

THE SWAZILAND KAIROS DOCUMENT

Swaziland's Moment of Truth

The Swaziland KAIROS Document is a reflection of SWAZILAND Concerned Church Leaders (SCCL) in Swaziland about the state of the national crisis presently engulfing the Kingdom of Swaziland. It highlights the crisis and attempts to offer a Christian response on what the Church of God ought to do as part of enhancing its Mission of proclaiming the Good News of Jesus Christ. It also endeavours to give a roadmap on what can be done by all concerned to help solve this crisis by calling the Church and Government to rise up to the challenge and seek for a lasting solution.

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Preface

The Swaziland *KAIROS* document is a Christian, biblical and theological reflection on the socio-political and economic crisis presently obtaining in the Kingdom of Swaziland. It is a humble contribution by church leaders who initially met in September 2011 at the George Hotel, Manzini to consider and reflect deeply on the political situation which had resulted in socio economic challenges, continued tensions between government and labour movements as well as the economic meltdown worldwide. Most critical services could not be served and the populace faced hard realities with government almost unable to meet her obligation on service delivery. Politicians had their salaries slashed by 10% and there were no new cars bought for government. The impact this had on the lives of the ordinary people and service delivery was beyond measure.

The *KAIROS* document therefore attempts to critically evaluate the status of the country ranging from theological reflections to social concern issues that have a great impact and bearing on the Christian mission. It is also attempting to determine the type of activities the Church can engage in to try to resolve the crisis and problems being witnessed in the Kingdom. It then tries to develop and suggest how the Church can play a meaningful role in rekindling hope, by engaging government, civic society as well as the business community. Useful biblical and theological principles can usher a peaceful resolution by giving some innovative activities that will contribute to nation building, reconciliation and healing.

The symposium held at the George Hotel in 2011 drew participants from different denominations. A local presentation highlighting critical issues the church leadership in Swaziland faces was presented which highlighted salient concerns that the church needs to address urgently. During the discussions after the presentations, it was felt that a working committee be chosen to draft a Kairos Document for Swaziland, with the view of engaging the Ecumenical Bodies (Council of Swaziland Churches, Swaziland Conference of Churches, Swaziland League of African Independent Churches and Non-affiliate Members), who by right are leaders of the Church to present a working tool that could assist in engaging the government. This Document is the result and product of the 'working committee' of the Swaziland Concerned Church Leaders drawn from those in attendance.

DEFINITION OF SWAZI TERMS

Emabandla	Denominations
Emabutfo	Regiments
Emadloti	Ancestors
Emalangeni	Those who belong to the Dlamini dynasty, also refers to the currency
Imvunulo	Swazi Traditional Regalia
Indilinga	Coin
Incwala	The Swazi festival of first fruits and traditional prayer of the nation
Ingwenyama	The lion, symbolical name of the king
Indlovukazi	The she-elephant, symbolical title of the Queen Mother
Kubulawa	Royal appointment to a particular position
Kuncoma	To prenominate
Mkhulumchanti	The First being
Mvelinchanti	Supreme Being, the one who was there in there Beginning
Labadzala and council	The elders, refers to those who belong to the Royal house
Liqoqo	The Swazi National Council
Tinkhundla	Regional; Centres comprising chiefdoms
Sibaya	Kraal
SiSwati	Language of the Swazi people
Somhlolo	The kingship name given to Mswati 1
Swazi	The people of Mswati
Umculu	Book
Umphakatsi	Chiefdom

Chapter 1

Swaziland's Moment of Truth - KAIROS

DEFINITION:

The right moment – opportune time is derived from “Kara” (head), referring to things “coming to a head” to take full advantage of.

It has since dawned to us as a church that this is the moment of truth in the history of Swaziland. The Kingdom, which is founded on the principles of Umculu – The Holy book, as seen in a Vision by King Somhlolo (the founding father and legend of the Swazi Nation), has for too long sunk into a deep crisis that has shaken its core foundations. This crisis has given birth to a state of anarchy (i.e. extra judiciary killings, no independence in the judiciary, and zero growth visa-a-vis increase of taxes) that urgently needs timely intervention. This moment presents us as Servants of Jesus Christ with a great challenge to seek God and his Word on how best we can on behalf of the Church help usher a Christian response to such prevailing crisis that if allowed to continue, can lead to further anarchy and confusion. This is the KAIROS or moment of truth for the Christian conviction in the country.

We have drawn this document from the teachings of the Gospel, that states crystal clear that the Church and by extension, the Christian community is the ‘salt and light’ of the World. The Swaziland *Kairos* document is an attempt to share useful insights on how the church can remain truthful to the gospel and propagate the same to government. The Church as the voice of God stands ready to contribute to socio-political, socio-economical and national development agenda. The Church has a prophetic call and mandate to fulfil the mission of God in this country. When the foundations of the nation are shaken, the Church must stand up and proclaim a haven of hope by declaring God’s salvation plan for Swaziland.

This Swaziland *Kairos* Document comes at a backdrop of the continued reluctance by some members of the Christian community to peacefully engage the *Status quo*. The church notes with concern that there are disgruntled voices who are feeling much oppressed, marginalized and forever denied their fundamental rights and freedoms. It should be stated that Swaziland belongs to her people and the citizens have a role to play in promoting peace, justice and righteousness. To this end, no efforts to engage the government have been successful, and therefore the Church has the divine authority to address and the nation with its government.

The country is currently facing socio-economic challenges and exposed to numerous challenges that tends to affect the Christian witness and mission. Many lives have been lost violently at the hands of the state security agents and dissenting people’s voices have been silenced. There is nothing more dangerous than to have angry people who

feel their voice is not being heard by *the status quo*. The challenges of the rule of law have had their fair share in the crisis, and this is not healthy for a developing country like Swaziland. The fiscal indiscipline that has seen the country on the brink of collapse resulting in unemployment crisis and the closure of big businesses needs to be addressed.

The Church, drawing from the Holy Scriptures presents this *Kairos* document as a resource to stimulate Christian involvement on matters of social concern. It is a timely document calling for unity within the body of Christ, and maps a way forward for the Christian Community to make every effort to contribute to the noble efforts of saving this great nation. The Church, through this *Kairos* Document wants to allay any unfounded fears of being viewed as a destabilizing agent, but rather sees its role as an agent and beacon of hope and a peace broker in the country, as the Holy scriptures pronounces, *"Blessed are the peacemakers for they shall be called the sons of God (Matthew 5:9)*. To this end therefore, the *Kairos* Document draws inspiration from the profound words of Prophet Amos, who says:

"Even though you bring me burnt offerings and grain offerings, I will not accept them. Though you bring choice fellowship offerings, I have no regard for them. Away with the noise of your songs! I will not listen to the music of your harps. But let justice roll like a river and righteousness like a never-failing stream." (Amos 5:22-23).

The church prays for the establishment and realization of the Kingdom of God in Swaziland which will be characterized by its quest for peace, justice and righteousness. This nation deserves the best, and we should all work towards laying a firm foundation and leaving a legacy for our children and the next generation. Lest we forget, *"Righteousness exalts the Nation, but sin is a disgrace to any people." (Proverbs 14:34).*

The church will endeavour to respect and support Government by submitting under it as this is godly and acceptable to God (*1 Peter 2:17*). The Church is already doing what is expected of it in paying taxes due to the government in supporting it to deliver basic services to the people of Swaziland (*Matthew 22:15-21 and Romans 13:6-7*). The Church is forever committed to praying for Government as instructed to do so by the Holy Book (*1 Timothy 2:1-2*). However, the church submits that if the government is unjust it will chose to obey God rather than man (*Acts 5:29*)

The Church is forever committed to seeing that there is respect for human dignity. It is with this in mind that fundamental human rights and inherent freedoms should be respected in Swaziland. It is appreciated that the government is a signatory in the human rights conventions. This is enshrined in the Swazi constitution (chapter 111: protection and promotion of fundamental rights and freedoms, section 19). The church recognizes that the Supreme God ordains all authority. It therefore affirms unequivocal the message of St. Paul in *Romans chapter 13* that civil government is supposed to fulfil the godly intended purposes, that is, all people are created and made in the image of God, should live in sustained peace and harmony.

Chapter 2

Identification of National Crisis

The Church hereby highlights what it views as a crisis faced by the Kingdom of Swaziland. The church being the voice of the voiceless on issues views the crisis in the kingdom and calls upon those in leadership positions of this great country to seriously consider and listen to the voice of reason. The Crisis issues are as follows;

2.1 The Swazi Culture – State Theology at work

Like all third world nations considered developing countries, Swaziland is facing many challenges that have a great impact on Christian witness. These challenges range from the socio-political, socio-economical and cultural trends. The church realizes that it cannot be blind to such **social ills**, as it proclaims the Good News to resolutely establish the Kingdom of God in Swaziland. It will be equally folly to ignore these challenges currently taking place in the country, and thinking that the mission of the church will not be affected. It is understood, that the Church does not operate in a vacuum, but, within a context. It is evident that the nation is at crossroads and therefore the church must preach the Word in season and out of season. "Be ready to spread the word whether or not the time is right. Point out errors, warn people, and encourage them. Be very patient when you teach." (2Timothy 4:2)

This country is presently undergoing a transitional stage from being traditionally based to modernity and surely needs godly counsel and swift advice in such challenging times. Such a state of affairs presents the church with a fertile ground to establish the Kingdom of God, while it remains vigilant and not be blind to societal ills.

The church appreciates that Swaziland is indeed a deeply religious country. Within the Swazi traditional life it should be stated that religion is not a foreign ideology because our monarchy has deep respect for its own traditional religion. The church understands that the King and the Queen mother are regarded as religious figureheads.

It should be stated that when a Swazi is converted to the Christian faith, one still has to face internal battles within oneself on how to embrace this newness of life, as there is still the traditional religious belief system one is accustomed to and has to deal with. It becomes even enormously hard when there are still various choices to be made regarding some laden traditional rituals that are religiously performed and are considered as part of one's lifestyle and heralded as culture. For an example, the credence of initiation of a new child to the family tree and lineage (*kubhunyisela tinyamatane*) and when one is being introduced into a new family as the new member

through wedding – *kumekeza*.¹ Such complex context presents a great challenge to establishing the Kingdom of God in Swaziland, when the gospel is presented and seen conflicting with Swazi traditional religious life. This is indeed a crisis and greater challenge that still needs to be resolved by the Church of Jesus Christ as it establishes the Kingdom of God in Swaziland.

It was unfortunate that at the backdrop of the Somhlolo dream that is so much revered in Swazi history, Missionaries from the Methodist Church under the leadership of Rev James Allison (*Mneli*) and a group of Swazi converts were chased away by the Swazi king after having converted to Christianity. This was after the converts had opted for the new Christian lifestyle brought by the missionaries. Such an encounter demonstrates the difficulty of changing religions.

The Church of Jesus Christ is faced with a challenging reality in propagating the Good News within the socio-cultural context that is still dominated by cultural belief systems and rites. In this context, the King rules with his counsellors (*emabandla*) and his authority is further enhanced by the traditional chiefs (*Bobabe Tikhulu*), who are time and again referred to as the footstool of the monarch itself. As a nation, Swazis revere their cultural heritage and its customs religiously. Cultures world over are unique and beautiful, but certainly do have sinful tendencies because they are manmade. The church appreciates good cultural practises, especially those that put value on human dignity and quality of life. The church becomes concerned with Cultural practises that are ungodly and oppressive.

The Incwala sacred ceremony celebrated in around December in mid-summer is a dominant national ceremony celebrated when a king is on the throne. In religious terminology, it is often regarded as a sacred national prayer ceremony as it has a significant meaning to an ordinary Swazi. However, it should not be viewed as a Biblically approved ceremony. It is here that Swazis celebrate the Kingship as a unifying symbol and indeed a herald national leader. While the church affirms that God spoke through visions and prophecies, it sees Somhlolo's Vision as means of making known His salvation plan for the Swazi people and His purposes.

The Vision of King Somhlolo can be used as the gateway towards a unifying factor for the Swazis that can guide against unbecoming cultural practices. With proper theological reflections, it should be used as a vehicle for building a more inclusive society, tolerant of diversity and accommodative of differences. The Vision should not be a mere ideology but transformative national consciousness. The God we proclaim as the bearer of Good News aims to create a community that will fear and obey Him through keeping His commandments, promoting peace and good neighbourliness.

¹ Getting married to a new family, a woman has to be introduced through rituals performed at the cattle byre. It begins with a process of *kumekeza* Ceremony, where a woman being married takes a family spear and goes through the process of being introduced to the family ancestral spirits, and the application of special cream okra (*libovu*). Such ceremonies do bring tensions between the Christian marriage rites and blessings pronounce at church ceremony and the family rites that others are still expected to perform in order to be accepted and marriage considered solemnized.

The church will definitely confront without apology, fear or favour any ungodly tendencies that diminish the value of human life and dignity. The treatment of women, for an example, who are belittled and given secondary citizenry status when mourning their beloved ones, and are negatively viewed as endowed with 'bad-luck' and end up being deprived of their fundamental human rights and inherent freedoms in the name of Swazi culture and custom.

Kairos Reflections

While the church affirms that God spoke in times past through visions and prophecies, it therefore sees Somhlolo's Vision as means of making known his salvation plan for the Swazi people and the His purposes. This revelation or dream the king had does not endorse the view that the king is godly and therefore above reproach. Rather, all Swazis should know that they have sinned and come short of the glory of God (*Romans 3:23*), hence the need to proclaim the Good News until we all as citizens recognize the rule and authority of God and help establish the Kingdom of justice and righteousness.

The church has noted with concern on the continued prayers offered before and after the *Incwala* Ceremony by some Christian leaders. This practice is cause for concern because the Incwala ceremony is a religious prayer on its own that does not involve divine worship or the Word of God. The Church finds itself treading on thin lines here, how then it guarantees that whatever is done in the name of God at such meetings is within the framework of Christendom. Can God be worshipped together with gods – '*Nkulunkulu nemadloti?*' Our God is a holy and jealous God who shares no glory with earthly gods. Who then qualifies to divide and interpret the Scriptures and stand to declare, '*thus says the Lord*' during such services? The church cannot therefore deny the reality that it is indeed facing a crisis here and that these cultural issues and endorsements must be addressed.

The Church has still to critically contextualise such sensitive cultural practices and related matters. There is no doubt that Christian witness is impacted negatively when the church participate in such ceremonies. (1 Kings 18:21)

2.2 Socio-Political Challenges

Swaziland is a relatively small country with one language with a population of about 1.2 million people. Interestingly there are more Swazis living in Mpumalanga, numbering about 4.5 million.² It is surrounded by democratic republics, South Africa in the West and the People's Republic of Mozambique in the East. It was previously a British

² The population of Swazis in Mpumalanga in RSA is about three times bigger than that of Swaziland. The Country has attempted to have this province returned to Swaziland but with not much success. Why does the leadership of this country, through the Boarder Adjustment Committee, continue to pursue the return of the Mpumalanga province as it presently cannot meet the needs of the present population locally? One wonders then if there is wisdom in seeking to force so many millions who have enjoyed benefits of a bigger economy and the democratic freedoms enjoyed by the populace of Southern Africa.

protectorate³ before being granted independence in 1968. At independence the Country adopted and endorsed a Westminster-type Constitution,⁴ which had a bill of Rights enshrined. This was however, cut short as the then parliament that was dominated by *Imbokodvo* National Movement (INM), felt the constitution was unworkable and needed to be repealed. King Sobhuza II, a constitutional Monarchy by then, was empowered and compelled by parliament to repeal the Independence Constitution citing reasons that it was unworkable.⁵ It should be stated that political Parties like the Ngwane National Liberatory Congress (NNLC) fell victims of the 12 April 1973 Decree. Its leader, Ambrose Zwane had to flee the country fearing the 60 Day Detention Order, which would lead to detention without trial. There were many other instances where this Detention Order was used by government as part of silencing people who challenged the political system and *Status quo*.

The present scenario is continuously advocated by supporters of the *Tinkhundla* system of Government as very much close to the hearts of the Swazi populace in that it embraces and brings to bear a balance between Western and Swazi traditional systems of government. The present constitution of 2005 has been written in such way that it embraces the *Tinkhundla* system of government, (article 79 and 80 part 1(a)). As the country moved into a constitutional dispensation one has to note that there are conflicting sections e.g. section 25 allows freedoms and rights of associations, while 79 revokes those rights. Currently the Suppression of Terrorism Act of 2008 has proscribed some political entities as they are branded terrorists.

The Government of the Kingdom of Swaziland advocates that, the *Tinkhundla* system is a democratic and participatory governance system that emphasizes the devolution of state power from central government to *Tinkhundla* (community centres.) It is worth mentioning that individual merit is a basis for contesting elections and appointment into public office. Government declares that *Tinkhundla* are meant to support the institution of the Monarch hence they are the established backbone of national development. It is ironical that a new ideology or system (Monarchical Democracy) of government has been introduced in the kingdom against the much talked about *Tinkhundla*.

The church is aware that Swaziland presently has political formations even though they are refused open space to operate freely. Others have since been proscribed under the Suppression Terrorism Act No. 3 of 2008. Amongst key political parties that are known to be operating underground are: Ngwane National Liberatory Congress (NNLC); Peoples United Democratic Movement (PUMEDO) with its youth wing; Swaziland youth Congress (SWAYOCO); Sive Siyinqaba -Sibahle Sinje Movement; Swaziland Communist Party; Swaziland Democratic Party (SWADEPA); Africa United Democratic Party (AUDP) and many others which keep on surfacing. The lack on systems of checks and balances

³ Britain was invited to take over control and establish Swaziland as a colony in 1903 as per Order in Council of June 25, 1903.

⁴ See The Independence Constitution of the Kingdom of Swaziland, 1968 Act 50 of 1968.

⁵ See the Kings Proclamation to the Nation April, 12, 1973.

renders the country authorities unaccountable and its shortcomings never put to test which denies political vibrancy in the country.

The *Tinkhundla* political system currently is founded on a complex context and this tends to give birth to many other challenges. It should be categorically clear that Swazi populace have since been exposed to modern trends of democratic systems, and to hold them captive and locked up in an old order that still wants to manipulate and control them is unfortunate and unjustified.⁶ The fact that Swazi customary laws puts the King as its absolute leader and authority on one hand, yet equally the Western system law still views the very same person as the final authority on the other, this then places too much power under one person and we never know when he pronounces or gives instructions, on what capacity and office is he giving that instruction. He is supreme and above the very Constitution he is supposed to be upholding and when one questions his actions and decisions this is a no go area for the ordinary Swazi, yet his pronouncements do warrant that he be engaged further even through the Royal advisors – *emabandla*.

As Christians from this we can deduce that political leadership in Swaziland is bankrupt indeed as without political freedom people are unable to contribute to the political development. And, in the absence of freely contesting democratic practises and participation in elections, we certainly are bound to have such crises. *Tinkhundla* system of government is never accountable and its shortcomings are never debated and put to test, yet democracy is at its best when there is opposition and political vibrancy in a given country.

Kairos Reflections

The Church wants to make it clear that all political systems should be characterized by the recognition of democratic principles, where there is free space for political contestation without constraints.

The church is convinced that, in order for the country to move forward and be *seen* to be enjoying prosperity and stability, we advocate for multiple voices to be allowed to freely express themselves in socio economic and political matters.

The three arms of governance should be allowed to operate independently. Swaziland should become a truly democratic Kingdom as per the provisions of the constitution. It is folly to expect peace and stability to thrive when so many people are sidelined and can hardly influence the political decisions of their country.

“I urge you brothers and sisters, by the name of our Lord Jesus Christ, to agree together, to end your divisions, and to be united by the same mind and purpose”. (1 Corinthians 1:10)

⁶ Nhlapho, R T, Legal Duality and Multiple Judicial Organization in Swaziland: An Analysis and Proposal” in the Individual Under African Law 66, P.N Takirambudde (ed); and P N Takirambudde’s article .

This tells us that freedom of assembly is what God wanted to discuss and finally agree to be in the same aim and destination. Hebrews 10:25 also talks about the importance of meeting, hence this is what people must do without fear of intimidation either by individual or state security forces.

The Church calls and earnestly pleads that government invites all political stakeholders to a roundtable (*indaba*) to discuss political issues and desired future. It is an opportune time for the country, to allow freedom of expression and assembly so that we all enjoy peace and stability in our time. Any oppressive political system that silences people and harshly oppresses their views cannot be supported and considered just, it remains a system that cannot enjoy the blessings of God who upholds justice and fairness.

2.3 Socio- Economical Challenges- High levels of poverty

“The Lord is more pleased when we do what is right and just than when we offer him sacrifices” Proverbs 23:3

It is without doubt that the fiscal challenges facing Swaziland and her political crisis cannot be divorced from her socio economic context. This is founded on the reality that one cannot divorce socio-economic context from that of governance. The country needs to involve the entire population on seeking for solutions of the national economic direction agenda. The socio-economic trends and challenges Swaziland faces have a negative impact on the quality of life for the people.

The over dependency from the South African Customs Union revenue (SACU) is a dangerous practice to run the economy of the country. The experienced economic crisis due to inadequate revenue saw the country almost on its knees and we all feared for the worst as the country was declared an economic disaster in the region. It was a huge embarrassment not only to the King and his government but also the nation at large.

It is without doubt that the economic crisis is put squarely on the government's door who has allowed mismanagement of the country's revenue and the continued looting of the national resources. In 2009 SACU receipts fell by 11% of the country's gross domestic product (GDP), and this was a sad reality that has left the country in a sorry state economically.

Poverty rate for Swaziland is at 63% and the GDP growth in 2012 stood at 1.7% which is below the global economic growth forecast which was at 3.1% in 2013. With such a low growth rate Swaziland still experiences high government expenditure and a skewed distribution of the country's resources. Even though the country is rated as a lower middle income country the poverty rate shows that only a few people benefit from the country's wealth as the majority of Swazis is not made a priority.

Over the recent past, increased unemployment statistics has been alarmingly souring as a direct result of huge retrenchments and closure of reputable companies. It presently sits at 40% and the highest in the region. This has resulted in employment agencies and

bigger companies employing thousands of Swazis unable to stand the economic downturn. The unprecedented closure of Usutu Sappi Pulp Company as a direct result of international financial instability and economic meltdown was a huge blow to the country's foreign exchange revenue. The economy continues experiencing a sharp decline and the country's economic woes are far from over as the country has just lost her AGOA privileges. To make matters even worse, the impact of the climate change that has seen the country experiencing high levels of drought, and this has immensely affected national productivity in the agriculture sector, which is the major earner of foreign exchange. Further, the unfortunate development is that a high percentage of the population is exposed to these harsh realities as the majority of the people are heavily depended on their communal land that they cultivate and feed themselves and their immediate families.

The country relies on food aid that International donor community like World Food Programme (WFP), Red Cross, World Vision and others are sustaining the livelihood of the nation

Swaziland is also confronted by the challenges of orphans and vulnerable children (OVCs - *bantfwana bendlunkhulu.*) This is a direct result of the deaths of family members because of the HIV and AIDS pandemic. It is estimated that presently there are over 198, 000 OVCs in Swaziland. HIV and AIDS has become a national disaster that the country was never prepared for. It has brought about multiple effects that impact negatively on every aspect of life.

This pandemic has since become more than a health issue, as it touches upon many areas such as; productive stratum of the country as many productive people are daily succumbing to terminal illnesses and the healthy services are overstretched. There are legal/law issues (protection of the vulnerable groups) and the continued family fights that those who remain behind get involved over the control and ownership of the left assets and properties belonging to those who have since passed on.

Young children are running households and in most cases, child-headed households are unable to meet the spiritual, physical and moral support of orphaned and vulnerable children. To make matters worse, such an unfortunate situation demands more than sympathy, it requires resources to sustain the livelihood of those dependent on them for survival. Not only are children finding themselves without food or shelter, but also are continually exposed to abuse of all forms. It is so saddening to see young children unable to go to school and enjoying quality life. One cannot even begin to describe the traumatic experiences these children go through as they are left on their own to survive.

On the Labour front, the registration and de-registration of the Trade Union Congress of Swaziland (TUCOSWA) by government shows that the countries labour movement is under siege. TUCOSWA is an amalgamation of all Trade unions into one trade union congress in the country. According to information at our disposal, Trade unions under Swaziland Federation of Trade Unions (SFTU), which houses big labour unions like Swaziland National Association of Teachers (SNAT) Swaziland National Association of

Civil Servants (SNACS); Swaziland Democratic Nursing Association (SDNC) and many others joined forces with Swaziland Federation of Labour (SFL) to form one Congress. There is a continued unresolved matter regarding TUCOSWA's status and the International Labour Organization (ILO) has noted with concern the state of affairs.

Regionally, Congress of South African Trade Unions (COSATU) has indeed taken a keen interest in this development calling on its tripartite partners the African National Congress (ANC) and South African Communist party (SACP) to put more pressure on the government of Swaziland to desist from suppressing the labour movement. This has added more pressure to a country whose economic status is under threat and it's not a welcomed development at all as it does affect the workers' welfare and job security. Not forgetting that the Swaziland Federation of Employees and Chamber of Commerce (SFE&CC) as well as Federation of the Swazi Business Community (FESBC) is equally affected by this unresolved labour tensions.

Kairos Reflections

This is a call to the whole Church of Christ to revisit her calling on caring for the Widows, Poor, Oppressed, Orphaned and Vulnerable groups in Swaziland. The Church of God is therefore calling the government to show care and concern by, giving justice and protection to the poor and vulnerable orphans.

The Church should be actively involved in programmes and initiatives aimed at upholding the rights of such vulnerable and oppressed people. Just as the Psalmist has rightly advised; *'Give justice to the poor and the orphans; uphold the rights of the oppressed and destitute'* (Psalms 82:3).

There is an urgent call to some Christian leaders to stop living lavish lifestyles in the name of 'Faith and Prosperity' gospel. (James 5:3-6) It is cause for concern that some Christians are promoting this kind of lifestyle while the Bible is teaches caring for the poor.

The Church hereby makes an earnest calls to government to revisit her commitment to people living with disabilities and ensure that their rights are respected. There is need for a more friendly approach in dealing with their challenges. Education with special needs should be encouraged, and where possible grants should be given to such people to assist them to cope with the hardships they encounter.

The Church calls on government to consider ensuring that the labour relations are improved relevant and prevailing crisis resolved, especially the delicate issue of TUCOSWA's recognition and registration. It does not argue well to the image of the country to regional, continental and international to have such unresolved labour relations and certainly will hit hard on the fragile economy. The Business community, which employs thousands of the labour force, will be immensely affected as doing business in a highly tense environment and unpredictable context is not healthy at all. As for international interest on business investments and interest, the country may as well kiss them goodbye, as no sane business person will want to invest in a political and

economic unsettled country. Economics are so sensitive when it comes to labour relations, trade, and we better be warned in getting our house in order.

2.4 Judiciary Crisis – Challenges of Accessing Justice and the rule of Law

“Do not Pervert justice, do not show partiality to the poor or favouritism to the great, but judge your neighbour fairly.” Leviticus 19:15

“A wicked man receives a bribe from the bosom, to pervert the ways of justice” Proverbs 17:23

“This is what the Lord says: “Maintain Justice” and do what is right, for my salvation is close at hand and my righteousness will soon be revealed.” Isaiah 56:1

The Church recognizes that the Constitution of Swaziland upholds the ‘rule of Law’ principle and it further promotes the notion that the citizens of Swaziland have a moral duty to ensure that they promote the rule of law.⁷ Citizens in any given country should have their rights constitutionally protected and that the government must ensure that it plays the game according to its rules, that is, it remains impartial and its actions not biased and in conflict with what the public expects of a justice system.

The Courts should not be impartial in delivering justice in the land, especially judiciary officers entrusted with upholding the justice systems. They should be above reproach when administering justice and executing their duties. The Law must be respected and Justice seen done in the land. In a just society, Government and judiciary system are upheld in high respect as they act within the parameters of the provisions of Law and are fair to the citizenry.

In the recent past, the country has experienced forceful removals of citizens from the land of their birth. These were due to establishment of game parks, business and agricultural activities and national encroachment in the name of development. Traditional chiefs have often failed to protect the citizens in cases where people were removed for the above purposes.

The country witnessed the grab a land saga in 2012 where Ministers of the Crown helped themselves to land at dismally discounted prices. A commission was instituted and findings were to the effect that the Ministers must return the land. This is yet another indication that the country has no respect for law and justice. *Let Justice roll down like waters and righteousness like an ever-flowing stream.* (Amos 5:24).

⁷ See Section 63 (3) 2005. Constitution of the Kingdom of Swaziland.

In some cases the removed people have sought court redress where the courts ruled in their favour but government has always failed to adhere to the rulings. State securities have been used in the defiance of court judgements. The November 28, 2002 statement is one glaring example of such defiance. This culminated in the Judges of the Supreme Court resigning en masse and that was a huge blow to government, and that caused irreparable damage. In May 17, 2003 the Attorney General (AG) retracted the statement but could not bring back the due respect to the justice system and rule of law. This exposed the lack of powers and ineffectiveness of the office of the AG.

In another development, the government refused to implement a Supreme Court order where MPD Marketing Supplies (Pty) Ltd had won a case to do business with the government of Swaziland. It was a cabinet decision to blacklist this company.⁸ The Supreme Court had argued that such an appalling position taken by government was unconstitutional and the executive position was unlawful. Sadly, Swaziland being what it is known for, did not respect this court pronouncement and order, thus rendering the justice system useless as courts decisions are not respected and enforced.

We do not have available time to go into major details exposing the deplorable condition at the Judiciary level in Swaziland. We witnessed a rare occurrence when the Swazi lawyers decided to boycott the High Court stating their unhappiness about the behaviour of the Chief Justice and the manner the officials were running the affairs of this respectable Court. There was no legal representation that could be found as lawyers went on strike thus denying citizen's access to justice.

The Chief Justice who is a foreign national apparently also not wanted in his country because of serious allegations of fraud, a behaviour that is not expected of a person of his status (See Nation Magazine July 2013). Such a state of affairs does not paint a positive picture of the country.

We have also witnessed with shock when the Chief Justice decided to sit alone as the Complainant, Jury and Judge. This was the unfair disciplinary hearings involving Justice Thomas Masuku, who as we speak is walking the streets following a disciplinary action instituted against him by the Swaziland Chief Justice and was finally removed from office.

This was done besides the Constitutional provision that states unequivocal, that such an action must be endorsed by after a due process of a body or committee and they should then advice the King to remove such a respected official and servant of the High Court.⁹

⁸See- Case No. 18/2007 – The Prime Minister of Swaziland & Others Vs MPD Marketing Suppliers (Pty) Ltd

⁹ On June 29, 2011 Justice Thomas Masuku was charged by Chief Justice and the charge sheet was signed by him, instead of the Secretary to the Judicial Service Commission. It is history now that Justice Masuku was disciplined and removed from office and not by the King, as provided for in the Country's Constitution- See Section 158 of the Constitution of Swaziland.

The Church is disturbed with incidences of police brutality where people end up dying in the hands of the Police, with no independent investigations. A case in point being that of Mandlenkhosi Mathousand Ngubeni,¹⁰ Siphon Jele and others who died at the hands of state securities under questionable conditions.

Kairos Reflections

The Church notes with concern that there is continued failure by the Government of the Kingdom of Swaziland to respect Court Orders. We call for a justice system that will uphold the rule of law and administer justice in Swaziland without fear or favour. The Duality of Laws needs to be harmonized and regulated accordingly and that citizens should feel assured as they have their matters deliberated. People should have faith and trust in any justice system in the land.

Whatever happened to the constitutional clause that states clearly that by now a Swazi Chief Justice should be at the helm of the High Court is cause for concern. The church therefore calls upon government to rectify the issue as per the dictates of the constitution.

2.5 The Church as a “Voice of the Voiceless”

The church notes that the Constitution has presented the nation with powerful pronouncements in Section 58 dealing with the envisaged political landscape:

Swaziland shall be Democratic country dedicated to the principles, which empower and encourage the active participation of all citizens in all levels in their own governance...¹¹

However the attaining landscape is contrary to the provisions of the constitution section 58. The *Tinkhundla* system of Government is undemocratic in that it does not empower and encourage the active participation. Hence the concern that is forever raised that it cannot be accepted as a democratic system in its present form. Section 25 of the Country’s constitution further states that people are free to enjoy these fundamental rights:

A person has the right to freedom of assembly, association and freedom of expression; and a person shall not, except with the consent of that person be hindered from the enjoyment of these rights.

¹⁰ Even after an Inquest was undertaken under Coroner Magistrate Nondumiso Simelane, there was no disciplinary action ever taken against those police officers involved only transfers were preferred.

¹¹ See-Section 55. 2005. The Constitution of the Kingdom of Swaziland

In recent past Swazis have witnessed selective listening to the voice of the church by the state. There have been incidents where church services were stopped or disrupted by the police without any court orders or legal backing.

Kairos Reflection

The church pronouncement is that the state of affairs presently obtaining in the Kingdom is ushering dictatorial tendencies. The voice of the people matters in any democratic order and once that is removed people are forced to abandon their dreams of collective engagement as groups to speak out freely about democracy and governance then they in turn lose their desire to be involved.

It is of great concern that the famous Decree of King's April 12, 1973 Proclamation to the Nation, banning political parties in Swaziland is still effective. Such a law has no place in this constitutional dispensation. The Church as the Voice of the voiceless calls upon the state to repeal all oppressive laws, so that Swazis can enjoy their rights as enshrined in the constitution. *"Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage". (Galatians 5:1)*

2.6 Suppressed voices and vulnerable groups – Disparities in the country

"Is this not the fast that I have chosen? To loose the chains of injustice, and to untie the chords of the yoke, to set the oppressed free and break every yoke? Is it not to share the food with the hungry and to provide the wanderer with shelter? When you see the naked to clothe him, and not to turn away from your own flesh and blood." (Isaiah 58:6-8).

The desperate cries of the marginalized and oppressed people in Swaziland are not being heard and the Church cannot remain silent. The women's desperate voices in particular which are so loud indicate that the agony they bear is greater than we could ever imagine. They are denied access to land and still cannot access traditional crown land without a male either a father or an uncle. Or, unless they have children who are males and only then can they have a passport to be granted permission to have access to land **(even though the constitution now guarantees everyone the right to access land).**

While this document will not be addressing gender dynamics and relationships and how they affect women, it is amazing how Jesus Christ responded to women's plight during His earthly ministry. Within a Jewish culture, which had influence on the Christian belief system, discrimination against women was the order of the day. The church seems to have continued discriminating against women who as we speak are not considered as important. Their spiritual giftedness seems not enough to have them taking leadership roles and responsibilities.

"There is neither Jew nor Greek, there is neither slave nor free man, there is neither male nor female for you are one in Christ." Galatians 3:28.

It pains the church of God to see such inhumane treatment and oppression of the women who are created in the image of God, to suffer in the land of their birth just because of their gender. A culture that still looks down upon women and discriminates is not a good culture at all in this time and age, and stands condemned and should be transformed.

The plight of desperate vulnerable children in Swaziland also cannot be ignored. The number of orphans is growing every day as a direct result of the HIV pandemic. There is quite an increase in the number of child-headed homes, and children are left on their own to survive harsh realities of having to run households and families. They end up growing up feeling lonely and neglected and somehow they are being forcefully pushed to positions of great responsibility at early stage. As for their basic needs such as education and health services does have a lifelong negative impact. While we implore attempts that are being made by Government and Donor agencies, the Church needs to revisit her mission of assisting vulnerable children and not forgetting the words of Jesus when he said, *“Let Children come unto me, do not hinder them, for the kingdom of heaven belongs to such as these.”* (Matthew 19:14).

People living with disabilities are also neglected and marginalized yet they are human with rights and privileges. This is well articulated in the Constitution of the Kingdom in Section 30 (1), *“People living with disabilities have a right to respect and Human dignity.”* Support should be given to them including education with special needs as well as ensuring that there are sustained grants given to them so that they live comfortably and that their disability status is not allowed to make them feel less human and beggars.

Another vulnerable group that is continually neglected and marginalized is that of the elderly citizens. While we implore government for the grants that are given to the elderly citizens it falls too short to meeting their basic needs. The majority of our elderly people live in abject poverty. The church appreciates the initiative of *Philani Maswati* Charity organization and other to address the plight of the elderly. However this once off intervention, is a drop in the ocean. This action is actually contempt to the dignity of the Swazi people and being insensitive to the needs of elderly. It is to play to the gallery and a show off as it is advertised to the whole world that something is being done. This gives a false picture that the state cares when in actual fact the country should be consistent.

Non-Governmental organizations (NGOs) are faced with a daunting tasks of bridging the gap in trying to solve national crisis, as the greater population strive in trying to improve the hard conditions they live in. Unfortunately NGOs are faced with even harder choices to make as some of the issues they deal with are related to governance and politics. It has since become hard to separate the service delivery issues from governance and politics.

Kairos Reflection

The church calls upon government to increase the grant that is presently given to meet the basic needs and to put in place relevant legislation to regulate social security grants.

The church cannot close eyes to any form of discrimination and oppression that makes the lives of women, children, people living with disabilities and elderly meaningless and hopeless. Christ Jesus had a soft spot for women, children and people living with disabilities. Women were affirmed and made to feel they were full human during the times of Jesus. Children were welcomed by him, and those who had disabilities were never casted out. Instead, Christ was in the business of lifting such vulnerable groups and affirming them that they were created in the image of God. His ministry was meant to bring healing to them. Hence he lived what he had proclaimed right from the dawn of his Ministry was declared:

“The Spirit of the Lord is upon me for he has anointed me to preach good news to the poor, He has sent me to proclaim freedom to the prisoners; and the recovery of sight to the blind; to release the oppressed and to proclaim the year of the Lord’s favour. (Luke 4:18).

This is a call to the Church, to seriously re-look at its position regarding the ongoing hurting and continued oppression. Women’s voices and their continued absence in power positions are of great concern. The Church must show empathy for orphans and vulnerable as well as ensuring that the plight of the people living with disability are Christian mission.

The church applauds the work of NGOs and calls on all stakeholders especially government to support the just cause on meeting needs of vulnerable groups. NGOs add value to service delivery.

2.7 Constitutional Dispensation – A new era

Following the repeal on the Independence Constitution in 12th April, 1973 and the introduction of *Tinkhundla* system of Government, the country has experienced constitutional challenges. Protests and dissenting voices about the manner the country was governed have been loud. Government yielded to pressure from the masses. A Constitutional Review Commission (CRC) was established amidst complaints in the manner people were to submit. Group interests were not allowed as people were instructed to submit as individuals.

These disgruntled voices were not listened to, and when the Constitution was finally enacted in July 2005, there were still unsatisfied Swazis who felt this process should be reviewed, and a Constituent Assembly, consisting of elected people drawn from all sectors of society should be appointed to re-work on the Constitution so that it would be a legitimately owned process. The continued fear of involving political parties is not new as was the case in the early '70s and unfortunately it is still the case even today.

There is need to allay such unfounded fears, because as long as you have people sidelined in any National process, you will still be harbouring such fears, yet involving all people will add value and demystify such sentiments. At the end of the day Swazis must contribute to such national initiatives irrespective of their political affiliations.

The country has a Constitution now and the international Community seems to have given thumbs up that at least there is something written down which should form basis for ongoing engagement to address the unresolved political question. The document has been criticised internally as there are conflicting articles which we have already alluded to in preceding topics.

Kairos reflections

The Church calls upon government to revisit the constitutional process, and ensure that political formations, civil society, chiefs and faith based organisations are part of the review mechanism. It is essential that the process is inclusive of all stakeholders for ownership, growth, economic stability and good governance – *shalom*.

Chapter 3

Programme of Action to solve the crisis

The Swaziland Concerned Church Leaders, as servants of the Most High God, herewith suggest the following interventions that could become a roadmap and blue print towards solving the national crisis presently engulfing the country.

1. The unity within the Body of Christ

We note with concern that the continued disunity within the body of Christ in Swaziland as regrettable and makes the Church weak and its message not taken seriously on critical political matters in the country. There is no wisdom that the Swaziland Conference of Churches (SCC), Council of Swaziland Churches (CSC) and the League of African Churches could all claim to be Christians advancing the interests of the Church while they are not united. In pursuing the same agenda in the name of God, there is need for a national reconciliation and healing process. We call for the church to unite in diversity and to fight a just course.

2. Social Concern and Political Participation

The SCCL calls for the Church, the body of Christ, as a matter of urgency to stop avoiding and dodging political questions affecting the Christian witness in Swaziland. The church should call for the repeal of the 1973 Proclamation decree, as this is not in line with the spirit of the country's constitution. It also calls for the unbanning of all political parties, return of the exiled, repealing of terrorism act of 2008, bringing to an end the extra-judiciary killings, access to land and adherence to the laws of the land.

3. Getting the Mission of God going in our time – Special Campaigns

We re-affirms that this is a *KARIOS* time – a moment of truth for the Church and by extension the country as whole. The Church needs to re-visit the theology of how God continues to be involved in the affairs of the world as He establishes his rule, authority and kingdom. Historically, this God is very much concerned with the struggles of the oppressed and vulnerable people. In the Swazi context then, the struggle of the people wanting a political voice cannot be ignored and be relegated as unimportant. It is time that the Church gets to the agenda of saving humanity and establishing peace and harmony in our Kingdom.

The church must have some form of consultation, coordination and cooperation when tackling matters of social concern that has a bearing on the country's political transformation. As people who work on the ground we owe it to our Christian witness to keep our mission informed and relevant. The Church must desist in supporting national programmes that have a tendency of undermining the wishes of the greater civil society. We see an opportune time that a national referendum on the role of the church on matters of politics and social concern is undertaken without delay.

4. Job Creation, Economic Justice and creation of wealth

The SCCL notes that it will be prudent that the Church rather than shouting at the state regarding the state of the economy and how the government has dismally failed to create jobs and deal with the high levels of poverty resulting to unemployment, it should equally take responsibility to come out with innovative ways of creating jobs and wealth. Christian business people must join forces with the church to offer solutions in matters of job creation and wealth. It took Joseph, a Jew, in Egypt to be involved with economics and food preservation to save nations. *“Joseph collected all the food produced in those seven years of abundance in Egypt and stored it in the cities...”* Genesis 41:48a

5. Making the Bible Speak to the local Context- Contextual Approach

The SCCL affirms that the Bible should remain relevant and an authority in influencing Christian beliefs and actions in Swaziland. It is the Word of God and the Church must base its moral guidance on what the Bible teaches not mere humanistic philosophies. Interpreting the bible and coming out with a doctrinal stand requires skills of contextual theology. While believers are encouraged to read the Bible as the word of God and meditate on what it says to enrich their Christian vocation, the Church still has an obligation to engage its followers on how to theologically interpret the Bible.

6. A National Convention to discuss the future of Swaziland

The church further calls for all-inclusive National Convention; A Convention for Democracy for Swaziland (CODESWA) that will involve all stakeholders is necessary. This forum should consist of all sectors of the Swazi civil society who will all be equal and coordinated by reputable people and overseen by regional, continental and international entities like SADC, African Union and the UN system. The Traditional structures, political formations, religious groups and other key stakeholders like the political formations, business sector; labour movement must together sit down and discuss the issues bordering on the constitution and governance.

7. Dialogue with other Faith Formations

SCCL calls on the Church as a matter of urgency to engage other faith formations currently operating in Swaziland in seeking for a negotiated political settlement to the fiscal crisis. The Church must understand that it does not have monopoly on religious matters in the land, as this country has embraced the principles of freedom of religions. It is therefore crucial that these faith formations are engaged, respected and consulted when discussing issues that have bearing on people's religious life and conduct. The religious intolerance mentality is no longer acceptable in this time and age of human rights and religious pluralism.

Conclusion

As the church, we note with great disappointment the police are declaring war against the church of Christ peaceful assembly. The incidents that have resulted in Christians refused to hold prayer meeting in Manzini Cathedral and the Evangelical Lutheran Churches in Southern African (ELCSA-ED) are disturbing and against freedom of worship and assembly. The 2013 National elections were held under the non-party *Tinkhundla* System of Government. The playing grounds remained unlevelled and this is not conducive for stability and peace. Both the African Union and Commonwealth Observer Mission teams have decried the absence of political parties and were not happy that people's political rights were not respected. To this end we as the church on behalf of the Church avail ourselves to facilitate a national healing process aimed at finding a lasting solution to the many issues facing the country, and extend our hand to the country's leaders that we call for a National convention to discuss these salient issues that forms crisis in the Kingdom of Swaziland. We owe it to ourselves and the next generation – *Blessed are the peacemakers for they shall be called the sons and daughters of God. [Matthew 5:9]*

God Bless Swaziland

Guide her leaders

Bless her children

Hear her prayers

And give her peace

