI NGABE ASIKHALI NGAYO KANGAKA. KANTSI FUTSI LEMITSETFO YASONELA SIMO SEKUHLA ESABELWENI SIPHETFWE BOSHIFU(CHIEFS).

LAMUHLA SITFOLAKALA SIHLUPHEKA ETINZAWENI TETFU NGAPHANSI KWABO SHIFU KUNGENCA YEKUTSI BASHAYI BEMTSETFO ABASIBO LEBAYO BUSWA NGULOMTSETFO WEKUCINDZETELA LOMUBI KWENDLULA I "APARTHEID" NGOBE NGESIKHATSI SAYO I"APARTHEID) UMUNTFU BEKANALO LILUNGELO LOKWENDLULELA EMBILI KUMACOURT ABOMANTSHI UMA ANGANELISWA SIGWEBO. ASATI NOBE KUSHAYWA UMTSETFO LOMUBI KANJE NGESIKHTSI SEKUKHULEKA KWEBANTFU BONKHE E SOUTH AFRIKA ,KUBUDLAPHA NOBE KWENTIWA NGABOMU NGOBE KUTSIWA SIBANTFU BASE TABELWENI BANCONO NALABHLALA EMAPULAZINI EMABHUNU NGOBE BONA BATAWUGWETSHWA NGUMTSETFO WASE SOUTH AFRIKA YONKHANA **NEKUTSI PHELA ASIKABALULEKI EMHLWENI AHULUMENDE SIDZINGAKALA KUPHELA UMA SEKUYO****VOTWA.**

# AKUSHO TSINE KUSHO TENTO TETINDVUNA TA HULUMENDE!

SIZE SIPHUME NGEBUNYENTI BETFU SIYO **VOTA** SENTIWA SIMO SEKUHLUPHEKA SINELITSEMBA LEKUTSI NGALELINYE LEMALANGA SITAWUFANA NABO BONKHE BASE SOUTH AFRIKA.

NEKUBHALEKA KWALOMTSETFO KUNONAKALA KAHLE KAMHLOPHE KUTSI USUKA KULUNYE LUHLANGOTSI LOLOHLANGOTSI LWABOSHIFU HHAYI EBANTFWINI LABATAWUBUSWA NGULOMTSETFO. LOKO KUBONAKALA NGELENDLELA LOMTSETFOSIVIVINYO LONIKA NGAYO EMANDLA EKUPHATSA NEKULAWULA TINKHUNDLA.

1 KWAKHEKA KWETINKHUNDLA (COMPOSITION OF THE TRADITIONAL COUNCIL)

NANOMA KUSHIWO KULOMTSETFO SIVIVINYO KWEKUTSI TILAWULO (REGULATION) TITAWICHIBIYELWA NGU MPHATSIWA WELITIKO (MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT, KEPHA KUBALULEKILE KUSI **SIVE LESISHAYELWA UMTSETFO NOMA EBANTFU LABA TAWUPHILA NGAPHANSI KWALOMTSETFO BANIKETWE LITFUBA LEKUFAGA IMIBONO EKWAKHENI KWALOMTSETFO NGEMBILI KWEKUTSI UFIKE KULESIGABA LOKISO NYALO. UYOBUSA BOBANI KANTSI LOMTSETFO UMA LABANTFU LABAHLALA NGAPHANSI KWEMAKHOSI BANGANIKETWA LITFUBA LOKUFAGA IMIBONO YABO EKWAKHENI KWALOMTSETFO? KWAKHONA NJE KUBUKIWE YINI KUTSI IMINDENI YEMAKHOSI IYINOMBOLO LENCANE UMA ICATSANISWA NEBANTFU NJE PHACA, LOKO KUSHO KUTSI IMBIJANA YEBANTFU ITAWUCINZETELA LINYENTI LEBANTFU. LOKU KUPHAMBANA NEMGOMO WEMALUNGELO EBANTFU (THIS IS CONTRAY TO THE BILL OF RIGHTS AND DEMOCRATIC PRINCIPLES)**

2 NGEOMTSETFO WE TRADITIONAL LEADERSHIP GOVERNANCE ACT OF 2005 IN MPUMALANGA, KUYABONAKALA KWEKUTSI SIVE SINIKETWA 40% KUSISHAYAMTSETFO IBE EMAKHOSI WONA ANIKETWA 60% WEMALUNGA LATAWUMELA INDLU YEBUKHOSI. NALAPHO KUTE LOTIHLUPHAKO NGASE HLANGOTSINI LWAHULUMENDE LOSHAYE LOMTSETFO KWEKUTSI NGEMPELA KUHAMBA NGENDLELA YALOMTSETFO NA? NOBE NJE I 40% AYIPHINDZI INIKETWE TIHLOBO TEBUKHOSI NA? LAPHA KAMATSAMO KUYENTEKA LOKUNIKETWA I 40% TIHLOBO TEBUKHOSI BAKASHONGWE. INKINGA HULUMENDE UGCINA NGEKUSHAYA UMTSETFO ANGASAPHINDZE ALANDZELELE KUTSI KONKE KUHAMBE NGENDLELA YEMTSETFO NA? EKUGCINENI INDLU YEBUKHOSI ITFOLAKALA SEYINA 100% EMALUNGA EPHALAMENDE YESISHAYAMTSETFO YEMATSAMO TRADITIONAL HOUSE.

NJENGOBA NALOMTSETFOSIVIVINYO UNGACACI KAHLE KWEKUTSI MANGAKI EMALUNGA ESIVE NJE PHACA LATAKWAKHA I TRADITIONAL COURT (COMMUNITY REPRESENTATIVES AGAINST THE DOMINANCE BY THE CHIEF'S FAMILY MEMBERS OR ASSOCIATES) SIYE SABA KUTSI NALOMTSETFO LOHLONGOTWAKO UTAWUNGETA EMANDLA EMAKHOSINI KUSICINZETELA. LOKU SIKUSHO NGOBE NEMTSETFO WEKUNIKA EMAKHOSI EMANDLA EKULAWULA UMHLABA **UYASIGCILATA KWANYALO KUTE LOKWENTIWA NGULUMENDE KUSIVIKELA**

## **TRADITIONAL COURT BILL CONTINUED**

3 LETRADITIONAL COURT BILL AYICACISI NGEKWABIWA KWEMISEBENTI LEYENTIWA TISEBENTI/EMALUNGA EBUKHOSI MAYELANA NEKWABIWA KWEMHLABA.KUNGUMANJE SIBHALA LENCWADZI NJE LILUNGA LILINYE LINGMAHLALE SANGWENI, LIPHINZDE LIJUBE TITANDI, NEMASIMU, LIBE LIYINDVUNA LIPHINDZE LIGWEBE EMACALA.LETIKHUNDLA LETININGI UMUNTFU AMUNYE TIQHUBEKISELA PHAMBILI INKHOHLAKALO(CORRUPTION). LABANYE BEMALUNGA LASEBENTELE LOBUKHOSI ASEBENTELE HULUMENDE, ABOTHISHELA , APHINDZE ABE BOMABHALANE BETRIBAL COUNCIL. HULUMENDE UTAMA KWAKHA EMATFUBA EMSEBENTI APHINDZE YENA LOHULUMENDE AVUMELE LABASENTAKO BAYOMUKA LABANGASEBENTI EMATFUBA EKUSEBENTA.

4 YONA LE TRADITIONAL COURT BILL ISOLO ISKHUMBUTA NGE CUSTOMARY LAW. KUTE KUBE NAMUHLA LONESICINISEKO SEKUTSI MBAMBA MBAMBA YINI ICUSTOMARY LAW. LENGIKWATIKO KUTSI **MTSETFO WESINTFU KUTSI UTSINI LOMTSETFO ANGIKWATI!**.customary law could be subject to manipulation by anybody given its lack of clear definition) . Ngitsintsa i CUSTOMARY LAW NGOBE KUYO LE TRADITIONAL COURT BILL UYATJELWA KUTSI MAYELANA NE CUSTOMARY LAW.

5 NJENGOBE KUNGAVELI KUTSI LENKHOSI LENGAMELE I TRADITIONAL COURT ITAWELUSWA NGUBANI.TONA LENKHUNDLA TEMACALA ATINAWUFANA YINI NALEMITSETFO I TLFA NE TLGA LENGENAMELUSI NA?KULOTSHIWE NJE KUTSI I DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT NGIYO LEFANELE YELUSE LEMITSETFO LESENGYIBALILE NGENHLA . AKUNAWUVELE KUFANE YINI KULE TRADITIONAL COURT KUTSI INDLOVU LEGAPHIKISWA LENGALUSWA MUNTFU?

## **INGABE HULUMENDE WE SA UYASICOSHA YINI ETABELWENI SIBALEKELE KUPHI?**

6 NGYIPHI INDLELA LETAWULANDZELWA EKUGWETJWENI KWEMACALA(COURT PROCEDURE). YINI LICALA YINI LOKUNGASILO LICALA?SIYEVA KUTSI LABATAWUPHATSA LOMSEBENTI BATAWUTFUNYELWA ETIKOLWENI KUYO FUNDZELA LOMSEBENTI WEKUGWEBE EMACALA). EMACALA ATAWUJUTJWA NJANI( HOW ARE SENTENCES, SANCTIONS OR PUNISHMENT GOING TO BE IMPOSED WITH AND A CLEAR GUIDELINE OR STIPULATED COURT PROCEDURES TO BE FOLLOWED).NGEKE YINI KWENTEKE KUTSI TIGWEBO TINGAHAMBISANI NESISINDVO SEMACALA ,NGUBANI LOTOWELUSA LOKHO?

7 NAWUFUNDZA LOMTSETFO UNGAFUNGA UTSI LOMTSETFO UBHALWE TITSA TEBANTFU LEBAHLALA NGAPHANSI KWEMAKHOSI NGOBE KUTE NAKUNYE LOKUVIKELA EMALUNGELO EBANTFU LABAHLALA NGAPHANSI KWEMAKHOSI.