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Stop The Bantustan Bills calls for action to stop the National Assembly from passing the unconstitutional Traditional and Khoi-San Leadership Bill (TKLB) and the Traditional Courts Bill (TCB).

In January the NCOP convened in an “special sitting” outside of the normal Parliamentary sessions to pass three bills, one of which is the TKLB. This bill will impose separate and unconstitutional laws on the 17 million South Africans living in the former Bantustans. In its current form the TKLB will:

- Effectively strip those in former homeland areas of basic citizenship and property rights by giving anti-democratic powers to traditional leaders in these areas.
- Reinforces the tribal boundaries created by the Bantu Authorities Act of 1951
- Reinforces domination of men over women

The bill overrides the Interim Protection of Informal Land Rights Act (IPLRA) and important legal victories for mining affected rural communities, won in October (Maledu case) and November (Baleni case) of 2018, which ordered that IPLRA be complied with in consultation of affected people regarding their land rights.

A small part of this bill correctly provides Khoi San communities with state recognition, but hidden in the rest of the bill, especially in the newly amended Section 24 are provisions which will undermine the basic rights of South Africans including those of the Khoi and San communities. South African citizens living in the affected areas will not have the same rights as other South Africans regarding land rights, water rights, access to justice and a say over their environment.

This is why Kgalema Motlanthe’s High Level Panel, established by Parliament itself, previously recommended that the bill be withdrawn because it will exacerbate structural inequality, encourage and protect corrupt mining deals.

Other groups, including the ANC Stalwarts and Veterans recently condemned it as undermining basic citizenship and property rights.

This shock special sitting followed a failed attempt to ram the bill through in the last week of Parliament’s 2018 term. The passage of this bill so far makes it appear that the ruling party is prepared to risk alienating rural voters and a humiliating legal defeat in the interests of mining moguls and some connected traditional leader elites.

We were deeply disturbed by the NCOP passing this undemocratic and unconstitutional Bill in January. More social and economic inequality is bad for all of us.

The next step in the process is for TKLB to go to the NA for a vote, which is expected soon.

We call on all South Africans to ask questions, make your voices heard and stand together to stop the Bantustan bill.

Join the campaign to ensure that this bill, along with the Traditional Courts Bill do not become law.

For Media Queries please contact:

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