

**THE ESTABLISHMENT OF KINGDOMS AND THE IDENTIFICATION OF
KINGS AND QUEENS IN TERMS OF THE TRADITIONAL LEADERSHIP
AND GOVERNANCE FRAMEWORK ACT 41 OF 2003**

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Summary

The *Traditional Leadership and Governance Framework Act 41 of 2003* provides, amongst others matters, for the recognition of kings and queens and the establishment of a Commission on Traditional Leadership Disputes and Claims to decide on disputes and claims relating to traditional leadership, including kings and queens.

The author examines the criteria and procedure for the creation of kingdoms and for identifying the rightful incumbents. During the apartheid years the traditional leadership was manipulated for political purposes. The Act goes a long way towards restoring it to conform to precepts of customary law and custom. The author argues, in essence, that this is easier said than done. It would, he submits, be difficult to dismantle the apartheid structures. It would likewise be difficult to identify the rightful incumbents and to resolve new claims. He suggests that the relevant provisions of the Act be revised to provide more clarity on fundamental principles.

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