

**Workshop:
Celebration of the Launch of the
South African Queen's Forum**



10-13 March 2025



UNIVERSITEIT VAN PRETORIA
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Workshop in Celebration of the Launch of the South African Queen's Forum

Future Africa campus, University of Pretoria

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Introduction

The Centre for Mediation in Africa (CMA), in partnership with the Embassy of the Kingdom of the Netherlands and the Department of Cooperative Governance and Traditional Affairs (COGTA), hosted a two-and-a-half-day workshop from 11 to 13 March at the University of Pretoria. The workshop aimed to equip queens from various Kingdoms with skills to resolve conflicts, emphasizing peaceful and sustainable solutions. Key topics included the role of customary law, constitutional principles, and cultural differences in governance. The event featured discussions, mediation exercises, and collaboration between queens and COGTA officials to strengthen conflict resolution efforts.

Workshop Objectives and Participants Metrics

The workshop was attended by 7 queens from various Kingdoms, 9 COGTA national and provincial officials, 7 CMA members, 2 representatives from the German Cooperative and Raiffeisen Confederation and a representative from UNWomen. The objectives of the workshop included strengthening knowledge of customary and constitutional law, enhancing mediation, dialogue, and peace leadership skills, understanding causes and impacts of royal succession disputes, and promoting inclusivity and collaboration in traditional governance.

Day 1 Proceedings

The sessions were facilitated by Prof. Cori Wielenga, Dr. Sokfa John, Dr. Marlie Holtzhausen, Mr. Lazaru Phethla, and Dr. Edknowledge Mandikwaza from the CMA. Following the welcoming speech by the Dean of the Faculty of Humanities, Professor Kevin Thomas, and an overview of the workshop's objectives, the day's focus was on understanding disputes through conflict mapping, helping participants identify root causes, key actors, and patterns of conflict. The theme centered on leadership roles and customary law in succession disputes. The key issues addressed on the day included the following:

Root Causes of Royal Succession Disputes and Other Conflicts

This session explored the nature of conflict, distinguishing between misunderstandings, disagreements, and violence. It highlighted that conflict arises from differing perspectives

and misunderstandings, while violence whether physical, emotional, or psychological results from conflicts escalating into violence. Mediators must recognize these distinctions to maintain neutrality and address all viewpoints effectively.

Key Conflict Areas Identified by Participants

Attendees discussed real-life community and personal conflicts they have encountered, including royal succession disputes and the clash between constitutional law and traditional customs. Gender inequality, inheritance issues, and cultural differences in governance were highlighted, alongside ageism, tribalism, and polygamy-related conflicts. The session emphasized the need for diverse perspectives in understanding the origins of conflict and ensuring fair and impartial mediation in royal governance.

Conflict Mapping by Participants

This session centered on critically reflecting on the origins of conflict, specifically succession disputes. It utilized conflict mapping to identify issues like root causes and key actors, emphasizing the complex interplay of official and living customary law. This duality often leads to disputes when traditional practices clash with state regulations, prompting political involvement and discussions on government overreach. A conflict tree framework was introduced to break down conflicts into root causes, manifestations, and impacts, equipping participants to address disputes effectively. Additionally, actor mapping was crucial for understanding the dynamics of individuals and groups linked to these conflicts. Participants engaged in an exercise analyzing succession disputes, fostering strategic discussions on the power influences in royal governance, and facilitating effective conflict resolutions.

The Role of Customary Law in Succession

Customary law plays a vital role in South Africa, especially in succession matters. Customary legal principles regulate inheritance, succession procedures, and variations in laws among different ethnic groups. Given South Africa's diverse cultural landscape, customary laws governing succession differ among ethnic communities but often emphasise collective unity and social cohesion (Ubuntu).

The Impact of Customary Law on Women's Rights

Historically, customary law has shaped gender roles and inheritance rights, often disadvantaging women. The 1927 Black Administration Act allocated movable property of Black men to them or their male relatives, limiting women's inheritance rights, fostering economic dependence on men, and restricting their property ownership.

The Constitutional and Legal Framework

South Africa's constitutional framework ensures gender equality and non-discrimination, occasionally conflicting with traditional customs. The Traditional Leadership and Governance Framework Act (2003) recognizes traditional leadership and customary law, aiming to modernize it while respecting constitutional values. Balancing customary law and constitutional obligations presents challenges and opportunities, as customary law can perpetuate gender inequality, while the Constitution prioritizes equality and human security, necessitating legal adaptations and reforms.

Access to Justice and Social Change

The discussion focused on how customary law has historically disadvantaged women, especially concerning inheritance, as property often was transferred to male relatives instead of wives, leaving women vulnerable. Legal reforms aim to align customary practices with constitutional principles. Additionally, the session addressed royal succession disputes, highlighting the courts' role in resolving conflicts and the challenge of balancing tradition with necessary legal reforms.

Experiences and Strategies for Overcoming Leadership Barriers

The final discussion centered on participants' experiences and strategies for overcoming leadership barriers faced by queens. Traditionally, queens are relegated to advisory roles, with elder royal women offering critical insights for succession. Challenges include their exclusion from family meetings and influence from husbands or differing customs. Nonetheless, some queens engage in conflict resolution at kings' councils, address community grievances, document genealogy, and provide counsel to traditional communities, albeit limited to kings' councils. They also represent kings while advocating for gender inclusivity and strengthen communities through knowledge of laws and leadership. The dialogue emphasized the need to confront outdated cultural norms, especially concerning succession.

Leadership Role in Transforming Disputes

Participants highlighted the significance of inclusivity and collective decision-making in enhancing leadership. There was a call for royal families to formally acknowledge and support queens, especially in socio-economic roles. Queens must engage actively in leadership processes rather than attributing disputes to their children. The impact of polygamy on succession conflicts was recognized as vital. Sustainability in decision-making was deemed essential. Additional leadership roles include promoting cultural heritage, preparing future successors, bridging monarchs and communities, encouraging community involvement in dispute resolution, leading impactful projects, and advocating for social justice. The conversation emphasized queens' contributions to community well-being, encompassing mental health and social support.

Barriers to Effective Leadership in Succession Disputes

Participants highlighted challenges such as gender discrimination, language barriers, lack of leadership opportunities, political influence on decision-making, and exclusion from decision-making spaces. The session emphasized the importance of ongoing dialogue and proactive measures to address these issues.

Day Two Proceedings

The workshop's second day kicked off with breakfast at the Embassy of the Kingdom of the Netherlands hosted by Ambassador Joanne Doornevald. The breakfast allowed Queens and COGTA officials to engage in dialogue with the Ambassador about the important work being done by traditional leadership, and particularly the Queens, in South Africa. Back at the workshop, Dr. Sokfa John and Dr. Marlie Holtzhausen led participants through a video screening and a discussion on mediation. Unlike the previous day's focus on succession disputes, this session defined mediation and its conflict resolution role. Participants engaged in a role-play mediation activity, applying concepts learned while receiving feedback.

Defining Mediation

Mediation was presented as a cooperative process led by a neutral third party to resolve disputes. Core principles included privacy, objectivity, inclusivity, and adaptability.

Core Principles of Mediation

The discussion highlighted four key principles including: privacy in discussions, objectivity and fairness, inclusion of all perspectives, and adaptability to different situations.

Mediation Techniques

Participants learned to distinguish between positions, interests, and needs, emphasizing active listening and impartiality. The role of a mediator was defined as a facilitator who encourages dialogue without imposing solutions.

Role Play Exercises

Participants practiced mediation through scenarios, applying learned concepts and receiving feedback. The exercises reinforced the importance of preparation, neutrality, and fostering constructive dialogue.

Day Three Proceedings

The final day focused on reflections, a certificate ceremony, and discussions on future actions. Key considerations included the importance of establishing a collaborative forum for queens, supporting initiatives addressing development challenges, integrating traditional and alternative dispute resolution in legal systems, strengthening leadership and structural relationships, digitalizing genealogy for documentation and heritage, recognizing traditional leadership within government protocols, fostering stakeholder understanding and collaboration, engaging queens in formal and informal governance, and promoting strategic partnerships for community empowerment.

Day three wrapped up with participants reflecting on insights and practical mediation principles. They valued the workshop, emphasizing ongoing sessions and strategic partnerships for greater impact. The South African Law Reform Commission urged collaboration with the queens regarding their role in a bill proposed by the Department of Justice.

Workshop Evaluation and Feedback

Participants provided positive feedback, praising the workshop's relevance, interactivity, and practical application. Key takeaways included effective mediation techniques and communication skills, the value of conflict mapping and actor analysis, the need for more time to explore topics like customary law and succession. Suggestions for improvement comprised of extending the workshop duration for deeper exploration of topics, providing supplementary materials on succession methods across cultures, incorporating more examples of resolved disputes for practical application.

Key Observations

The discussions revealed complexities in identifying various causes of succession disputes, including gender inequalities, tribalism, religious differences. Participants noted the government's limited understanding of diverse traditional customs and the challenges posed by customary laws conflicting with constitutional principles. This raises questions about why customary practices persist despite promoting equality. The queens emphasized their often-unrecognized roles in succession and the importance of workshops for collaboration among women to foster active governance participation. Furthermore, they called for strategic partnerships to empower communities and address socio-economic challenges, polygamy disputes, and tension between constitutional law and traditional customs.

Key Recommendations

- **Funding for Extended Workshops and Research:** The need for adequate funding to facilitate extended workshops and research on succession disputes, integrating traditional knowledge with data for policy development aimed at conflict resolution and violence prevention.
- **Extended Workshop Duration & Practical Exercises:** Participants recommended extending workshop duration to enhance understanding of mediation concepts through practical exercises, skill refinement, role-playing scenarios, and personalized feedback. They also recommended rotating mediation exercises to experience various roles within the dispute resolution process.
- **Follow-Up Workshops & Mentorship:** There was a call for follow-up workshops and training on mediation's technical aspects, alongside guidance for aspiring mediators regarding qualifications and certification. Additionally, mentorship programs and peer support networks were highlighted as essential for long-term capacity building. Regular follow-up sessions were proposed to reinforce learning, provide specific case guidance, and facilitate knowledge exchange among mediators.

Conclusion

The workshop marked a significant step in advancing traditional leadership, emphasizing the critical role Queens can and do play in their Kingdoms and in traditional governance in South Africa. It highlighted the need for women's active involvement in decision-making within traditional leadership structures and laid the groundwork for the launch of the Queens' Forum by COGTA at the end of March. While progress has been made, challenges remain in

harmonizing customary and constitutional law and ensuring women's full participation in leadership as their roles are often advisory. The Queens emphasized the need for ongoing workshops, mentorship, and strategic partnerships to sustain progress and foster peaceful, inclusive governance.