

**UNIVERSITY OF KWAZULU-NATAL**

**DEVELOPMENTAL LOCAL GOVERNMENT IN A  
RURAL CONTEXT: A CASE STUDY OF JOZINI  
MUNICIPALITY**

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**Developmental local government in a rural context:  
A case study of Jozini Municipality**

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## ABSTRACT

South Africa is facing a backlog with regard to service delivery in rural areas. Therefore, local government reform has been one of the pertinent issues which has occupied the political landscape since the early 1990s. Key to this transitional period to democracy was a realization that different communities have diverse experiences with traditional leadership depending on their geographical location in South Africa. But to a large extent the changes that took place in traditional leadership were imposed on the local structures by the national government. Thus, most traditional leaders and their advisers found themselves implementing policies which they did not necessarily support.

This study seeks to explore developmental local government in a rural context through the use of the case study of Jozini Municipality. A key issue in this study is to look at the nature of the relationship that exists between the modern and traditional structures and the impact thereof on development.

This study draws from the development literature, lengthy discussions with different experts in local government in conferences, seminars, and interviews with different stakeholders such as traditional leaders, elected councillors, community members, and municipal officials regarding the relationship between traditional leaders and elected councillors in the implementation of developmental local government.

The findings of this study are revealing. After ten years of democracy in South Africa, there is still no consensus among different stakeholders on the roles and functions traditional leaders should play in mainstream politics in general, and in local government service delivery in particular. The findings show that the majority of participants felt that there is a need for traditional leaders and elected councillors to work together for the implementation of developmental local government in rural local government. Officials find themselves in a dilemma in rural local government as a result of what they perceive to be the silence of most local government policies on the roles and functions of traditional leaders. Some local government officials and councillors believe that the role of traditional leaders in local government is important. In the Jozini municipality they work with traditional leaders because of the mandate from the IFP political leadership but this does not mean that tensions do not exist. There are institutional and political implications emanating from the findings as analysis shows that there is a need for a closer look at the two-tier model that currently exists in rural local government.

This study revealed that tensions exist between traditional leaders and elected councillors. This study also demonstrates that a confluence of factors and tensions affect the nature of relationship and the implementation of developmental local government starting from the national government to the communities at local level. As reflected in the study, lack of co-operation at each level has detrimental effects on the overall implementation of developmental local government in the rural context. Therefore, it is clear that all stakeholders have a role to play in ensuring that there is proper implementation of local government policies in rural areas. However, the government must take a vanguard position because it has got all the powers and resources as compared to other stakeholders.

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me with elders in the local traditional authority and with his friends in other traditional authorities during the data collection process.

## DECLARATION

This dissertation is the author's original work and has not been submitted in any other form in another University. All sources used have been duly acknowledged through referencing in the text.

The findings and conclusions reached are entirely those of the author.

Full name.....SITHEMBISO..... Date.....22/12/2005.....

Signed.....*Stc*.....

## **DEDICATION**

This dissertation is dedicated to the Myeni Family [my late grandmother Mrs Martha Myeni, my late sister Phethile Myeni, my mother Mrs Nester Myeni for her motherly support, to my sisters and to all those involved in the struggle for rural development].

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## LISTS OF ACRONMYS

ANC	African National Congress
BAA	Bantu Authorities Act
CBOs	Community-Based Organizations
CLRA	Communal Land Rights Act
CODESA	Convention for Democratic South Africa
CONTRALESA	Congress of Traditional Leaders of South Africa
COSATU	Congress of South African Trade Unions
CPP	Centre for Public Participation
CPP	Convention People's Party
DCs	District Councils
DLA	Department of Land Affairs
DLG	Developmental Local Government
DMT	Dialectical Modernization Theory
DP	Democratic Party
DPLG	Department of Provincial and Local Government
DSB	Development and Services Board
EXCO	Executive Committee
GEAR	Growth Employment and Redistribution
IDP	Integrated Development Planning
IFP	Inkatha Freedom Party
JSB	Joint Services Board
KFC	KwaZulu Finance Corporation
KLA	KwaZulu Legislative Assembly
KZ	KwaZulu
KZN	KwaZulu-Natal
LED	Local Economic Development
LGNF	Local Government Negotiating Forum
LGTA	Local Government Transition Act
LSDI	Lebombo Spatial Development Initiative
MEC	Member of Executive Council
NA	National Assembly
NGOs	Non-Governmental Organizations

NLM	National Liberation Movement
NP	National Party
PAC	Pan Africanist Congress
PR	Proportional Representative
RC	Resistance Council
RDP	Reconstruction and Development Programme
RSA	Republic of South Africa
SA	South Africa
SACP	South African Communist Party
TA	Traditional Authority
TLCs	Transitional Local Councils
UGCC	United Gold Coast Convention
UKZN	University of KwaZulu-Natal

# CHAPTER 1

## INTRODUCTION

### 1.1 Study Context

Poor service delivery in rural areas has been a serious problem in South Africa since the colonial days. The paradigm shift in governance that started in the 1990s marked a watershed in South Africa's local government sphere, particularly in rural areas where a number of opportunities and challenges were identified by different stakeholders involved in development planning and implementation. The founding local government elections of 1995/1996 signalled the end of a racially based local government system and the beginning of an era where all South Africans had a role to play in development. These elections further signalled a shift in the role of traditional leaders in local government in rural areas.

The apartheid legacy created a range of structural disadvantages in rural areas which required state intervention to promote development. In rural areas, the apartheid government used traditional leaders to provide services that were provided by local authorities in urban areas. This move capacitated and provided traditional authorities with uncontested powers with regard to service delivery in rural areas.

According to Greenberg (2004: 7) under the legacy of apartheid, local government was imposed on the black population both in urban and rural areas. Such imposition intended to give the *de facto* role to local government to police the apartheid system, making sure that most of the segregation policies were implemented as required. To a large extent, the rural areas were further divided according to ethnic groups who were geographically separated. The demise of apartheid required the overhaul of local government system in practice during apartheid regime. There was a need to break down ethnic divisions and create a single system of government across rural areas.

Traditional leaders remained an important and powerful institution in South African rural areas because they served as agents of colonial administrators. The apartheid government consolidated all the practices of the colonial government. According to

McIntosh (1996: 239) traditional leaders served as intermediates between government and communities during apartheid, particularly in rural areas in the absence of local government. Studies confirmed that traditional authority structures were responsible for service delivery, development and resource management in rural areas (Munro and Barnes, 1996 cited in Cross *et al*, 1996: 196). Gildenhuis and Knipe (2000: 271) concurred that 'traditional authorities tried to cooperate with provincial and central agencies in providing schools and health clinics in the rural areas'. Traditional leadership became a very strong institution in KwaZulu Bantustan due to the support it received from Inkatha.

During the transition period to democracy between 1990 and 1994, enormous debates took place in South Africa around the form and functions of national and provincial government. However, Ntsebenza (2001: 319) argued that there was a silence in the Local Government Transition Act (Act 209 of 1993) on the form that local government would take in rural areas. The Act was later amended in 1995 where a two level structure was recommended with the aim of moving towards equity and redistribution between the poor and rich areas. This did not prove to be fruitful. Many municipalities were surrounded by poor rural communities, were ineffectively administered and did not have strong revenue base. Lane and Faure (1996: 2) argued that the Republic of South Africa left the transition phase and entered the consolidation stage with several highly disturbing issues unresolved. The issue of the relationship between traditional authorities and councillors was the prime case which is manifesting itself in the current political debates.

Furthermore, during the negotiation process for a non-racial local government, some stakeholders such as traditional authorities who were serving as local government in rural areas were left out. Cloete (1995: 4) observed that Local Government Negotiating Forum (LGNF) consisted of representatives of the central, provincial and organized local government and the non-statutory delegation. Research by Amtaika (1996: 4) revealed that many rural areas did not have these local authority structures or non-statutory bodies to represent them in negotiations.

In the process of local government<sup>1</sup> transformation, the concept of developmental local government<sup>2</sup> (DLG) was conceived as a developmental tool both in urban and rural areas. The adoption of developmental local government was a strategic approach for municipalities in South Africa to address inequalities caused by colonialism and apartheid. The adoption of this developmental approach coincided with an undefined role for traditional leadership in the Constitution which opened the door for traditional authorities to mobilise to reassert their power. Ntsebenza (2001: 319), for example, argued as follows:

The ANC led post-apartheid government is to attempt to separate these powers in favour of the democratically elected structures. At the same time, the very same government that recognizes elected representatives in all levels of government, also recognizes a hereditary institution of traditional authorities without any clarity as to their roles, functions, and powers in developmental local government and land.

This summarises the state of affairs that exists and which became the source of conflict and tensions in rural local government in South Africa, and which is currently a thorny issue in the pursuit of rural development in South Africa. Currently, rural communities believe that traditional authorities are the ones who assist them in developmental issues. Goodenough (2002: 85) argued that the contribution made by traditional authorities in most rural areas is acknowledged by most communities.

Martinussen (1997: 172) argued that ‘tradition need not impede development’. The contribution of traditional leaders in rural development may be misunderstood especially in cases where ‘they are expected to contribute constructively to development programmes, yet on the other, their powers have been reduced substantially’ (Keulder, 1998: 302). Failure to understand and appreciate the challenges and a confluence of factors facing traditional leaders may lead to them being perceived as ‘perpetrators’ of underdevelopment and with no meaningful role to play in the development of rural areas in the current form of rural local government.

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<sup>1</sup> This is the third sphere of government which is closest to the people and has got a responsibility to provide basic services.

<sup>2</sup> This is local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives (see White Paper on Local Government, 1998: 17)

Lahiff (1997: 28) argued that ‘the introduction of a new form of local government, without disbanding or at least curtailing the powers of the existing structures such as traditional authorities, the national government effectively created two parallel systems of local government which are now directly competing with each instead of complementing each other’. Venson (1996: 279) concluded that ‘the success and the failure of decentralization depend on the role clarification for the locally based statutory bodies, i.e. councillors and traditional leaders’.

The Jozini Municipality, like the rest of the municipalities in South Africa, is undergoing a process of institutional change. More importantly, this municipality was established during the consolidation phase of local government (after the 2000 elections). This municipality found a very serious backlog in service provision, including the lack of water supply, electricity, health services and poor road conditions. Although several attempts were made to implement development projects for Jozini Municipality citizens, it was evident that the majority of the population live in poverty. In addition, the majority of areas are under traditional authorities which are unequally developed and there is a lack of clarity about future plans. This municipality has many pensioners, children and the unemployed (Jozini IDP Review, 2004). This backlog needs to be addressed through developmental local government with its strategies, such as integrated development planning (IDP), budgeting, community participation and performance management. Developmental local government could be taken as a decentralization mechanism which builds good local governance in areas where there has been limited governmental activities.

There is one aspect from which the challenges of rural local government such as Jozini Municipality can be viewed. This thesis highlights the importance of dialectical modernization theory which argues that for effective service delivery both traditional and modern systems should work together in a desegregated fashion during the development process. The main objective of examining dialectical modernization theory is to think of possibilities of traditional institutions promoting political development from old practices to new ones (Martinussen, 1997: 172). This municipality (Jozini) is an experiment as to what people experience in the process of learning to work together.

This thesis is an attempt to study the process and observe the interactions of implanting modern institutions in a traditional setting. Indeed, an understanding of this interaction ultimately reveals the constraints and problems, and helps in showing which activities of development need to be handled in a complementary manner for development to occur in rural areas. It is worth remarking that traditional and modern institutions should not be viewed as separate institutions. Instead the link between the two is very strong because modern institutions are a product of traditional institutions. The White Paper on Local Government (1998: 78) in its concluding comment states:

There is no reason why African customs and traditions should be seen to be in conflict with the demands of the modern governance. What is required is an innovative institutional arrangement, which combines the natural capacities of both traditional and elected government to advance the development of rural areas and communities.

## **1.2 Rationale for the research project**

The rationale for the choice of this topic is manifold. First, Jozini Municipality is one among the newly established municipalities which are dominated by rural areas in different traditional authorities. Second, concerns of traditional authorities within democracy have turned out to be among the most politically sensitive issues in the new South Africa. Also, with the demise of apartheid, communities in the countryside and policy-makers seem to be divided on the matter of traditional leadership, and such divisions are likely to impede development. Moreover, both rural and urban areas are undergoing a process of restructuring and a study of Jozini Municipality provides a contribution of documenting this change in the context of difficulties of implementing developmental local government in contexts in post-apartheid South Africa. It will be argued that actors in development in rural areas do not interact on an equal basis, but they exert different levels of control over activities promoting development. Interestingly, it is also important to experiment and to understand how policies enacted by the government of the ruling party are being implemented. The relationship between chiefs or traditional leaders and new democratic structures on the ground in the countryside will be evaluated. Lastly, the fact that the researcher grew up in one of the wards of this municipality makes the choice of the topic important at a personal level, and the information collected could

be used to influence the planning process for advocating for better basic service delivery.

### **1.3 Aim and objectives**

The aim of the study is to explore the implementation of developmental local government in a rural context in the Jozini Municipality. The objectives of the study are as follows:

- To identify problems relating to developmental local government in rural local government with special reference to the Jozini Municipality.
- To explore points of agreements and disagreements between traditional leaders and democratically elected councillors.
- To explore the relevance of developmental local government in a rural context at Jozini Municipality

Although the study focused on Jozini Municipality, it is also acknowledged that tensions are also found in other municipalities where traditional authorities exist. In order to address the aim and the objectives of this study, the following major and minor questions were raised in this thesis:

### **1.4 Major research questions**

- What is the relationship between councillors and traditional leaders at the Jozini Municipality and how it impact on development?
- How important is the role of traditional leaders and councillors in promoting or implementing developmental local government?

### **1.5 Minor research questions**

- What are the key development projects at Jozini Municipality?
- Who are the key drivers in the development of rural areas?

- What are constraints facing the implementation of developmental projects at Jozini Municipality?
- Is there a way in which the traditional authorities can improve the existing way of operating by moving to a new political system?

## **1.6 Overview of the study**

The chapters in this study are arranged as follows:

**Chapter 1**, the introductory chapter, provides the study context on how the paradigm shift in local governance that started in the 1990s marked a watershed in South Africa's local government sphere. The chapter traces how traditional leaders became intermediates between government and communities under the apartheid regime. This chapter states the aim and objectives, the rationale of the research, and concludes by giving an overview of the study.

**Chapter 2** provides the conceptual framework used and discusses the debates between modernists and traditionalists, exploring how tradition and modern systems change in the process which results in a hybrid theory. This chapter further reviews the literature on traditional leadership in different countries in Africa. Two countries (Uganda and Ghana) were selected to serve as case studies.

**Chapter 3** reviews the literature on traditional leadership in South Africa, highlighting politics behind the incorporation and exclusion of traditional leadership in South Africa during the colonial, apartheid and democratic transition period. This chapter shows how the apartheid government consolidated colonial practices. It further reviews the restructuring process of local government in the democratic era.

**Chapter 4** outlines the methodology used for the purposes of this study. It describes the research process, the sampling process and the research techniques. The strengths and limitations of the research methodologies are discussed in this chapter.

**Chapter 5** presents the analysis of the data collected in the Jozini Municipality.

**Chapter 6** locates the Jozini Municipality within the broader context of political transformation in South Africa. It provides that the Jozini municipality is not immune to problems affecting other municipalities regarding issues such as the relationship between traditional leadership and elected representatives.

**Chapter 7** forms the conclusion of this study. It provides a summary of the key issues discussed in the preceding chapters and demonstrates the relevance of the present study in local government policy-making and transformation. The necessary recommendations are also outlined in this chapter.

# CHAPTER TWO

## CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW

### 2.1 CONCEPTUAL FRAMEWORK

#### 2.1.1 Introduction

According to Mouton (1990: 191) no meaningful scientific research can exist in isolation. Even if a research project is deemed groundbreaking, it draws from studies conducted before it. Kaarsholm (1991: 13) was guided by the same belief when he argued that history is important since it sets the condition for the development of modernity. In other words, we add on already existing body of knowledge. In the same vein, this study argues that to understand modern institutions better, one needs to know how traditional leadership institutions were organised and how they operated. In a nutshell, the thrust of the argument, in the conceptual framework part is that old and new leadership institutions complement each other.

This chapter is divided into two main parts: the conceptual framework and literature review. The aim of this chapter is to provide an overview of the relationship between traditional and modern institutions. Most of the debates about traditional leaders and democratically elected councillors emanate from the condition for the development of modernity.

This chapter further reviews existing literature so as to give a historical overview of traditional leadership, particularly during the colonial period, demonstrating the nature of the relationship between traditional leadership institutions with the new governments (colonial governments, post-independence governments, the apartheid and the democratic governments in South Africa). Chazan *et al* (1999: 77) argued that there were quite a lot of changes that took place in Africa from colonial penetration to independence which impacted largely to the institutions of traditional leadership. Most scholarly analyses revealed that the institution of traditional leadership was abolished in different countries on the eve of independence in preference of democratic governance systems (Mamdani, 1996). This was premised

on the assumption that the institution of traditional leadership was outmoded and was corrupted by colonial penetration.

The dialectical modernisation theory is more applicable in this study. This theory allows consideration of the way in which development in a small municipality like Jozini dominated by traditional leaders and wide remote rural areas and modern structures can be achieved. Dialectical modernisation theory works as a link between traditional and modern structures. Through the use of dialectical modernisation theory the municipality could initiate the good working relationship between the two structures. Achieving rural development in Jozini Municipality requires clear vision, commitment and consensus on the side of both structures.

The conceptual framework in this chapter starts by discussing the debates between modernists and traditionalists. Observers argue that modernists are convinced that the traditional leadership institution has no room in the African context because of its primitive and repressive nature. Others contended that the debates and clashes between modern and traditional structures need to be seen as primarily a contestation of social control.

It concludes by exploring how tradition and modern systems change in the process which results in a hybrid theory. It demonstrates through the experience of India, as quite often other societies may have the desire to be modern without necessarily losing their own traditional outlook.

The literature review provides the political history of traditional leadership in order to understand the contemporary debates and tensions between traditional leadership institutions and governments in Africa.

It further discusses the role played by the institution of traditional leadership in opening the space for colonists to penetrate indigenous societies. It also demonstrates how African countries experienced the system of indirect rule.

The chapter concludes by showing how most countries attempted to establish democratic regimes and how nationalists interacted with the institution of traditional

leadership. This is presented through two case studies: Ghana and Uganda. These country case studies reflect the relationship between traditional rulers and government in the process of political transformation. Most of the arguments are placed in understanding local government reforms in Africa.

### **2.1.2 Debates between modernists and traditionalists**

Keulder's work argued that most of the work done by scholars on the relationship between traditional and modern systems was inspired by the works of Max Weber which emphasise that there are clashes between the 'modern' and the 'traditional' system (Keulder, 1998: 291). Weber's conception was criticised since it brought a great distortion of the realities of many concrete situations (Gusfield, 1971: 16). This criticism was based on studying the relationship between traditional and rational economic behaviour of economic growth. Others argued that Weber's conception was more relevant to Germanic history, therefore it could not be easily generalised. Gusfield (1971: 15) argued that the model of change which was brought through modernisation saw 'existing structures, and values, the content of tradition as impediments to changes and are obstacles to modernisation'.

The African experience, however, shows that old and new leadership institutions are not antithetical to each other. For example, researchers such as Nyamnjoh (2003: 93), drawing from the experience of Botswana, argued that Africans are far from giving up chieftaincy. Botswana is a country which is a prime case in practising liberal democracy in Africa. Using this country as a case study, Nyamnjoh (2003: 94), was able to debunk the views expressed by other authors regarding the relationship between old and new leadership institutions. This argument criticises modernists who tend to be insensitive to cultural structures of African societies. Accordingly, the modernists are convinced that the traditional leadership institution has no room in the African context as it is seen to be primitive, repressive and unchanging in character (ibid, 2003: 94). This traditional leadership institution/chieftaincy seems to be repudiated on the ground that men dominate it. Nyamnjoh (2003: 101) in this case study revealed that traditional leadership is far from being dominated by men today. This places a message that political developments in Botswana were able to reform the traditional leadership institution so that it could accommodate women.

Researchers such as Keulder (1998: 293) observed that the clashes between the modern state and the institution of traditional leadership need to be seen as primarily a contestation for social control. This observation is related to both the colonial and post-colonial governments. Keulder (1998) repudiated the view that traditional leaders still fall under traditional institutions. Instead, he suggested the view that traditional leaders are part of the modern institutions which were created by colonial and post colonial governments (ibid, 293). This observation provides a space for one to argue that colonial governments transformed traditional institutions in such a way that they now tend to be similar with modern institutions.

Potholm (1977: 124), studying the relationship between tradition and modernity in Swaziland, rejected arguments which hold that ‘traditional symbols inhibit political development and that over time the entire set of beliefs and values associated with traditional Swazi social and political life may well prove dysfunctional to the attainment of a modern, achievement-oriented society’. He contended that these traditional patterns proved to be major sources of national unity to date. Potholm (1977: 135) revealed that power for the *Ngwenyama* has not yet decreased. It was remarkable that the *Ngwenyama* served as an agent of modernity in the socio-economic system.

Potholm (1977: 140) further argued that ‘Swazi traditional authorities used intrusions of modernity and modern political techniques to enhance their position and to emerge victorious in a protracted struggle against the British, the Pan African parties and Europeans’. This suggests that traditional societies easily adapt to modern conditions. Without doubt, traditional institutions in Swaziland used homegrown political ingredients and techniques to defeat political parties of the time. Political parties of the time had no knowledge about the people on the ground. They imported ideas from around the globe on which their leaders grounded their philosophies.

Mngomezulu, writing on the later political developments in Swaziland, found that there are debates between traditionalists and modernists. He observed that ‘King Mswati has an arduous task of satisfying those who tenaciously insist that the kingdom’s old structures should be retained and at the same time respond to the ‘modernists’ who unabashedly argue that such structures are outmoded and should be

replaced with something new' (2001: 2). Keulder (1998: 294) argued that those who criticise old structures are bound in the 'traditional-modern dichotomy in which traditional is seen as backward and modern as advanced'. Although these researchers conducted their research in different countries, they were of the view that development can be promoted by different structures. Keulder (1998: 294) was sceptical about those who view tradition as static because they are bound to ignore that 'traditions are often 'invented' and hence very 'modern' in context'. Mngomezulu (2001: 15) argued that there is no harm in change but that it should be grounded on something tangible. It is justifiable to argue that in regional political development the debate between traditionalists and modernists is at the centre stage.

Keulder (1998: 292) observed that the cynical nature of modernists about traditional leadership institutions contribute to the debate between traditionalists and modernists. For modernists the institution of traditional leadership is seen to be incompatible with democratic governance, nation-building and development. This presented a myopic view that traditionalists represent backwardness and autocratic rule. Keulder (1998: 293) suggested that there is no need to worry about sceptical attitudes of modernists on traditional leadership institution because that on its own allows an opportunity for 'political elites with a potentially powerful instrument to strengthen the state, to enhance its capacities, to monopolise social control, and to contribute to national projects such as development and nation-building'. Keulder (1998) advanced this view because he is sceptical about the state of affairs in Africa. Accordingly, research seems to suggest that there is a need in Africa to strengthen the state because it has proved to be a weak institution; it fails to generate the social energy needed for development.

Gusfield (1971) and Rudolph (1967) stressed that there is a relationship between tradition and modernity. The current relationship between traditional leadership institution and democratically elected councillors is conflictual. The formal (municipal) institution is far from the people, therefore people lack faith and use the accessible traditional institution. Bornstein (2000: 200) remarked that the division of responsibilities between elected and traditional authorities remain fluid and in that way allows a space for conflict. One could argue that this polarisation may be due to overemphasis on modernity without considering the historical fact that these two

concepts are interrelated. Failure to consider historical facts can easily result in the dismissal of tradition as being outmoded and irrelevant to the current situation. Gusfield (1971: 19) argued as follows:

The capacity of the old and new cultures and structures to exist without conflict and even with mutual adaptations is a frequent phenomenon of social change; the old is not necessarily replaced by new. The acceptance of a new product, a new religion, a new mode of decision-making does not necessarily lead to the disappearance of the older form’.

Gusfield (1971: 19) studied these two concepts in details and showed how each concept is important to the other. He argued: ‘traditional structures can supply skills, and traditional values can supply sources of legitimation which are capable of being utilized in pursuit of the goals and with new processes’. In other words Gusfield reiterated the view that traditional and modern leadership institutions play a complementary role to each other. In his view, the quest for modernity is dependent upon, and often finds support in, the ideological upsurge of traditionalism (Gusfield, 1971: 22).

Friedman (2003: 13) writing from a civil society perspective, argued that traditional institutions in the South are founded on ‘ethnicity and hierarchy, which exercise coercion over subjects in a manner of states, persist and play a significant role in some citizens’ response to democracy and development’. The argument was constructed in a study undertaken to evaluate the response of rural communities on social policy issues. According to Friedman (2003: 13) this study produced tentative evidence that chiefs in some regions did play a decisive role in securing social goods for their subjects. It is justifiable to argue that traditional leadership institution is important in the implementation of some public policies of the state. Friedman (2003: 13) maintained that there are instances where citizens see traditional institutions as conduits/channels for addressing social needs. This view challenges the weakness and inappropriateness of the state in implementing social policy. Given this state of affairs people/citizens are always looking for viable alternatives in addressing their social needs. This justifies a need to harmonise sustainable relationship between traditional institutions with democratic institutions.

The debates between modernists and traditionalists are likely to throw away valuable ingredients that are critical in the implementation of developmental policies. This may be caused by a romantic tendency in Africa of generalising about the institution of traditional leadership which is often placed to give space to modern institutions. Most generalisations about this institution tend to be biased. Friedman (2003: 13) warned that excluding traditional leadership from political participation or a role in the distribution of social goods and services may threaten the stability of newly democratic systems. This warning is placed in the South African context.

Gyekye (1997: 134), writing from a European experience, argued that ‘the way to the establishment of democracy was not easy for any European-nation-there were in the histories of these nations revolutions and civil wars, institutional trials and errors, public executions of monarchs and public officials, adoptions and adaptations of alien political structures’. This vividly shows that there was no country which was democratic by nature. Instead, democracy was achieved through contestation.

Krishna (2001: 27), writing about the Indian experience, noted that ‘the debates between modernity and tradition is a sterile one, as our examination of north Indian village institutions has shown. The most effective institutions are those that combine elements of tradition with aspects of modernity, and which are efficient along with being legitimate and locally controlled’. Accordingly, the success of democracy is dependent on the cultural and historical experience because culture and historical experience guide them to express how they need to be governed and to govern themselves. In addition, it needs to be pointed out that there is a danger in transplanting modern institutions on traditional institutions.

### **2.1.3 Dialectical modernisation theory**

Dialectical modernisation theory (DMT) is defined as social phenomenon where both types (tradition and the modern systems) change in the process and where the result is the hybrid and more emphasis is put on experience and interpretation of politics (Rudolph, 1967; Gusfield, 1976 cited in Martinussen, 1997: 41). The dialectical modernisation theory was originally based on studies conducted in India in the 1960s and 1970s within anthropology, sociology and political science. Rudolph is one of

the most influential American scholars of South Asia in India. Her scholarship transformed the study of politics and other disciplines in political science, social sciences and humanities (Fernandes, [www.apsanet.org](http://www.apsanet.org): 823). Most of the interpretations are drawn from India to build this theory. Most of the material in Gusfield's (1971) paper entitled: 'Tradition and Modernity: Misplaced Polarities in the study of social change' was drawn from modern India. Although Rudolph (1967) used the contemporary interpretations of India to challenge and to rethink some of the central concepts of political science, one could construct an argument that political history and its analysis was used for the construction of this theory

Empirical studies, which took place in the 1980s in African societies further contributed to the construction of this theory, but in Africa there has been a shift from micro-level to macro-level analysis. The contribution through empirical studies made Martinussen (1997: 173) to suggest that there was a need for focusing on theories of political and social order in which shed light on traditional societies and the forms of regime and decision-making process.

Johnston (1996: 35) argued that there was a task of 'reconciling traditional African institutions with democratic politics which might provide a useful opening to common ground rather than division, as was the case in the past'. Johnson made this submission after an overview at the new political dispensation in South Africa whereby the African National Congress (ANC) and the Inkatha Freedom Party (IFP) tried to reconcile something African in a political and social transformation which was conspicuously lacking authentic indigenous elements (Johnston, 1996:32)

The dialectical modernisation theory is retained from classical modernisation theory which provides the division of social phenomenon into two categories 'traditional and modern'. Dialectical modernisation theory facilitates the distinction between 'traditional and modern', and at the same time adds nuances and more dynamic understanding (Martinussen, 1997: 41). Martinussen (1997: 172) revealed that most proponents of this theory (DMT) repudiate the view that tradition can impede development. Instead, traditional institutions would play a major role in promoting political development so as to have a smooth transition from old practices to new ones. Gusfield (1971: 22) holds the view that modernity which is directed to political

authority and economic development, tradition is acknowledged to have a potential for sustainability of both political and economic development. The central idea is that to separate these two concepts may be problematic for development. Martinussen (1997: 172) concluded that there are moments where modern institutions can obstruct development and not function properly as expected because they may be incompatible with the tradition of the societies concerned. This does not mean that traditional societies are not open to change.

Gusfield (1971: 17) advocated that 'tradition has been open for change before its present encounters with the West with purposeful, planned change'. It is worth noting that traditional institutions are not always reactionary but may be very dynamic, heterogenous and vigorous. Perhaps tradition and modernity need to be seen as reinforcing each other instead of being perceived as systems in conflict (Gusfield, 1971: 20). This challenges the common practice, that of placing tradition and modernity against each other. The crux of the matter is that the imposition of modern institutions can curtail development.

According to Martinussen (1997: 172) dialectical modernisation theory also emphasises experience. Gusfield (1971: 21) demonstrated this experience in India showing that existing traditions could be used to achieve new changes. He argued that 'in the contemporary political process of India caste, village and religious community is utilized as basic segmental groups through which the individual and the family are drawn into modern political systems'. What is worth noting is that it is not only a political system that transforms people to modern political institutions, instead there are other supporting structures which need to be recognised. Gusfield (1971: 17) further argued that the currently so-called 'traditional society' is a product of change. Within the Indian experience, it is demonstrated that Gandhi used Indian cultural traditions and such 'traditional ideals contributed to Indian modernisation by developing a form of public ethic that transcended narrow obligations of family and kinship' (Krishna, 2001: 28).

Dialectical modernisation theory proponents warn people from different ideological perspectives/disciplines that there is a need to acknowledge the uniqueness of developing countries. Although they can survive under the modernisation process but

they are more dynamic and heterogenous when it comes to the processes of development. The central idea is that the fusion of modernity and tradition can result in dialectics, 'where both phenomena are altered in the process of change' (Martinussen, 1997: 172). This theory places more focus on the following: firstly, 'indigenous social, political and cultural structures, institutions, practices and norms' (Martinussen, 1997: 173). Within this focus, Rudolph (1967: 87) warned that 'modernisation did not have to take a predetermined path recapitulating the Western model but could be continuous with the indigenous cultural traditions of a nation-state'. This approach is sustainable. Quite often it is argued that other societies may have the desire to be modern without necessarily losing their traditional outlook. Lastly, this theory dismisses the notion that 'development is universal, defined solely its end goals: the greatest possible similarity to the North Western countries'. This challenges the dominant view of generalising about development whilst studies and experiences of new nations show that there are a number of wide varieties of outcomes and possibilities for change and continuity (Gusfield, 1971: 16). Martinussen (1997) acknowledged that the dialectical modernisation theory contributed to the understanding of complex dynamics involved in modernisation theory. It is also important to understand that the basic idea propounded by dialectical modernisation theory is that the encounter of tradition and modernity does not always result in development.

Observers revealed that the proponents of this theory challenge the modernisation proponents and Marxist scholars, particularly those who had an assumption that 'cultural traditions of newly emerging nation-states were either outdated forms of behaviour that would naturally disappear with time or obstacles that needed to be in path of modernity' (Rudolph, 1967: 89). Gusfield (1971: 26) maintained that 'the past serves as support, especially in the sphere of values and political legitimation, to the present and the future'. This shows that history always plays an important role in development, but that does not mean that the past cannot be challenged.

Now that the relationship between traditional and modern systems has been demonstrated, it is fitting at this juncture to take a closer look at the political history of traditional leadership in certain countries in Africa. It is through political history that one can be able to conclude on whether traditional leaders fully welcomed

colonists or were forced. Without the political history or such information conclusion that one would arrive at could be incomplete.

## **2.2 TRADITIONAL LEADERSHIP AND GOVERNANCE IN AFRICA: AN OVERVIEW**

There is vast literature on the diverse history of traditional leadership institutions in Africa. Therefore it is important to draw from this body of knowledge in order to trace the origins of the current tensions between traditional leadership institutions and governments in Africa. The history of traditional leadership institutions and political developments in Africa provide a means for exploring developmental local government in a rural context in South Africa. Thus, it is fitting to trace the political history of traditional leadership in order to establish how the involvement of African leaders in colonial policy-making impacted on development and also how it afflicted the autonomy and relationship they had with their people in the pre-colonial period. It is through such an investigation that one can interpret the current situation. Lemarchand (1977: 14) warns that generalising about transformations of African kingships under colonial rule is a risky business. A key issue in this study is to look at the nature of the relationship between the modern structures and traditional structures and its impact on development.

The institution of traditional leadership operated as local government in most African countries. Rugege (2002: 13) observed that throughout history in Africa traditional leadership formed the basis of local government. Rathbone (2000: 11) acknowledged that 'local administration and justice was dominated by chiefs and their councils'. With changes in political systems in countries where the institution of traditional leadership was encouraged to take on local government functions, the institution had to change its functioning. Some argued that these changes have proved to be problematic for development and for the functioning of chiefs. The historical conditions under which these chiefs operated give one a space to construct an argument that these chiefs were overloaded with 'a growing stack of civic responsibilities' (Rathbone, 2000: 7). Chazan *et al* (1999: 82) argued that 'traditional political structures, though often greatly altered or transformed, remain in place in most parts of the continent'. This argument is premised on the fact that traditional

leaders still control land and have access to communal labour. In addition, these traditional leaders still enjoy being judges and arbiters in local disputes.

Most of the literature reviewed in this section is drawn from sources inside and outside South Africa. This is due to the reality that international experience shows that tensions between the institutions of traditional leadership and governments are not unique to South Africa. Many countries in the world underwent different regime changes in response to people's demands. They introduced various forms of government, but that does not mean there have been no challenges. Therefore, it remains important that the study is done in South Africa for the purpose of influencing public policy making.

### **2.2.1 The pre-colonial period**

Research on the institution of traditional leadership confirms that it has a long history in Africa. According to Goodenough (2002: 1) this history of traditional leaders is useful in attempting to understand a role of the institution today. Gyekye (1997: 120) argued that 'chiefship is certainly the most outstanding feature of the traditional African political structure and the linchpin of the political will which can be used to assess the democratic character of the traditional political structure'. Zungu (1996: 162), for example, cautioned that heredity 'was not automatic instead succession was dependent upon fitness or mentality competent to govern'. This rejects the idea that traditional leadership institution was autocratic as viewed by some of the political scientists and historians (Simunyu, 1987).

Rathbone (2000: 3) did a review on the institution of traditional leadership and concluded: 'chiefdom has its own particular contingent history dating from depths of the largely unknowable past to the present'. Boaten (1996: 122) revealed that intricacies within the traditional leadership institution were introduced by the realities that the system was developed by the pre-literate society. Jordan (1969: 66) observed that in West Africa 'even though chieftaincy was hereditary in most centralized states but rulers were chosen from a consortium of lineage and there was contestation over who become a chief'. In other words, chieftaincy depended on mutual supportive networks of relationships. Despite the twists and turns of history there is plenty of

evidence to support the idea that the traditional form of government espouses certain principles of democracy.

There were always differences in understanding the operation and the practice of democracy in Africa. Jordan (1969: 67) compared the way centralized kingdoms/chiefdoms operated before the colonial era. He maintained that ‘in centralized kingdoms or chiefdoms, councils operated like modern cabinets, because their members either had specialised experience or they were put in charge of particular departments’ (1969: 67). It could be argued that these leaders were given these positions because of their expertise and contribution to their societies.

Iroko (1996: 104), writing in Benin, argued: ‘the monarchic reality was a major political system in the pre-colonial history of this country’. The experience of Kenya provides a different view in understanding the institution of traditional leadership. Oyugi (1996: 94) stressed that in traditional Africa succession for leadership was determined by the socio-political structure of the society. The practise was that top leadership in the centralised state systems was inherited. Inheritance was determined by ascription in the leadership structure. This was easily disturbed by the penetration of the colonial system (Oyugi, 1996: 94). Oyugi (1996) revealed that in Kenya it was not difficult to recruit traditional leadership because of the ‘absence of hereditary’. However, Oyugi does not account whether there were any problems associated with hereditary practices when it comes to the recruitment of traditional leadership in traditional societies in Africa. There have been some critical reflections about whether traditional leadership were democratic.

### **2.2.1.1 Traditional leadership and democracy**

The key issue was whether the hereditary system of traditional leadership could be democratic. The democratic nature of traditional leadership in pre-colonial Africa was observed by numerous researchers such as Tapscott (1996), Zungu (1996), Rugege (2002), Mokgoro (1994) and Mamdani (1998). These writers acknowledged that there was a kind of democracy in the pre-colonial African societies. Potholm (1977: 136), writing about Swaziland, observed that ‘each chief had his own council and responsibility for the people in his area although they may appeal his judgment to

the Ngwenyama and Ndlovukazi'. This suggests that autocracy is not associated with this institution.

Mutibwa (1992: 1) argued that the traditional political system of Uganda was more democratic in nature: 'Uganda had a highly sophisticated political system where states not only had kings but also parliaments, a hierarchy of chiefs, and laws that governed the relationship between the rulers and the ruled'. It is possible to argue that the presence of such a sophisticated system was disrupted by colonial rule in Uganda. However, Mutibwa (1992) fails to give a convincing account about how the hierarchy of chiefs practiced democratic principles. There has been some debate about democratic procedure versus consensus seeking.

Mokgoro (1994: 3), arguing from a feminist perspective, stated that 'in Africa traditional leadership was hereditary'. However, this did not mean that there were 'no electoral processes' or 'democracy'. The electoral process for leadership positions was only taking place among adult men who had skills and proven leadership qualities in contributing in the welfare of the tribe (Zungu, 1996: 165). Zungu (1996: 173) further observed that the pre-colonial chiefs were answerable to their 'tribes and structures' as chiefs were products of these tribes. These accounts illustrate that election was not competitive by nature. Thus people could show dissatisfaction about chiefs by 'deserting him for another' (Rugege, 2002: 13).

Research indicates that in other regions 'unpopular chiefs were deposed or were killed' (Tapscott, 1996: 292). Gyekye (1997: 125) concurs that autocratic actions by chiefs led to his disposition. Most writers conclude that in the traditional political practice chiefs relied on their subjects for their rule despite the hereditary nature of their high office. This further assists in understanding that in most traditional African societies, it was rare for chiefs to oppose decisions that were reached through consensus. It was not even possible for the chiefs to oppose decisions as the traditional system created no distance between chiefs and their subjects or between 'government' and the 'governed'.

In an important article entitled: 'When does reconciliation turn into a denial of justice?', Mamdani (1998: 2) rejected the perception that 'traditional chiefs in pre-

colonial Africa had unchanging powers over every domain of social life'. This was because in pre-colonial Africa pluralism defined the way of life of traditional chiefs. He holds: 'there were clan-heads alongside chiefs, age-sets alongside gender groups, each with a legitimate say in a clearly defined and limited domain' (Mamdani, 1998: 5). It was a justification from the side of the colonial government as if they had intervened in order to rescue the subjects who were traditional chiefs' victims. Gildenhuis and Knipe (2000: 277) viewed the autocratic nature directed to traditional chiefs as artificial. According to this view, traditional chiefs are 'perceived as problematic and parasitic to the subjects' (Gildenhuis and Knipe, 2000: 277).

According to Gyekye (1997: 125) the expression of popular will was expressed within Akan political system in Ghana. He noted: 'even if people as a whole do not have power to choose their ruler directly, but they have power to remove him directly or to have him removed by the electors'. This demonstrates that those who were directly responsible in electing the chief had a challenge to understand the wishes of people. After election the chief had to understand the will of people so as to govern in accordance with that popular will. These ideas further challenge policy-makers to understand the intricacies within the traditional leadership institution. Accordingly, the traditional political system has never been a model of harmony and homogeneity. For Chazan *et al* (1999: 32) heterogeneity and complexity define the traditional leadership institution in the African continent. There is a need to reject the romantic tendency of treating this institution in a singular form without understanding the intricacies within it, particularly in most countries in Africa.

The problem of determining concretely the democratic nature of traditional leadership institution during the pre-colonial period is complicated by the exclusion of the majority of people such as women and the youth, since it was only adult men who had rights to participate in decision making on important matters affecting them [particularly] in general assemblies (Rugege, 2002: 13). Potholm (1977: 136) demonstrated the exclusion of women in Swaziland, and noted that the Ngwenyama was not an absolute monarch, because he was expected to take advice from his senior male relatives and from his advisers. There is no mention of what kind of advisers, but it was highly unlikely that women would have been advisers.

Research conducted by Gyekye (1997: 126) in Ghana within the political system of Akan Kingdom is contrary to what had been postulated by Rugege (2002) and Potholm (1977). Gyekye (1997: 126) argued that ‘no one was hindered from participating in the deliberations of councils or general assemblies and thus from contributing to the decisions of these constitutional bodies’. However, he was unable to identify the channels which were available for those excluded in the deliberations of these councils. There is growing consensus that traditional system reserves the wisdom and experiences of the elders in the community, and confers on them great responsibility for making decisions on behalf of the group.

The tribes and kingdoms in most part of Africa and in South Africa liked to live in harmony. Harmony has been inspired in different ways. Rugege (2002: 13) writes:

These traditional leaders served as political, spiritual and cultural leaders and were regarded as custodians of the values of society. They looked after the welfare of their people by providing them with land for their subsistence needs through agriculture and providing land for grazing. They also provided for the very poor and orphaned. Traditional leaders were responsible for the defence of their people against external aggression and for keeping order in their communities. They resolved disputes with the emphasis on reconciliation, thereby ensuring harmony among neighbours.

Most studies challenge the idea that traditional rulers were autocratic and authoritarian as the pre-colonial constitutionalism was based on the system of checks and balances. Tapscott (1996: 292) argued that ‘traditional leaders were not as autocratic and tyrannical during pre-colonial times as it is most suggested’. These studies were based in comparing the operation of traditional rulers during the pre-colonial and colonial era. Lemarchand (1977: 14) warned that comparing the operation of traditional systems under colonial rule is a risky business. Mamdani (1996: 43) argued that ‘restraint on pre-colonial authority flowed from two separate though related tendencies: one from peers, the other from people’. Mamdani (1996: 43) concluded that ‘the colonial state really liberated administrative chiefs from all institutionalized constraints, of peer or people, and laid the basis of the decentralized despotism’.

Simunyu (1987: 51) writing from a historical perspective, maintained that ‘there has been no democracy in traditional African political system’. Simunyu builds his arguments on the basis of the hierarchical, nonegalitarian, gerontocratic, and sexist features of African political structure. These are assumptions of his argument: ‘what comes out of a careful examination and analysis of the political institutions and mechanisms of the pre-colonial African societies is a mixture of rudiments or democratic tendencies and practices on one hand and aristocratic, autocratic and or militaristic practices and tendencies, with varying degrees of despotism on the other’.

Simunyu (1987: 68) formulated all his arguments by comparing African experiences with advanced forms of Western democracy. Simunyu realised that the traditional hierarchies were oppressive but he fails to acknowledge that the institution of traditional leadership was practically dismantled by the colonial system and it got distorted. Simunyu’s approach falls short of explaining the continued role of the traditional African political system, although his work was able to explore the historical trends that traditional African system had undergone. Consequently, Simunyu’s arguments were criticised by Gyekye (1997: 119) for using entirely<sup>3</sup> to dispute that African tradition was not democratic. Gyekye holds that there is no explanation of the word entirely and that comparing African democracy with advance forms of Western democracy is dangerous. Gyekye (1997: 122) qualifies his argument: ‘chief is never to act without the advice and full concurrence of his councillors, who are the representatives of people’. This suggests that democracy as an idea is interpreted in a different way by intellectuals in different disciplines.

### **2.2.2 Colonialism and traditional leadership in Africa**

This section will analyse the relationship between the colonial system and traditional leadership institution in Africa. It will demonstrate how the traditional institution was incorporated into the colonial system. It will also assess the role played by the institution of traditional leadership in opening the space for capitalism to penetrate indigenous societies.

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<sup>3</sup> For Gyekye the concept is understood in a collective way and Simunyu had such an idea that is why he binds all the African traditional societies. Gyekye questions the concept entirely because of his research he conducted in Akan Kingdom in Ghana.

The system of colonialism was interpreted differently by its architects. Ake (1976: 199) writes: ‘the British interpreted colonialism as a “mandate” to help backwards peoples, whilst the French, Portuguese and Belgians saw colonialism as a civilising mission or tutelage’. Colonialism was a subject of great debate among certain scholars of developing countries. This conferred them an opportunity to pose numerous questions associated with whether there was any intention for colonialists to develop Africa. Phillips (1989: 1) repudiated the view that capitalists had any intention to develop third world countries, as ‘it became clear that more could have been done to develop social services, promote political participation, or establish ground work for industrial growth’. She supported the view that capitalism, which was introduced through colonialism, blocked or arrested development. Instead of modifying ‘pre-colonial techniques’ it introduced forced labour with minimal wages coupled with long working hours.

Some authors like Ake (1976: 199) show how force was used to secure raw materials in Africa: ‘in the colonial economy, force became the key instrument of profit motive, force was used to allocate roles, force was used to ensure the supply of labour, and force was used to extract and allocate the economic surplus’. There was a system of compulsory labour which disrupted all forms of traditional social structures (Morrell *et al*, 1996: 51). The colonial economy had to obtain labour from a subject population that was not in a monetary economy (Ake, 1976: 200). Consequently, people were forced to work by imposing taxes such as hut tax which was compulsory and had to be paid in cash. In the process traditional social structures were undermined or destroyed.

Morrell *et al* (1996: 35) argued that the support for chiefs was used ‘to rule Africans through their own chiefs, with an aim that people would become ‘civilised’ by going out to work for European settlers’. Ake (1976: 199) conceded that in as much as people were forced to work for the colonial economy, it was beneficial to the colonized since some were able to improve their lives. However, the improvement of the quality of life led people to start criticising their own traditional structures. Criticism was mostly guided by the view that these traditional structures were thought of as static and as enemies of rapid transformation (Rathbone, 2000: 3).

Mamdani (1996: 16) argued that traditional leadership had limited choice under colonial rule. He constructed his argument based on the civilised/uncivilised dichotomy. He argued that 'there could be single legal order, defined by the "civilised" laws of Europe. No "native" institutions would be recognised'. The colonial state had introduced new structure of authority and power as a way of excluding indigenous Africans from participating in civil activities. Mamdani (1996: 17) further argued: 'citizenship would be a privilege of the civilised, the uncivilised would be subject to all-round tutelage'. The latter view is exclusionary and discriminatory in terms of racial discourse and power relations. Oyugi (1996: 98) pointed out that the introduction of the new structure of authority and power 'did not give any space and subordinated traditional institutions to new colonial order'.

Numerous writers have studied the nature of colonial power. Mamdani (1998: 2) holds: 'the colonial state was a bifurcated power. It claimed a dual legitimacy, both modern and traditional. Modern power was urban based and spoke the language of rights. In contrast, traditional power, rural-based, spoke the language of culture'. In this argument it is the modern power which claims to be 'civilised'. There is no doubt that everywhere where the colonial state was established, the civilised/uncivilised language exists. Within this context, the colonisers were the citizens, whereas the Africans were the subjects. The citizens were the one to enjoy civil rights. To a certain degree the lives of the subjects were regulated by chiefs under customary law, and on the other hand the lives of the citizens were regulated by modern law. According to Mamdani (1996) the terrible legend that seems to be witnessed in most post-colonial states in Africa is that of succeeding to deracialise but not to democratise the bifurcated state. In as much as the institution of traditional leadership was retained under British rule, but homogenisation (under customary law) destroyed the powers of the institution. The heterogeneous nature of Africans was ignored, particularly in the countryside. Simuyu (1987: 52) noted: 'Africans were lumped together as natives, without much distinction'. Consequently, the heterogeneity of Africa was not taken into consideration.

Some studies attempted to demonstrate how the colonial state manipulated the power of custom and tradition within the African society. Philips (1989: 117) tried to determine the nature of capitalism in colonial Africa through the veil of pre-capitalist

modes of production. Mamdani (1996) focused more on the nature of power relations within the colony through the distortion and exploitation of pre-capitalist modes of social relations. Mohanty (1992: 11) conceptualised these views thus:

The colonial government in the style of Hobbes's Leviathan, managed to impose comparative inter-tribal peace. The impact of colonial administration on tribal institutions was two-fold. On the one hand, it affected the breakdown of the traditional system, and on the other hand, by reducing the power of the chiefs or traditional leaders, it greatly undermined the communal and clan responsibility, and also adversely affected the kinship and communal ties.

Basically, the colonial administration imposed a political system which challenged the operation and functioning of traditional leadership. Mamdani is highly critical in how he views the colonial powers making use of custom and traditional forms of authority within African society. The power and authority of the African traditional chiefs, he believed, was distorted and 'sculpted' into an instance of pure despotism, beyond the framework of traditional forms of accountability, placed within the new larger framework of the colonial power (Mamdani, 1996: 49).

Phillips (1989: 4) contended that the colonial powers operated through the maintenance of customary practices and traditional forms of authority within African society. Mamdani (1996: 49) argued that the 'sculpting' of custom in Africa implies the creation of a new and unique form of tradition, based on 'partly salvaging' and 'partly sculpting' pre-colonial African custom into something more suited for European rule in Africa.

Mamdani (1996: 59) felt that the limited political and financial autonomy of traditional rulers encouraged them to support corruption, coercion and violence as means to improve their economic positions. This is perceived as the crisis of indirect rule. Ultimately, he believed that the practice of colonial powers of maintaining customary tradition resulted in the division into separate 'ethnic containers', which survived after independence (Mamdani, 1996: 61).

Phillips (1989: 11) viewed the nature of alliances that were established between the colonial administration and the local chiefs as resulting in a 'makeshift settlement', implying an unstable and temporary solution to gaining control within the colony by

the administration. Mamdani (1996), however, does not consider the nature of the alliances between the chiefs and administration to be 'makeshift' at all, but rather the explicit containerization of local communities resulting in a 'bifurcated settlement'- that of citizen and subject. According to Phillips (1989: 11) the alliance between the colonial states with local chiefs was the only reliable guarantors of labour, which in turn dictated the terms on which colonialism operated. Chiefs revolved around alliance as land and labour was crucial for the colonial state. Mamdani (1996) remained cautious about the transformations in the African states which encompass the worlds of 'citizens and subjects'. The course for concern for him is that an African state can democratise but that does not mean that the world of citizens will no longer be bifurcated and despotic.

### **2.2.3 Indirect rule and traditional leadership in Africa**

Most African countries experienced the system of indirect rule. Studies show that the colonial powers had one common goal for indirect rule, it was to govern Africans with their own institutions. Through this system some of these African institutions lost their autonomy. Lord Lugard was regarded as one of the influential architects and the man behind indirect rule, and who emphasised that implementing the orders of the colonial administrators lay in the traditional leaders or chiefs (Mamdani, 1996: 62). Lord Lugard was not the only man behind indirect rule. There were others who were more influential in different African countries. For example, Theophilous Shepstone could be counted as one of the proponents of indirect rule in South Africa during the colonial period, particularly in Natal.

According to Ladouceur (1979: 6) 'indirect rule relied on local institutions which in practice meant chiefs and their councils; where chiefs and councils did not exist, they were often created, sometimes replacing democratic or egalitarian traditional institutions by much more authoritarian chiefly structures'. This assertion illustrates how traditional leadership served as an agent of colonial administration.

According to Appiah (1994: 5) chiefs were co-opted under the policy of indirect rule. This arrangement suggests that governing through traditional rulers was not a permanent arrangement. Instead, it was an interim arrangement aimed at giving some

people schooling in administration. Appiah (1994: 5) concluded that for British colonial rule governing through traditional rulers and chiefs was a matter of expediency, and was not designed to be permanent.

According to Jordan (1969: 6) indirect rule was designed to create a political compromise between western and traditional forms of government. The policy/system of indirect rule did not disallow traditional rulers from governing. Jordan (1969: 160) further argued that the introduction of the modern system of administration did not aim to destroy the traditional constitutional system. Instead, it aimed at encouraging local people to assume responsibility for participating in community improvement schemes. This system was working on the assumption that the English model of local government could be able to incorporate traditional forms of authority by using the Western bureaucratic procedures. Consequently, through indirect rule some traditional leaders became more powerful, whilst others lost their autonomy. Therefore lack of popular participation was witnessed at a local level, in that attempts were made to transform indirect rule structures into more secular, democratic institutions inspired by the system of local government in England (Ladouceur, 1979: 6).

According to Forde and Kaberry (1967: 203) indirect rule was introduced to re-establish the traditional political structure of the state for the purpose of local government. According to Ladouceur (1975: 54) the system of indirect rule needed chiefs to learn to exercise political authority within a simplified framework of modern local government. Within this framework, one could argue that chiefs were forced to learn the art of modern government and administration. The traditional political structure was seen as a viable system of local government where chiefs would be in a position to collect direct tax.

Numerous studies continue to show that the operation of indirect rule introduced in Africa is currently complicating the implementation of some of public policies in the post-colonial era. This colonial policy emphasised differences through the policy of divide and rule (Mutibwa, 1992: 4). Kiwanuka (1975: 31) maintained: 'European subjugation of Africa resulted in the emergence of two major groups of Africans who

we may describe as collaborators and resisters'.<sup>4</sup> One could argue that those who welcomed the colonial rule were said to be collaborators and served as the backbone of colonial rule in rural areas. Kiwanuka (1975: 42) further contended that these 'collaborators were awarded with positions which they never occupied in the pre-colonial set up'.

Evidence suggests that the system of indirect rule did not prove to be harmonious. Kiwanuka (1975: 48) maintained that 'indirect rule was challenged by new classes which emerged as a product of the same system', particularly those who were concerned about accountability. This challenge was initiated by the reality that equality was not the business of the day. Also traditional leaders were no longer accountable as before. The scenario was illustrated through the case of Uganda where the commoners challenged appointed chiefs who were protected by the colonial rulers (Kiwanuka, 1975).

Kiwanuka (1975: 49) further observed that in colonial Africa the main beneficiaries of the fruits of colonialism were chiefs. However, studies showed that not all chiefs were the beneficiaries of the colonial system. Traditional leaders who were sympathetic to nationalists suffered tremendously as some of them lost their positions and were replaced with other appointed chiefs. According to Ladouceur (1975: 89) the failure of some chiefs to assist the colonial rulers in their plan to implement colonial policies proved to be an invitation for punishment, suspension and detention.

The benefits associated with supporting nationalists proved to be varied in the post-colonial state. After independence, some countries formulated policies that would both benefit traditional rulers and nationalists. However, nationalists in some African countries introduced policies that did not give any space for the functioning of kingdoms, chieftainships and traditional institutions (Kiwanuka, 1975: 51). The latter tendency seems to have facilitated the overthrow of traditional political system in certain countries in Africa. It is within this background that one may construct an argument that countries that facilitated the latter were driven by the overwhelming view that democracy was incompatible with traditional leadership institution.

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<sup>4</sup> Collaborators were those who welcomed the colonial system without any objection, whilst resisters were those who were against the system but had no alternative and had to live with it.

### **2.2.3.1 Weaknesses of indirect rule in Africa**

There are several criticisms levelled against indirect rule in Africa by different authors. Ladouceur (1979:6) criticised indirect rule as follows:

- For not making clear how the traditional authorities, ‘with their aristocratic overtones, would reconcile with the demands of representative democracy’.
- For treating chiefs as subordinates through whom orders were passed on to the people, rather than as political representatives possessing some innate authority.
- It was incapable of evolution towards real local government by the people themselves.
- It gave the latitude for chiefs to exploit the people under the guise of fulfilling the wishes of the colonial masters.
- Little attempt was made to study the history and custom of local people.
- This system was constructed within the Native Authority system which came with a blue print about what a traditional political system should be, rather than an understanding of existing pre-colonial systems.

Bennet (1998: 15) argued that indirect rule undermined checks and balances that regulated traditional life in Africa. These were criticisms directed to those traditional rulers who were co-opted to the colonial administration. These traditional rulers did not look for their subjects’ approval before being co-opted by the indirect rule system (Bennet, 1998).

### **2.2.4 Traditional leadership and rural development in post colonial Africa**

With the advent of the independence, most countries in Africa attempted to establish democratic regimes. These new developments took place at the expense of excluding traditional leaders in sub-Saharan Africa. Zungu (1996: 165) remarked that even those who retained the institution of traditional leadership have still not yet found an appropriate expertise to heal this ‘festering wound’. Therefore, most countries in Africa started focusing on searching for an appropriate place for traditional leaders in governance (Goodenough, 2002).

## 2.2.5 Case Studies

Comparing Uganda and Ghana with South Africa would illuminate some of the trajectories which these countries went through with the institution of traditional leadership. It could be argued that the experiences of these countries are not the same. However, the experiences of these countries (Uganda and Ghana) are relevant for the present study because it shows the relationship between traditional rulers/leaders and governments in the process of political transformation.

### 2.2.5.1 Uganda

Uganda had a highly sophisticated traditional political system which was destroyed by the establishment of colonial rule. The colonial penetration did not only destroy traditional political systems, but also divided the country using physical features, such as mountains and rivers which became the problem for post-colonial Uganda. Mutibwa (1992: 4) aptly argued:

When British Colonial policy went to emphasise differences in order to implement their policy of divide and rule, it is not surprising that the people of Uganda remain foreign to each other. This never erupted into physical conflict while the *pax britannica* remained, but as soon as protecting powers departed, these different groups started jumping at each other's throats.

Therefore, this created plural societies which have been a great challenge and a primary task for most post-colonial leadership to integrate (Gertzel, 1975: 217). It is true that Uganda's independence inherited many problems which had to be attended to by nationalist leaders. As Mutibwa (1992: 24) remarked: 'Apollo Milton Obote had the formidable and unenviable task of welding the various communities of the country into modern nation-state called Uganda'. A thought-provoking question could be phrased thus: is democracy possible in ethnically plural societies?

Uganda was like most African countries. It had kingdoms which were powerful and well-armed. Gukiipa (1972: 32) observed that 'the hierarchical political system of the Buganda Kingdom was a merit system where excellence in war, demonstration of administrative ability and personal acquaintance with the king were the key to high

office in the power hierarchy'. The system of indirect rule which was mostly applied by Britain operated in Uganda. The Buganda kingdom was more influential in implementing the indirect rule policy. Gukiipa (1972: 33) argued that Buganda became the cornerstone of indirect rule in Uganda. This view suggests that as Buganda was a powerful Kingdom in Uganda, it was able to use its influence to collaborate with the colonial system.

The relationship between Buganda and the colonial government was viewed with suspicion by other kingdoms and people in Uganda. During the transition to independence traditional leaders suspected that they might lose their power. The colonial government tried to ensure that this would not happen. As Mutibwa (1992: 54) puts it: 'British did all they could to solve the peculiar political problems that faced Uganda before independence and did their best to secure a constitution in which the position of Kabaka of Buganda and other traditional rulers would be guaranteed within an independent state'. This did not suffice as Uganda experienced a constitutional crisis regarding the issues of traditional leadership. Mutibwa (1992) argued that the abolition of the kingdoms/traditional leadership institutions in Uganda was termed constitutional crisis because traditional institutions were the 'bedrock of Uganda culture for several centuries' (Mutibwa, 1992: 42). According to Gertzel (1975: 224) after the abolition of the kingdoms Uganda was divided into four districts. These kingdoms were given powers in the 1962 constitution, but with the 1966 constitution the amount of power granted was decreased. The 1966 constitution even abolished all local governments (Gukiipa, 1972: 7).

Although Buganda Kingdom was trying to embrace the idea of independence, they were concerned about the agreements they had made with the colonial government. In 1960 Buganda wrote a memorandum which clearly stated what should be taken care of and entrenched on the constitutional plans for independence. This suggests that they needed to have a constitutional guarantee as to what would be their roles and functions in the post-colonial government (Gukiipa, 1972).

Under colonial rule there was no application of equality in development activities in different parts of Uganda. The work of Mutibwa (1992: 66) revealed that 'nowhere was the disparity of development emphasised more than in education; it was the

means by which southerners, particular Buganda, came to dominate the affairs of the country'. Anthony (2002: 7) noted that most of the social infrastructure such as schools and hospitals was concentrated in Buganda. Mutibwa (1992) argued that unequal development in Uganda was implemented through kingdoms. The arrival of colonialists in Uganda has been of benefit to Buganda kingdom and most development activities took place within that kingdom. This serves as a crucial question even in the contemporary problem facing the development of political landscape.

Gukiipa (1972: 166) maintained that Obote's activities of abolishing traditional structures made him an unpopular leader in the old kingdoms. It could be argued that Obote shifted economic and political power from traditional rulers to urban elites. All these activities took place at the expense of the traditional forms of leadership. Arguably, Obote took his own direction making drastic changes which were not well understood by the majority of Uganda people. Obote arrested most members of his cabinet who demanded an investigation of him and the ousting of Amin and thereafter suspended the Constitution (Gukiipa, 1972: 166).

Uganda's first government after independence abolished kingship or kingdoms such as Buganda, Bunyoro, Ankole, Toro etc. The abolition of traditional leadership in Uganda under Obote's regime took place because they were seen as hostile to the creation of the 'republican African state' (Mutibwa, 1992: 49). Surprisingly, those who formed the post-independence government were from powerful kingdoms. These Africans who were in power failed to protect these kingdoms. Post-independence Uganda did not only witness the abolition of old-order of hereditary rulers, it was followed by radical transformation (Mutibwa, 1992: 23). Writing about how traditional institutions were abolished, with reference to countries which achieved political independence through radical transformation, Kiwanuka (1975: 55) argues as follows:

The militant African desired to be modern and Africans had been told by every Western journalist and political scientist that traditional institutions are feudal and feudalism was against anything a modern state stood for. In order to have rapid economic progress, so the western scholar told the African radical, it was necessary to get rid of all alleged structures.

It is clear that the relationship between traditional rulers and the process of transformation in Uganda turned sour. This institution of traditional leadership enjoyed a honeymoon with the Europeans but it suffocated under nationalist leaders. Studies show that when Museveni took power in 1986 as President of Uganda the Kingdom of Buganda was restored and continued enjoying political power as in the pre-colonial and colonial periods. Anthony (2002: 22), for example, observed that the Buganda Kingdom was popular and crucial in implementing the policy of the 'National Resistance Movement to lock out political parties in Buganda'. The alliance between traditional leadership institution and National Resistance Movement did shape the political landscape in Uganda between the Uganda government and political parties. Evidence suggests that politics in most cases is about power and it depends on how one uses that power.

#### **2.2.5.2 Ghana**

According to Jordan (1969: 129) Ghana before independence was divided into two opposing camps 'there were chiefs who were traditional elites who worked with the British, while modern elite in the coastal cities campaigned against the British Administration'. This means that some were collaborators whilst others were resisters.

Ghana, like most other countries, had her own kingdoms long before the arrival of colonialists. Colonial administrators believed that ruling through traditional rulers would be preferable to 'modern forms of government' (Rathbone, 2000: 11). The institution of traditional leadership was linked to the politics of Ghana since the colonial era. For Rathbone (2000: 151), 'chieftaincy retained a significant place in the hearts and minds of many Ghanaians'. As Bofo-Arthur (2001: 1) aptly concurred: 'the fact that chieftaincy is the nucleus around which micro-administration of the Ghanaian society is effectively carried out. Its resilience could, therefore, be attributed, in part, to the overwhelming support for the institution by the generality of the people as well as its ability to adapt to changing situations'. This suggests that the institution played a role of linking the people with the central government and in mobilising people for development.

Scholars such as Rathbone (2000: 15) observed that ‘the vast majority of Ghana’s pre-colonial states had become subjected to colonialism by treaty rather than by conquest’. This suggests that this institution in one way or another was made to act as the agency of the colonial government. Such co-option resulted in the chiefs virtually losing most elements of their earlier autonomy. There is an indication that this traditional structure proved to be vulnerable. Rathbone (2000: 161) concluded that the traditional leadership institution became more dependent upon the government for its legitimacy, maintenance and survival.

Authors like Jordan (1969: 122), analysing the political system in Ghana, noted that ‘political parties were a major source of political instability and undemocratic principles’. He indicated that there were those political parties who were in support of combining traditionalism and liberal democracy. Jordan (1969) further argued that political parties worked with traditional rulers. The major political party in Ghana formed in 1947 had a good relationship with chiefs and even with the colonial government. As Jordan (1969: 130) eloquently put it: ‘the United Gold Coast Convention (UGCC) relied on chiefs to campaign for support in the rural areas’. It is strange that UGCC political party sided with colonial government. One view is that the majority who formed this political party were traditional elites who were collaborators. It was therefore not surprising that Nkwane Nkrumah who was viewed to be radical to chiefs and even to the colonial system, left the party and formed Convention People’s Party (CPP). Nkwane Nkrumah’s aim was to concentrate more in social and economic reforms. For Jordan (1969: 130), ‘the CPP did not rely on chiefs for support rather looked for support in other urban wage-earners and the rural villagers’. However, both these parties did rely on rural people for support.

Boafo-Arthur (2001: 4) argued that Nkwane Nkrumah’s attempts to subjugate chiefs faced strong resistance and led to strong support directed to the National Liberation Movement (NLM). This support was linked to Nkwane Nkrumah’s strategic intention to strip chiefs’ power especially that linked to their ability to control land. Since land was serving as an economic base for most chiefs in Africa, it is possible to argue that deprivation of their livelihood strategy they felt obliged to link themselves with the government for their survival.

### **2.2.5.2.1 Traditional leadership and independence in Ghana**

According to Rathbone (2000: 99) Nkwane Nkrumah had problems with chiefs, that is why few months after independence there was a transformed chieftaincy. Nkrumah's failure to downplay chieftaincy was because 'chiefs were protected by subsequent constitutions and were able to wield power through formal and informal organisations' (Chazan *et al*, 1999: 87). Consequently, chieftaincy was regarded as an arm of government by the CPP (Rathbone, 2000: 110).

Chiefs in Ghana co-operated with the CPP government and their loyal co-operation gave more power to the post-independence government in Ghana to be flexible and to change political and legislative areas without fear of chiefs. This resulted in chiefs participating in rubber-stamping government policies (Rathbone, 2000: 145). It is possible to construct an argument that these traditional rulers were forced to implement government policies. Chiefs' loyal participation and co-operation in 1964 led to the decline of any effective opposition parties in Ghana. The CPP remained the only political party which was exclusive in nature with less support because of its Detention Act which aimed to destroy urban opposition parties (Jordan, 1969: 130).

### **2.2.5.3 Traditional leadership and local government**

There were many policies which impacted on traditional leadership, especially in terms of modernising of local government. Rathbone (2000: 125) conceptualised the views that negatively impacted on traditional leaders and modern local government as follows:

The frustration which led government to combine active interventionist policies with palpable intimidation was real enough. The newly independent state's local government structure, its capacity to collect revenue and to promote rural development remained in disarray. While some of these deficiencies were almost certainly systemic, much of the mess could be attributed to the clumsy statutory linkages between modern local government and the remnants of the old Native Authority system which rested upon chieftaincy.

In Ghana independence came with local government reform which became a political battleground for different political interests (Rathbone, 2000: 45). Planners had to

implement development projects in this stand-off between traditional and modern structures which were unresolved. For Rathbone (2000: 57) development delivered by these parallel systems of governing has been a mess. He further argued that independence did not bring any smooth running of local government and embraced the view that ‘part of the blame for this lay with the messy nature of local government structure for which CPP was not responsible and for its over-rapid implementation, for which it was’. Therefore, he warned that ‘traditional structures need to be recognised in all reformed government structures’ (Rathbone, 2000: 46).

By 1962 Ghana had formally declared that each and every village should have development committees. Authors like Amonoo (1981: 141) write: ‘the development committee system had been introduced at a time when the system of native administration and local government was under severe criticism from the young men, latter day CPP leaders and functionaries’. The local government units were under chiefs and elders. These chiefs and councils of elders were criticised by young men who were convinced that councils were unrepresentative and insufficient. Chiefs were seen by the dominant party masses in Ghana of the 1960s as failing to provide improvement. As Rathbone (2000: 157) eloquently put it: ‘village development committees whose creation had been encouraged by government and which had been in many cases initially chaired by chiefs were taken over by local CPP branches and were sucked into local administration’. Nkwane Nkrumah’s views of chiefs would have been infused to CPP masses. There was a view that the formation of these development committees was to dismantle local government system which was dominated by chiefs in Ghana. As Amonoo (1981: 142) suggests: ‘development committees flourished where the criticism against the chiefs and elders was severest’.

Amonoo (1981: 143) further argued that these young men who were involved in the activities of development committees refused to work with traditional representatives, even those involved in new local authorities. It was questionable as to why the youth was not interested in working with traditional leaders. At times the youth was driven by the idea that their initiatives were to promote local self-determination and grassroots democracy (Amonoo, 1981).

The dominance of chiefs in development in Ghana was changed by the operation of local development committees. In villages chiefs and local development committees had to operate on an equal footing. As Amonoo (1981: 147) eloquently put it: 'villages therefore became to a considerably extent internally united as the traditional barriers between the chiefs and youngmen were lowered. Through the development committees traditional authorities were increasingly neutralised and given new perspectives'. Division of functions and responsibilities seemed to have neutralised the relationship between traditional leaders and local development committees. These development committees were in business of serving the model of CPP regime but had limited powers (Amonoo, 1981). It was concluded that they had 'no statutory provision in matters related to exacting labour' (Amonoo, 1981: 149).

Local government in Ghana in 1964 faced challenges which were posed by paramount chiefs. Amonoo (1981: 160) argued that some of the paramount chiefs demanded the creation of separate local authorities. This pressurised traditional authorities' representatives in the National Assembly to challenge or to ensure that the legislation was enacted that would support the creation of separate local authorities and the extension of local council's jurisdiction in rural areas. These were advocated by paramount chiefs to local authorities and further exacerbated long-standing tensions in rural areas.

According to Amonoo (1981: 160) the exclusion of chiefs from local authorities proved to be of no benefit to local government structure. Chiefs became hostile because local authorities did not give enough support to traditional authorities (Amonoo, 1981). Indeed, such inadequate support contributed to inequality as chiefs did not have enough resources to provide their subjects which were far from local authorities' services. As Amonoo (1981: 161) eloquently put it:

It was a common practice that councillors from the headquarters areas, who were usually in the majority, collaborated with the District Councils (DCs) in discriminating against the rest of the council areas. They outvoted and outmanoeuvred the majority councillors from the peripheral areas in matters concerning the distribution of amenities and services.

All these activities contributed to existing tensions within and among local party organisations. Conversely, these local authorities ensured that CPP regime model was dominant.

### **2.3 Conclusion**

The conceptual framework in this chapter explored the debates between modernists and traditionalists, which was drawn in the works of Max Weber. Scholars argued that Max Weber's conception was more of Germanic history but councillors and traditional leaders can draw more lessons as they are entrusted with the mammoth task of transforming the lives of ordinary people in the Jozini Municipality. This chapter demonstrated that African experience showed that people are far from giving up with chieftaincy. Traditional and modern structures are potential agents for social change, even if they operate in a constraining environment and in parallel grounds.

This chapter also explored dialectical modernisation theory which emphasised the ways in which traditional and modern institutions can operate. This theory suggests that a mutual relationship can be developed in an environment like Jozini Municipality and a lot can be achieved.

The literature review in this chapter revealed that pre-colonial history informed the contemporary debates about traditional leaders. In the pre-colonial times, traditional leadership institutions exercised numerous powers such as legislative, executive and judicial powers. As Mamdani (1996: 54) argued that 'the chief is the petty legislator, administrator, judge and policeman all in one'. Such observation informed African debates among different scholars, which led to a dichotomy in public policy formulation and debates. It was demonstrated in this chapter that there are different views when it comes to debates about traditional leadership in the post-colonial state. On the one hand there are those who were advocating for the eradication of traditional leadership institutions. At the same time those who advocated for its restoration also supported their case. Some argued from a feminist perspective others argued from a historical perspective whilst others insisted that there is a lot that needs to be uncovered about the traditional African system.

A comparative analysis drawn from country case studies such as Uganda and Ghana led to the conclusion that traditional leadership institutions have undergone transformation as a result of formal colonial rule and parliamentary democracy after independence. It can also be concluded that it has become a common practice in most countries that various local government reforms that are understood as capacitating local government are almost directed at subjugating traditional rulers of their control of economic livelihood-the land. In Ghana, CPP attempts to deprive traditional rulers of their economic livelihood was an invitation of direct conflict with the traditional institution.

# CHAPTER THREE

## 3.1 TRADITIONAL LEADERS AND GOVERNANCE IN SOUTH AFRICA

### 3.1.1 Introduction

This chapter presents the reader with three periods of the political history of South Africa, that is, colonialism, apartheid and the democratic transition period. The body of literature reviewed in this chapter raises questions with respect to the relationship between governments and traditional leadership institution in the aforementioned periods. The chapter draws attention to the actions of individual people as social and political actors. This chapter further contextualises different legislations put in place by various governments and how the institution of traditional leadership responded to such laws. Most of these legislations were silent about the roles and powers of traditional leaders in local government for rural development.

The first section of this chapter examines the roots of tensions between governments (colonialism, apartheid and democratic) and traditional leadership. The second section demonstrates how the apartheid government consolidated colonial practises where traditional leaders found themselves serving as local government in rural areas. The third section focuses on the restructuring of local government in the democratic era.

### 3.1.2 Traditional leadership in South Africa before 1948

Like most other countries, the institution of traditional leadership in South Africa dates back to the pre-colonial period. Chazan *et al* (1999: 77) argued that ‘the political culture of group action was deeply embedded in pre-colonial Africa’. This pointed out that when Europeans reached the shores of Africa, there were so many institutions and rulers with which they had to come to terms. It would be very crucial to understand the relationship between colonists and traditional leadership. This feeds into the contemporary debates between traditional leaders and democratically elected councillors which will be discussed at length below.

### 3.1.3 Contextualising the role of traditional leaders under colonial rule

Most studies done by various scholars about the role-played by different chiefs forms the foundation to understand the role of traditional leaders. Welsh was among the writers who studied the chieftaincy but with strong emphasis in Natal. It was widely accepted that colonial penetration in Natal found many tensions existing. Minnaar (1991: 11) argued as follows: ‘tensions between the various tribes and clans in Natal were exacerbated by Sheptone’s (who was a colonial administrator and the man behind indirect rule) policy of controlling the black population by using African to keep order by means of indirect rule’. Morrell *et al* (1996: 35) argued that ‘in Africa Natal was the first region where British colonial officials had to face up to the problems of how a capitalist imperial power was to rule numerous communities of non-capitalist, homestead-based producers’.

There is another dimension from the literature which demonstrates the role played by chiefs and associated issues. Welsh (1971: 111) argued as follows: ‘the use of chiefs in administration in the early days of Natal’s existence as a British possession was largely necessitated by the small number of civil servants available to rule the African population’. Welsh (1971: 11) provided us with figures to justify the importance of chiefs in administration. He noted that in 1871 the African population in Natal was 300 000 with only eleven magistrates. The incorporation of chiefs as civil servants was not problem free. Instead, it changed the foundations of traditionalism and chiefs complained about losing control of their own people (Welsh, 1971: 220). With their incorporation chiefs became paid servants. Welsh (1971: 230) argued that ‘maintaining the tribal system was a cheapest way of governing Africans’. To a large extent, their incorporation contributed to both social and economic decline. Consequently, the relationship between chiefs and the people changed dramatically.

Comparatively speaking, various colonial administrators had different goals in using chiefs as civil servants. Minnaar (1991: 11) reminded that every method was used to reduce the state of independent chiefs had with an aim of making them to be the subordinate to colonial authority. To a large extent, those who did not voluntarily give their powers to the colonial government were punished by authorities (Minnaar, 1991: 11).

Research conducted in Natal under Shepstone revealed that his long-term goal was to 'make legitimacy of hereditary chieftainship decline' (Welsh, 1971: 125). On one hand, Shepstone assumed that the decline of hereditary chieftaincy would assist in dismantling tensions chiefs had with other chiefs. Shepstone was convinced that the continuation of wars and battles among tribes was because young chiefs had to fight wars of their forefathers. Conversely, most tribes in Natal openly welcomed colonialism. These tribes assumed that Shepstone was protecting them from the Zulu Kingdom which was very strong. Tribes were always in fear that Zulu warriors would attack them. Mngomezulu (1999: 5) argued that 'the Zulu state came to be regarded by the British colonial authorities as an obstacle to their plans to dominate the whole of Southern Africa'.

The colonial system encouraged the appointment of chiefs. Chiefs became paid servants and worked under specific conditions. As Welsh (1971: 118) puts it: 'the people of whom he has been allowed to take charge, are not his people, that they belong to and are subjects of this government and that he is allowed to take charge of them on behalf of this government'. Chiefs in such circumstance were prevented from applying their discretion in governing their subjects.

One of the important tasks chiefs had to perform was to collect hut tax. The tax collection function added more problems for chiefs. The relationship between chiefs and subject was in disarray. Welsh (1971: 125), for example, argued that the introduction of hut tax contributed to chiefs losing their traditional source of income. It was further noted that in 1852 'magistrates influenced chiefs to induce their young men to work for white farmers' (Welsh, 1971: 123). To a great extent, the introduction of hut tax was a strategy to force young men to work for white farmers. Morrell *et al* (1996: 35) observed that the colonists noted that 'it would be more realistic, to rule Africans through their own chiefs, with intent that they would gradually become 'civilised' by going out to work for European settlers'.

According to Welsh (1971: 184) Shepstone fought hard to secure African land rights and to withstand the colonists' aims of forcing individual land tenure upon Africans. Colonists believed that freehold title was going to lead Africans to sell their land and permanently force Africans into becoming available at the labour market. Welsh

(1971: 184) argued that Shepstone refused individual tenure, because he believed that such an introduction by colonists would undermine the position of chiefs together with the tribal system. Harries (1989: 99) observed that ‘tenant and freehold forms of African land tenure had undermined the chiefs’ major source of political power, their ability to control the distribution of land’. Conversely, White farmers were in need of African labour as it was viewed to be cheaper to employ Africans as compared to Indians (Welsh, 1971: 180). It is beyond reasonable doubt that white farmers needed labour. Tensions between chiefs and Europeans hindered the supply of labour. Welsh (1971: 223), for example, argued that ‘the traditional system was regarded as a bottleneck inhibiting the flow of labour’. Therefore, whites needed something to be done because they needed access to labour. The labour question did not mean land was no longer a central issue.

According to Mngomezulu (1999: 3) land was a chief source of conflict in South Africa. This view was given substance, in part by the fact that the 1913 Natives Land Act kept aside 93% of South Africa’s land for white purchase only (Chazan *et al*, 1999: 469). Scholars noted that this reservation was done for two critical demands, the need for cheap labour for mines and for white farmers (Chazan *et al*, 1999: 469). The Native Trust Act of 1936 consolidated the Native Land Act of 1913. The Native Trust Act extended powers to chiefs to levy special taxes particularly those who were in need of purchasing tribal land, arguably as a form of control (Harries, 1989: 99). Harries (1989: 99) further argued as follows: ‘attempts to bolster the power of chiefs were not merely aimed at strengthening the Native Affairs system; they were also perhaps primarily, aimed at supporting the chiefs whose political power was increasingly threatened by the rising African petty bourgeoisie’.

It is true that chiefs were incorporated and protected under the colonial system, but their protection resulted in depriving chiefs of land, legitimacy and autonomy they enjoyed with their subjects. The sale of land exacerbated deprivation (Harries, 1989). Chazan *et al* (1999: 42) concluded that ‘although colonial governments retained many indigenous social institutions and brought about the redefinition of others, colonial rule superimposed a new administrative structure on these social and political orders’. Evidence suggests that colonists transformed and created boundaries they would use for the effective implementation of their policies.

### **3.1.4 Traditional leadership and indirect rule**

The policy of indirect rule was introduced in most African countries. According to Glaser (2001: 23) indirect rule granted the colonial government ways of serving money on African administration. It was further argued that African societies were too diverse and complicated to be administered by somebody who did not understand them. Indirect rule could be interpreted as a colonial strategy used to weaken African kingdoms and ensure that costs associated with administering African kingdoms were reduced. Despite arguments from different observers in South Africa, particularly in Natal, Shepstone used indirect rule for the problem he faced that of inadequate personnel. Studies provided that Shepstone did not have enough staff to implement colonial policies (Welsh, 1971).

Comparatively speaking, Glaser (2001: 25) argued that the use of indirect rule system in Natal was twofold: Firstly, it was used to maintain stability in African societies; secondly, it was used to protect the political needs of whites. Such activity demonstrated that the whites saw that they couldn't succeed in Africa without using the traditional political system. The justification of using traditional leaders as civil servants because of the shortage of personnel is not convincing. The question that arises is what is it exactly that made the relationship to change between traditional leaders and their subjects if what they were doing had good intentions of assisting Africans?

### **3.1.5 Contextualising traditional leadership under apartheid regime (1948-1994)**

Most commentators viewed apartheid as a crime against humanity. Apartheid came into effect when the National Party in South Africa won the majority of seats in the 1948 elections. This assisted the process of indirect rule to be incorporated and consolidated. Mngomezulu (1999: 12) argued that 'apartheid consolidated some of the British colonial laws and aggravated the situation by enacting more inhuman stipulations which Africans of all ethnic groupings found difficult to respect'. Pycroft (2002: 110) argued that there were contradictory and complex relationships between rural communities and traditional leadership during the apartheid era.

The Bantu Authorities Act of 1951 was taken as the first step by the apartheid government to set a strategy for divide and rule. Studies showed that the notorious Bantu Authorities Act of 1951 ‘bolstered the power of chiefs by modernizing and expanding their tax basis to include all the members of the tribal authority’ (Harries, 1989: 103). The designers of this law needed to revive chieftainship. For Amtaika (1996: 23) the apartheid regime resuscitated the institution of traditional leadership through its policy of separate development, therefore the institution became an essential element in the ‘masculine and hierarchically ordered view of the Zulu nation in the KwaZulu Bantustan’. Some studies suggested that Bantu Authorities Act (BAA) divided the very same chieftaincy it was intended to revive. This legislation produced collaborators and resisters. Those who collaborated in the promulgation betrayed their own subjects. Mare and Hamilton (1987: 27) observed as follows:

The Bantu Authorities Act of that year both did away with the NRC and made provision for tribal and regional authorities, redefining and re-emphasizing the resolve of white political authority to maintain control through untraditional static and strong ‘traditional tribal’ structure. What must be borne in mind is that while the origins of these structures lie in the policies developed by the colonial authorities in Natal from the mid 19<sup>th</sup> century onwards, their purposes have changed overtime. Initially they served as an economic and political link between pre-capitalist society and colonial administrators. Today chiefs and tribal authorities (with some notable exceptions) form part of the control mechanism over an African population superfluous in the long and short term to capitalist labour needs.

The above citation demonstrates how the institution of traditional leaders was changed by those in power. The BAA provided three levels of administration. Through the BAA the apartheid state employed a range of institutions at its disposal so as to maintain racial segregated order. This Act offered an opportunity to the apartheid state to have a close link with those who supported or who served as collaborators with it in a wide range of issues such as land and implementing segregation policies. Mare and Hamilton (1987: 28) argued that Verwoerd was convinced that ‘the three-tier system was one to re-instate or reintroduce traditional tribal democracy to African people’. Conversely, it is unclear whether BAA was really needed to revive chieftaincy in South Africa. Mare and Hamilton made two conclusions, firstly, they noted that apartheid needed to weaken the institution so as to continue ruling with the colonial bureaucracy; lastly, it needed to rely on the

institution for administration matters (Mare and Hamilton, 1987: 27). Relying on the institution for a number of issues was entrenched in Natal for decades. Ntsebenza (2002: 6) reminded that traditional leaders in the rural areas of the former Bantustans enjoyed unlimited powers ‘over a range of activities’.

Observers showed that the National Party government made policies such as BAA because of a growing pressure from within South Africa and the international community. As Mare and Hamilton (1987: 29) eloquently put it:

The ‘wind of change’ of African nationalism that swept through the continent after the Second World War set an example as they forced aside the direct control of the colonial powers. Verwoerd acknowledged the effect of international pressure when he commented that ‘we cannot govern without taking into account the tendencies in the world and Africa’.

It is through the wind of change that tribes and chiefs rejected BAA. The former African National Congress (ANC) President Chief Albert Luthuli made clear that they reject BAA (Mare and Hamilton, 1987).

Researchers like Mngomezulu (1999: 18) have been critical in demonstrating historical facts that show the relationship between chiefs and BAA. He criticised King Cyprian from the Zulu Kingdom for opening a fertile ground for ploughing apartheid policies by supporting the implementation of BAA. There was also a warning that the acceptance of BAA by Cyprian should not be understood to mean that all Zulus accepted it and that not all chiefs should be seen as ‘collaborators’. Mzala (1988) argued that when Verwoerd went to address chiefs at Mona (outside Nongoma) in October 1955 they refused to adopt and implement such legislation (BAA). Instead, they requested to be given more time to think about it. Tapscott (1996: 293) argued that ‘under the Bantu Authorities Act, the powers of chiefs were considerably strengthened but, at the same time, their popular legitimacy was undermined as they were compelled to introduce unpopular laws such as the “Betterment Schemes” which resettled communities against their will’.

There are numerous lessons to be learnt from these quotations. Firstly, there is a need to understand historical facts that would add value in our contemporary debates.

Secondly, there were lesser chances for apartheid policies to be unanimously welcomed by chiefs. This suggests that the relationship between chiefs and governments has never been smooth, as other studies seem to suggest. Lastly, any legislation that involves governments and chiefs cannot be easily implemented; as the government would wish it to be instead time would be needed so that traditional leaders would adapt to that particular legislation.

### **3.1.6 Traditional leaders and local government in KwaZulu**

The granting of KwaZulu to be a self-government territory opened a new chapter for traditional leaders or chiefs. Mare and Hamilton (1987: 88) observed that the 1978 elections<sup>5</sup> ‘reduced the total dependence on chiefs but it left them as a numerically dominant component within KwaZulu politics’. The dominance of chiefs within KwaZulu politics seemed to be forced upon them. Research indicates that before the 1978 elections, there was an Inkatha meeting which took place in September 1977, where it was explained on what role chiefs could play in elections. Research confirmed that meeting held in 1977 symbolised that ‘the institution of chieftainship would last as long as it served the interests of the people, and their role in Inkatha’ (Mare and Hamilton, 1987: 88). It was further pointed out that KwaZulu urban representative observed that ‘chiefs had resisted being drawn into Inkatha because they believed the state’s accusation that the movement would strip them of their powers’ (Schmahmann, 1978: 304 cited in Mare and Hamilton, 1987: 88). The meeting for Inkatha was called to clarify the position of chiefs and it was addressed by Chief Mangosuthu Buthelezi.

According to existing research Chief Mangosuthu Buthelezi warned that ‘if chiefs did not involve themselves in the affairs of the movement it would be regarded as dereliction of duty and active involvement against Inkatha’ (Mare and Hamilton, 1987: 89). These chiefs were also reminded that they were no longer controlled at

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<sup>5</sup> This refers to KwaZulu Bantustan elections which was held in 1978. The Central Committee of Inkatha controlled the selection of candidates to stand for movement in ‘Parliamentary and Local Government’ elections. These elections was delayed for sometime because of Buthelezi’s and KwaZulu Legislative Assembly’s (KLA’s) insistence that KwaZulu citizenship certificates be used for voter registration. Buthelezi was skeptical of the use of reference books because opportunities for irregularities would have taken place and that pass book was a ‘badge of oppression’ that people who had not paid their tax would not register (see Mare and Hamilton, 1987: 81-88)

Pretoria instead their 'fate as chiefs' would be decided at Ulundi. What Chief Mangosuthu Buthelezi presented in that meeting could be interpreted in different ways. Firstly, it could be understood to mean that he was intimidating chiefs and that their survival depended at Ulundi. Secondly, it could be interpreted that Chief Mangosuthu Buthelezi believed in the position of chieftainship and its validity in society as he was a chief himself. Lastly, it could be interpreted that through his presentation it was a concerted efforts to make chiefs more effective.

Mare and Hamilton (1987: 89) further argued that many people lost their lives opposing and resisting structures which were created through Bantu Authorities Act for years in KwaZulu (KZ), Buthelezi 'activated tribal authorities as a central element in local government'. Amtaika (1996: 137), for example, acknowledged that the 'KwaZulu Bantustan conferred the functions of local government on tribal authorities'. These chiefs were expected to function as the base of government in KwaZulu so that they could be able to implement rural development projects.

According to Pycroft (2002: 110) the majority of South Africa's rural population were concentrated in homelands; where elements of public service delivery normally associated with local government were provided by different systems of traditional leadership. Some observers indicated that although these chiefs were supposed to be in the forefront with local government functions, they were not trained for their duties. The absence of training and unclear boundaries given to chiefs resulted in tribal institution being criticised for failing to deliver services. McIntosh (1996: 240), for example, argued that 'traditional leaders were severely neglected by responsible departments and obtained little funding to perform their duties'. Most of this proved difficult to integrate. There was a criticism levelled against the incorporation of traditional leaders' in local government; such incorporation undermined their roles as traditional leaders as they found themselves having to serve the interests of a particular political party (Inkatha Freedom Party). This leaves a question whether traditional authority structures were set up to undertake development issues or were intended to implement unpopular apartheid policies.

Tapscott (1996: 297) argued that 'the tribal authority system was portrayed as the primary administrative structure through which rural development programmes would

be channelled, despite the evidence that the vast majority of chiefs and headmen lacked any training or skills in the administration of development programmes'. It seems difficult to blame traditional leaders for failure of development projects. As tribal authorities had no resources to deliver services and to implement rural development projects let alone developmental skills.

Amtaika (1996: 59) did research on the role of traditional leaders in the democratic KZN which revealed that on the wave of the late 1980s to 1990s the Indaba took a lead in KwaZulu and recommended that local government would operate through the system of traditional authorities as the already existing structure. According to Zungu (1996: 169) there were numerous proposals made by the KwaZulu-Natal Indaba in 1986 about the position of traditional authorities. In the urban and peri-urban areas traditional authorities were to be encouraged to evolve into part of the system of local authorities. The KZN Indaba recommended the establishment of a Council of Chiefs and Cultural Councils to represent the interest of traditional authorities (Zungu, 1996: 169). It was recommended that Cultural Councils were to deal with the protection, maintenance and promotion of religions, language and cultural rights. Evidence suggests that KZN Indaba through its recommendations seemed to be advocating for the traditional leadership to take a lead in local service delivery in rural areas. This concretised the idea that traditional authorities would function as local authorities in rural areas.

### **3.1.7 Contextualising the South African negotiations process and traditional leaders**

The restructuring of local government in South Africa remained on top of the political agenda after 1990. This was as a result of service boycotts and restructuring processes experienced by local government in the 1980s and 1990s in South Africa. Spitz and Chaskalson (2000: 185) reminded us that 'the crisis paved a way for negotiations for the transformation of local government in South Africa'. Conversely, Amtaika (1996: 65) observed that 'at the commencement of Convention for Democratic South Africa (CODESA), major political parties had not yet announced their plans concerning the institution of chieftaincy'. The insufficient nature of the non-announcement about chieftaincy could be partially condemned because it led to

the 'failure of new local government arrangements to incorporate existing, legislative institutions' (McIntosh, 1996: 244). It can be argued that such failure undermined existing mechanisms of mutual support which were found existing to other communities and structures.

The Local Government Negotiation Forum<sup>6</sup> (LGNF) was officially established in 1993 to integrate and to provide a co-ordinated national framework for the transformation of local government in South Africa (Spitz and Chaskalson, 2000: 185). Statutory and non-statutory bodies formed this LGNF. Observers pointed out that representation was dependant upon control of councils in different parts of provinces. Organisations which had no control of municipalities or councils did not have representation in charting a way forward for new local government. Spitz and Chaskalson (2000: 185) argued that political parties like Democratic Party and Pan Africanists Congress were not part of LGNF as these parties lacked local government profile to justify their representation. According to Pycroft (2002: 111) the forum was criticised for focusing on urban issues, a bias that framed the Local Government Transition Act. Spitz and Chaskalson (2000) do not mention what happened to rural areas, particularly in KZN as traditional leaders were trained in local government techniques.

Amtaika (1996: 65) observed that traditional leaders were excluded from the proceedings of CODESA. Such exclusion was viewed as a political strategy, and since then there has been no common understanding and agreement about traditional

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<sup>6</sup> Local government crisis could be regarded as one of the factors forced the National Party government to succumb and to agree to negotiations in 1990s. Such negotiations were carried through in the Local Government Negotiating Forum (LGNF), a body that included statutory and non-statutory structures. This comprised of a fifty-fifty former local authority personnel (mainly white) who had vast experience in local government and new interests groups who were previously excluded from apartheid structures (mainly black). The LGNF was established to negotiate structure for local government. The establishment of LGNF provided a platform for widespread debates on the form and functions of local government and provided a framework for the transition process to unfold. Agreements reached from the LGNF formed the basis for the Local Government Transition Act (LGTA) of 1993. The LGTA laid the foundation for Metropolitan and Transitional Councils that constituted combined structures for former white areas/towns and the black townships and traditional rural areas. (see Chris Tapscott, 1996. The Institutionalization of Rural Local Government in Post Apartheid South Africa in Hofmeister, W and Scholz, I (eds.) *Traditional and Contemporary Forms of Local Participation and Self-Government in Africa*. South Africa: Konrad Adenauer-Stiftung

leaders. Some have argued that traditional structures should be abolished because they worked as extended arm of two lethal forces, colonialism and apartheid.

Furthermore, research conducted by Amtaika (1996: 141) led to the following comment: 'many rural areas did not have these local authority structures or non-statutory bodies which were important for local government negotiations and charting a way towards local government restructuring'. The negotiation process was more concerned in attending urban crisis which was contributing to the collapse of black local authorities particularly in urban areas. McIntosh (1996: 248) holds that 'the absence of pre-interim process for rural areas and the failure to consult timeously in developing and implementing rural local government systems, has led to conflict among rural stakeholders'. It is against these provisions that there seems to be sour relationships among stakeholders operating in rural areas. Lahiff (1997: 19), for example, suggested that the product of insufficient arrangements of pre-interim processes was that of two parallel systems of local government in rural areas which are now competing with each other. This study argues that implementation of development policies in rural local government would suffocate because it is difficult to implement policies in such an environment which is full of political stand-off.

CODESA was able to incorporate all claimants to authority in South Africa, particularly homelands governments and various political parties. The crux of the matter was that of traditional leaders. Most negotiators argued for the institution of traditional rule to be democratised so that it could have a space in the interim constitution. Spitz and Chaslalson (2000: 395) further observed that 'the KwaZulu government and Bophuthatswana government strongly favoured the constitutional entrenchment of structures of traditional authority'. The incorporation of traditional leaders in the constitution took place after length discussions which were a compromise.

According to Amtaika (1996: 74) 'the method and procedures of incorporating tribal authorities in the structures of the democratic government were provided in the interim constitution, because of the complexities of the constitution of tribal authorities in different provinces in South Africa'. McIntosh (1996: 249) argued that 'the interim constitution recognised traditional authorities for advisory roles at

provincial and national levels, but it did not specify what roles such authorities should play at local level except by reference to other applicable laws’.

### **3.1.8 Traditional leaders, Interim Constitution and Local Government Transition Act**

Although there was a limited timeframe to finalise local government transformation, negotiators were able to come up with two documents which had vague references to the roles and functions of traditional leaders. These documents were Chapter 10 of the Interim Constitution and the Local Government Transition Act (LGTA).<sup>7</sup> This meant a serious omission of the key instrument for development in rural areas. Pycroft (2002:111) argued that ‘the absence of municipal structures within rural areas meant that rural negotiating forums were not created, and guidance for new rural council structures was not included in the original’. The Interim Constitution was criticised for its silence on the roles and functions of traditional authorities. Amtaika (1996: 148) argued that another criticism was the LGTA’s failure to make any specific distinction between urban and rural areas. He further argued that the institution of traditional leadership did not receive constitutional focus (Amtaika, 1996: 6). A point of departure was the agreement reached at the bilateral meetings over a ten-month period (April 1993 to January 1994) (Cloete, 1995: 2), which concluded that ‘at local level, traditional leaders within the jurisdiction of a local authority would be ex-officio members of the local government’ (Spitz and Chaskalson, 2000: 399).

Observers from different disciplines pointed out numerous issues about the existing relationship between traditional leaders and democratically elected councillors. Mbatha (2003: 191) observing from a feminist perspective revealed that during negotiations ‘participation was secured for a wide range of interests groups except traditional leaders and women’s groups’. Ngcobo (1997: 67), for example, pointed out that ‘the absence of strong local government in KZN quite often presented

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<sup>7</sup> This legislation did not provide much guidance on the constitution of local government councils in rural areas and it left to provincial government to decide on what form of rural local government was most appropriate. It is worth remarking that the system which was used to the run up of the first local government elections adopted for rural areas was proportional representation, which leaves no great space for elected officials to be accountable to the voters or their constituency, instead it leaves more space for elected officials to be accountable in their political parties (see Ntsebenza, 2004)

enormous challenges even to Reconstruction and Development Programme'. It is justifiable to argue that such signs were early warnings about the need to clarify the roles and functions of traditional leadership in development for the benefit of rural societies. A major problem was tensions between IFP and ANC in KZN over the roles of traditional leaders.

### **3.1.9 First Local Government Elections in KZN**

The transition failed to run first democratic elections in KwaZulu-Natal on the stipulated period because of the political stand-off between the IFP and ANC. Pycroft (2002: 111) argued that 'the discretion given to MECs has meant that different institutional forms of rural local government have developed from province to province'. KwaZulu-Natal is a prime case. Reddy (1999: 203) observed that local government elections did not take place in 1 November 1995 in KZN and Western Cape because of disputes centred around demarcation and the inclusion of tribal areas. The absence of a model for rural local government was the other problem. In a similar note, Hart (2002: 239) writing about KwaZulu-Natal acknowledged that local government elections did not take place in November as scheduled because of 'on-going violence in the province'.

According to McIntosh (1996: 247) 'the incapacity and lack of national direction on local government activities enforced some other provinces to go to elections without primary structure in rural areas'. There was a growing incapacity to resolve political problems even in the post-apartheid government between major political parties. This was witnessed through local government elections where a compromise was reached between the IFP and the ANC, but which was not translated into long-term and sustainable relationship between local government and tribal authorities (Amtaika, 1996: 135). Instead, it served as short-term solution just for local government elections to take place.

### **3.1.10 White Paper on Local Government and traditional leaders**

*The White Paper on Local Government* was drafted soon after the first democratic local government elections. Numerous studies agree that *The White Paper on Local*

*Government* is a comprehensive document that gave direction of local government in post apartheid era (Hilliard and Wissink, 2000: 96). Lodge (2002: 86) observed that integrating democracy at local level has proven to be difficult because of ‘material conflicts among South Africa’s different communities which is most evident in the local allocation of resources’. The White Paper on Local Government pays little attention to resolving tensions. Instead, it made broad statements about roles that traditional authorities could play in local government.

The White Paper on Local Government (1998: 77) revealed that ‘there are some overlapping responsibilities between traditional authorities and municipalities, which has tended to be a source of tensions and seems to cripple development in certain rural areas’. This paper is silent about the roles and functions traditional leaders should play in development. Bornstein (1998: 187) on a similar vein also asked as to what should be done with local government services which were historically within the domain of traditional administration as democratic local government did not exist in rural areas. The White Paper on Local Government seems to have paid much emphasis on democracy but did not focus on the role of traditional leaders in development.

According to Lodge (2002: 95) traditional leaders and their representatives in Inkatha Freedom Party and Congress of Traditional Leaders of South Africa (CONTRALESA)<sup>8</sup> were criticised for becoming hostile to the new system of local government. These two parties worked together in that they took a vanguard position to challenge the government at the Constitutional Court on the issue of establishing municipalities under their jurisdiction. They took a stand against the ANC led government that of boycotting the first democratic local government elections in South Africa in 1995/1996. Evidence suggests that opposition parties forged a relationship around issues of local government.

The current literature opines that both traditional leaders and democratically elected councillors have problems associated with the implementation of development

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<sup>8</sup> This is an organization which is historically aligned to ANC but differed with ANC on the issue of traditional leaders and advocated for its incorporation in the transitional period. It is through this organization that traditional leadership was even recognized in the Interim Constitution.

projects, particularly in rural areas. According to Pycroft (2002: 110) traditional leadership became largely discredited as a political institution, although allegiance to traditional authority remains strong in rural communities. The White Paper on Local Government (1998) revealed that there are overlaps between traditional leadership institution and local government but it did not fully resolve those overlaps. Instead, it introduced developmental local government approach which shall be discussed below.

### **3.2 DEVELOPMENTAL LOCAL GOVERNMENT**

The vast changes experienced by the local government in South Africa since the 1990s have been manifested through strategic redesign and numerous changes. The concept ‘developmental local government’ was conceived out of the local government strategic redesign and changes. These changes were introduced in favour of institutions which were going to be capable of developing, managing and delivering services particularly to those who were excluded by apartheid policies. Mogale (2003: 216) argued that in response to damages caused by apartheid policies there was a need to reduce such historical backlogs through synergic partnerships which should be among all stakeholders involved in development activities.

This section reviews the literature on developmental local government and demonstrates how academics, practitioners, activists and observers from different disciplines articulate their views. Some scholars link developmental local government with South Africa’s political system but with a strong emphasis on rural local government. Institutional building and financial resources are key to the realisation of developmental local government. This section analyses the various debates and observations from different viewpoints pertaining to developmental local government.

#### **3.2.1 Definition of developmental local government**

Developmental local government (DLG) means different things to different people. In fact, DLG is a contested concept or approach in South Africa’s development discourse. According to the White Paper on Local Government (1998: 17), developmental local government is described as ‘local government committed to

working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives'. Although most definitions from various proponents draw from the one on the White Paper on Local Government, the reality is that there are many definitions and interpretations given to developmental local government. These definitions and interpretations range from a narrow focus to broader perspectives on political, social and economic causes and consequences.

According to Pieterse (1997: 21) 'developmental local government can simultaneously be developmentally oriented and also entrepreneurially positioned to maximise all strategic opportunities to address poverty, deepen social justice and foster sustainable and balanced economic growth'. This is a broader definition of developmental local government which challenges the local state to form dynamic partnerships with all relevant stakeholders and interest groups. For dynamic partnerships the local state through DLG 'needs to understand the divisions of local communities and it has to ensure how it would promote the participation of marginalised and excluded groups' (Van Donk, 2002: 214). Pieterse (1997: 21) monitored the relationship between progressive social movements, political parties and responsible business. He concluded that developmental local government needs to (re) define its main tenets and endogenous local compacts that recognise their limitations and yet attempt to mediate global pressures through focused interventions. Oldfield (2002: 98) argued that 'the division between the ruling party and opposition parties creates complex politicisation that plays out at the local level in a myriad of ways'. It is justifiable to argue that DLG needs to be interpreted and viewed in different ways, but it should consider the interests of those concerned, and the manner in which they participate in developmental processes.

Van Donk (2000: 6) defines developmental local government as 'local government meaning to promote social and economic development for all its residents, create a vibrant local democracy by involving local communities in council matters, be accountable and work towards equity and redistribution'. This is a narrow definition as it is more directed to residents and also in deepening local democracy. However, this definition does not specify how to go about ensuring that residents benefit from economic development, at the same time it does not specify how women could benefit

by being involved in council matters. Largely, it is justifiable to argue that municipalities are thrown in the deep end for building local alliances and partnerships and more so to use their limited resources 'to fulfil their obligations in terms of the Constitution' (Chipkin, 2002: 76).

Achmat (2002: 3) argued that 'developmental local government challenges the old technocratic way of planning which was excluding people from planning'. Parnell and Pieterse (2002: 79) pointed out that DLG was born out of the imperative to radically transform the apartheid system which operated along racial lines in the provision of local government services in South Africa. Oldfield (2002: 94) was of the view that DLG offered a space at the local level for voicing a diversity of interests and at the same time provides processes within which to prioritise these interests. Achmat (2002: 4) acknowledged that DLG has given a chance for the establishment of a 'holistic system at the municipal level that is integrated across all sectors and between layers of government, which is accountable and oriented towards addressing the needs of all its citizens'. Parnell and Pieterse (2002: 86) argued that the integrated holistic approach which DLG recommends is too comprehensive and inclusive in that it is advocating for the incorporation of informal groups into democratic local government which is a formal structure. Equally important, this inclusiveness would not happen overnight without assistance from the national and provincial government. Instead, it could vehemently happen by ensuring that these non-state actors invited through DLG approach have a clear understanding on the functioning of municipalities. Embracing DLG requires more resources that will assist in capacity building of both official and unofficial policy makers such as civil society organisations.

Although these writers argued that DLG has combined many goals such as poverty alleviation, growth creation and participation, Oldfield (2002: 98) quickly warned: 'national government needs to manage effectively the opportunities and the conflicts that emanate from the imperative to implement developmental local government'. These writers do not repudiate the fact that there are opportunities for conflict brought about by participation, but the challenge is directed to government to deal with it.

Oldfield (2002: 92-93) sees developmental local government as ‘the primary delivery mechanism of services and infrastructure, the foundation to the national goals of reconstruction and integration’. Pycroft (2002: 120) challenges this delivery mechanism by arguing that the ability to provide improved service delivery by rural local government is not only dependent on financial resources but is also upon the relationship between traditional leaders and elected councillors. Pycroft (2002: 120) reasons: ‘consultation is challenged by the constitutionally protected position of traditional authority’.

### **3.2.2 Developmental local government and its challenges to the nation state**

Mogale (2003) challenged the proponents of developmental local government considering the high socio-economic inequality and unrelenting poverty in South Africa, particularly in the era of global spread of capitalism. Against this backdrop, Mogale (2003: 228) argued that ‘developmental local government is elusive, extremely impressive, passing for manifold phenomena, and underpinned by vague theory’. He further argued that developmental local government ‘is not constrained by ideology, but is rather able to switch gears effortlessly from market-to government directed growth, or vice versa depending on the contingent circumstances. Often, this approach combines both market and state direction in a synergic manner when opportunities beckons’ (Mogale, 2003: 229).

Mogale was not rejecting DLG. Instead, he was concerned about tensions arising partly from the nature of the formal dispensations that underpin the mandates of the three spheres of government. He was also concerned about policies which are supposed to serve as vehicles for local development and poverty reduction. These policies are constrained by macro-economic parameters and the need to conform to market driven modalities. What Mogale averred is that the challenge of poverty reduction and service delivery is not the responsibility of individuals. Instead, it requires partnership. He holds the view that there is a need for strong civil society which will add value in a decentralised governance system that will address poverty. What is important local government should be developmental and should not only promote growth and development but should also device strategies to maintain and sustain the process.

Advancing the debates on global capitalism, Parnell and Pieterse (2002: 79) argued that DLG will face the contestation of Growth Employment and Redistribution (GEAR) and Reconstruction and Development Programme (RDP) at the local level. There have been many debates within these two development policies, proponents of each policy arguing from a different perspective. Researchers such as Pape and McDonald (2002: 2) observed that ‘under the market-oriented GEAR, South Africa embarked on a range of legislative and policy ventures that entrenched the power of corporate capital at the expense of workers and poor citizens in the country’. Accordingly, the view held by these researchers is that most policies in South Africa are informed by neo-liberal principles which are evident in local government where service delivery is taking place. With the dominance of neo-liberal practices at local government level and with the advent of GEAR, research seems to reveal that there has been ‘steady cut-backs in central government allocation to local authorities’ (Pape and McDonald, 2002: 5).

Pape and McDonald (2002: 23) further pointed out that ‘these cutbacks enforced most local authorities to introduce fuller the cost recovery strategy as a way of financing and expanding service delivery’. Although these authors do not indicate in which local authorities there have been a cut in budget allocation, there is strong evidence that those are urban municipalities. An intriguing question that arises is how rural local government will cope with all these contradictions which emanate from the nation state, taking into consideration that they are rarely having sources of income in their jurisdiction. Hezelton (2001: 39) maintained that ‘in the new dispensation towns, villages and rural areas are institutionally integrated in single municipalities and that in many municipalities councillors representing the rural poor form a large majority’.

Pycroft (2002: 106) maintained that the challenge facing rural local government is to create sustainable livelihoods and reduce poverty in South Africa. This may be due to different problems which rural municipalities are facing. As Pycroft (2002: 109) observed that ‘rural local government has remained largely underdeveloped, as structured during the transitional phase (1995-2000), lacking sufficient financial and administrative capacity to have a significant impact on rural local government’. Atkinson (2003: 120) in a similar vein observed: ‘in 2002, the political order at local

government level has not yet settled down fully, and many councillors are still grappling with their new roles and political responsibilities’.

DLG has to politically and economically integrate the views of different evangelists. Oldfield (2002: 98) argued: ‘political integration is a complex process that illustrates competing discourses of development and notions of governing within the state and society’. Pycroft (2002: 113), for example, holds the view that developmental local government is seeking at restructuring the local government sphere with an aim of complementing the GEAR strategy. Hezelton (2001: 40) analytically conceptualised this scenario thus: ‘although the new local government system, with its larger municipalities, aims to ensure that each municipality has a solid financial, administrative and operational capacity, the reality on the ground is far from ideal’. Quite often, there are distortions of resources which could make it difficult for the new municipalities to eradicate poverty in the poor rural areas in South Africa. Although GEAR emphasises the importance of non-state players and private sector in development, the reality is that the private sector will not provide services to the poor at below cost (Chipkin, 2002: 57; Pape and McDonald, 2002: 26).

Atkinson (2003: 122) argued: ‘rural municipalities, with few skilled staff, have been particularly hard hit by these organisational changes’. It is evident that there are problems in rural municipalities, which vary from political to administrative. Atkinson (2003: 122) validated these problems, and criticised the Department of Provincial and Local Government (DPLG) in ‘lacking understanding of the real dynamics taking place in municipalities’. This is evident through support mechanisms which do not always address both political and administrative problems.

Atkinson (2003: 126) acknowledged that there are many challenges facing municipalities, let alone the constitutional crisis, particularly Section 153 which gives no clarity how the municipality that will bring development should look like. In her acknowledgement, she revealed that most of the work for rural municipalities is done by consultants and they have proven to be expensive. Despite the fact that many people working for municipalities do not have appropriate skills, ‘municipalities have top management and frontline workers with almost no middle-level management and supervisors’ (Atkinson, 2003: 127). It can also be pointed out that within this top-

management and frontline workers there are those who are politically deployed. There are insufficient mechanisms from many senior officials and municipal managers to evaluate staff performance, this is made difficult by those who are politically deployed without the capacity. Although it does not mean they can remain without capacity, a major issue is the backlog of service delivery that municipalities have to address. Atkinson (2003: 128) warned that appointments done through ‘political patronage’ should be avoided by municipalities for the sake of their own development. She recommended that staff should be appointed through their ‘qualifications and experience in development management, programme management or projects management’ (ibid, 128).

Researchers such as Chipkin (2002: 65) have been critical in trying to understand the link between DLG and people (officials and councillors). DLG is premised within the principles of community participation. According to Chipkin (2002: 65) old officials lack the experience and knowledge to implement projects effectively which are premised on principles of community participation. In his argument, he is concerned about the newly elected councillors who may show interest in implementing policies according to council resolutions, but they may face some problems associated with minimal knowledge and lack of experience.

Hazelton (2001) challenged these old guard practices, noting that for new local government to effectively facilitate equitable and sustainable service delivery that will address socio-economic development there is a need for these municipalities to restructure themselves and even consider the dynamics of their people centred mission. Against these shortfalls of insufficient skills, Hazelton (2001) recommended that new and old councillors and municipal officials need to be trained in development approaches. The point of departure is that even if new approaches could be introduced, if the workforce is not trained these will not yield effective results.

### **3.2.3 Developmental local government and traditional leaders**

Most researchers are critical about the new local government with its constitutional recognition of traditional leaders, but which does not give much clarity about their roles and functions. Pycroft (2002: 121) advocated: ‘the government needs to resolve

the constitutional and legal ambiguity that surrounds the relationship between democratic local government and traditional authority', as this would adversely impact on development projects. Pycroft (2002: 121) further argued that 'traditional authorities retain a constitutional right to be consulted on all issues that have bearing on land under their control'.

The relationship between traditional leaders and elected councillors needs to be addressed so that development does not suffocate. Pycroft (2002: 121), for example, observing this contestation, comments as follows:

Traditional leaders remain an integral component of rural local government's constituency-not viewed as individual citizens within a uniform democratic system, but as a special interest group worthy of careful consultation. Through such negotiation and by ensuring that the development agenda of traditional leaders and their constituents is integrated into the development plans of the rural municipalities, confrontation should be replaced by co-operation to the benefit of all, particularly the rural poor.

There is a view that these two institutional systems are largely operating separately and in isolation, but local communities seem to be relying on both institutions. Research conducted by Bornstein (2000: 185) revealed that the process of establishing the new local government system resulted in enormous costs. The other cause for concern in this study given the constitutional protection of local government system is how this local government sphere is actually going to promote social development and democracy at local level given the contradictions stemming from the legal framework. The failure by South Africa to attend these contradictions/tensions between traditional leaders and councillors would actually lead the country in experiencing similar socio-economic and socio-political trends obtained in other parts of the African continent (Mhome and Edigheji, 2003: 350).

#### **3.2.4 Developmental local government and social capital**

DLG aimed at involving people in development activities. Commentators such as Harrison (2002: 219), for example, observed that DLG will experiment social capital. As he puts it: 'very little empirical work has been undertaken, and, thus far, local government has not expressly tried to experiment with the concept'. Harrison (2002:

220) further argued that for social capital to effectively operate local government should develop a more ‘astute understanding of its citizenry and the circumstances under which communities will actively engage in synergic relationships with the public sector’. According to Pycroft (2002: 122) ‘DLG requires municipalities to coordinate the activities of local development actors, organisations and institutions, and thus improve the community’s access to social capital’. Hezelton (2001) concretises this issue by noting that the new local government approach calls for the engagement of communities in the affairs of municipalities and in particular in planning, service delivery and performance management.

Cashdan (2002: 174) appreciated the progress done by the White Paper on Local Government in recognising social capital, but criticises its failure to explain what kind of social capital would tip the balance of power in civil society in favour of the poor. This is a valuable critique because most conflicts that emanate from participation are due to power relations which are unequal. Conceiving social capital in local government where there are different opinions among different stakeholders DLG would be able to assist in preventing the conflict that might occur. The social capital would also assist in capacitating community members so that they would be able to identify skills that would assist them in maintaining and identifying sustainable development projects. This view is put forward because social capital involves networking skills which are rare in rural local government.

### **3.2.5 Developmental local government in the rural context**

Lemon (2002: 25) was highly concerned about local government restructuring which seems to put more efforts in ‘consolidating power at national or local level, or at undermining the position of powerful competing groups at local level’. Lemon does not specify who those competing groups at local level are. He remarks: ‘it is important that national government does not use developmental local government as a means of shifting responsibility. The limited financial and human capacity of many local authorities is an obvious constraint, especially in rural areas’ (Lemon, 2002: 28).

Mogale (2003: 217) stated that ‘the main challenge for developmental local government in South Africa will be to ensure that existing decentralisation moves

hand and hand with deliberate efforts to mobilise and strengthen civil society structures, processes and institutions at lower levels in a manner that would allow their relationship with central and sub-national governments to be more interactive and mutually reinforcing'. Although new local government has some autonomy but, it has to ensure that stable relationship is maintained with other spheres of government and even with other stakeholders involved in development. Mogale (2003: 239) further argued that 'most of the writing and documentation on developmental local government does not make explicit connections nor interrogate the relationship between structural transformation, good governance, integrated planning and poverty reduction'.

Hazelton (2001: 42) maintained that it is necessary to motivate communities to engage with developmental local government, because 'rural people are already loosely organised and conscientised from the days of the mass struggle for political freedom and are still prepared to work hard to change their lives'. To him, rural people have long been prepared to work hard and they demonstrated that in the liberation struggle before 1994. Hazelton was able to capture as to what have brought democracy and change in local government, but he fails to account whether people on the ground that need to be motivated to engage with developmental local government are aware of the democratic and public policy processes. In view of this, if people are not aware of these public policy and democratic processes, they would automatically view or conclude that DLG is excluding them. However, the problem will be situated on the unclear understanding of the proper channels to follow so as to have access on local government processes.

According to Hazelton (2001: 42) power hungry councillors who are the ones who prepare a fertile ground for opposition by spreading lies that 'government will supply everything, and where municipal officials are consciously or unconsciously still aligned to the previous order with respect to how things should be done'. Such councillors can do such activities so that they will be able to protect their constituency and secure votes.

It should be noted that at times councillors do not have adequate training in that they even bridge the code of conduct. Councillors must adhere to the code of conduct at

all times when serving the council. It could be suggested that the code of conduct should not be ignored by rural councillors with an aim of trying to be popular in constituencies since they are competing with other powerful structures such as traditional leaders.

### **3.3 Conclusion**

This chapter reviewed the literature in South Africa aimed at demonstrating how traditional leadership was changed to fit the government ruling at that (colonial government, apartheid government etc) time. The views of different scholars were studied at length to provide a basis for understanding the roots of tensions between governments and traditional leadership institutions in South Africa. This is done to reflect what has always been taking place between governments and traditional leadership institutions.

This chapter also captured three fundamental periods which are crucial in the history of South Africa: colonialism, apartheid and the democratic period. Through these periods, the chapter aimed at covering the relationship between governments or political systems. Under colonialism, the chapter covered how colonisers used chiefs in administration as did not have enough personnel who could deal with social control of “natives”.

This chapter revealed that the apartheid government consolidated most colonial practices, aimed at implementing apartheid policies of racial segregation. Under apartheid, it has been demonstrated that the BAA was an Act that most traditional leaders did not understand. It was also shown how traditional leaders in KwaZulu associated themselves with implementing local government services.

The wave toward democratisation and certain legislations were scrutinised particularly those which intended to facilitate the relationship between the two structures. It can also be concluded that the relationship between traditional leaders and elected representatives is a subject for great debate in the public sphere.

The part on developmental local government in this chapter reviewed the literature which covers a wide range of debates from various academics, practitioners, activists and observers from different disciplines. What was revealed within the literature is the fact that more people who have written on developmental local government are driven by the comprehensive definition found on The White Paper on Local Government. Among these writers, it can be concluded that there are those who express their view driven by historical observation of the political system of South Africa, and it gives them lesser space to believe that DLG would be able to face the challenges of two lethal forces colonialism and apartheid.

It is also on developmental local government part in this chapter that the two broad development policies (RDP and GEAR) were discussed in tandem. Other scholars who are critical of these development policies argue that these policies are premised within neo-liberal agenda which could make difficult for service provision to be directed to poor citizens. Other writers shifted such debates from development policies to political factors. It was argued that the prevalence of political deployment would partly disturb the implementation of DLG, because there is also a transcending of boundaries between councillors and municipal officials. As stated, there are so many councillors who are grappling with their new roles and political responsibility. Others direct their arguments to economic implications which may arrest developmental local government not to be effectively implemented in rural local government.

# CHAPTER 4

## METHODOLOGY

### 4.1 Introduction

The research approach employed in undertaking this study was a case study approach and the methodology used for data collection was in-depth interviews and observation. The study also entailed an overview of the relevant literature on an interdisciplinary basis. As Bless and Higson-Smith (1995: 22) stated, literature review provides background information that can be used to sharpen and deepen the theoretical framework, identify gaps, discover connections, analogies or relations between different research results through comparing various investigations. The chapter provides the background information of the area under study-Jozini Municipality<sup>9</sup> and the background is studied in the light of broader social, economical and political transformation of South Africa as a whole. This chapter also focuses on explaining the methodology of the study. This is followed by a case study approach.

### 4.2 Background of Jozini Municipality

This section provides an overview of Jozini Municipality whose history pre-dates apartheid. It further provides some critical reflections on changes brought by the post-apartheid government in Jozini

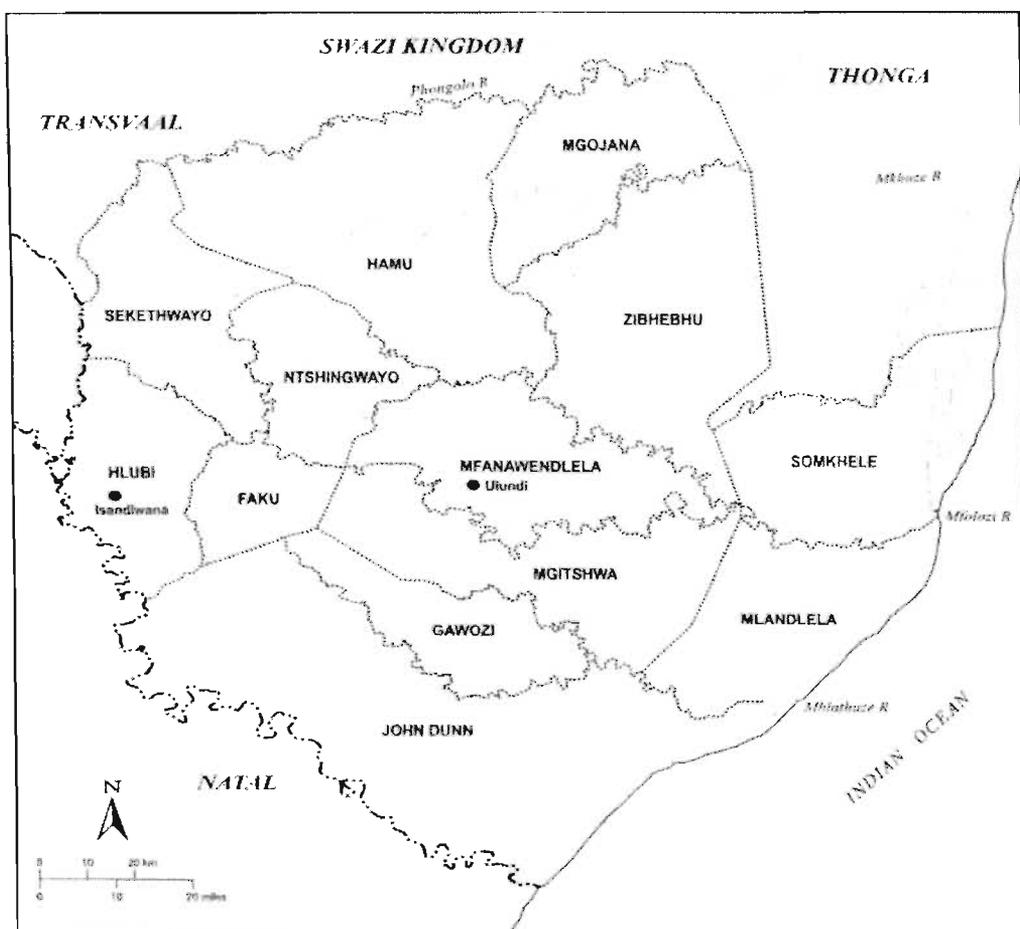
Jozini Municipality is one of the five local municipalities within Umkhanyakude District Municipality – one of the municipalities dominated by vast rural areas – and has a rich history of tourist attractions. This municipality includes village/towns of Ingwavuma, Jozini, Mkuze and Ubombo. Ingwavuma was a centre of controversy in the early 1980s when Pretoria tried to incorporate it into Swaziland.

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<sup>9</sup> The name Jozini comes from the word “jozi” which means a short spear, and Jozini is an IsiZulu name and it means “cave” where spears can be hidden. Jozini Municipality was named after a well known dam (Jozini Dam). This dam is a pride of the community and it is among the four biggest dams in South Africa.

Historically, Ingwavuma and Ubombo were not part of the original Kingdom of Zululand. According to Lock and Quantrill (2002: 286) the Zulu Kingdom was divided into thirteen ‘chiefdoms’ (see figure 4.1 below). The northern boundaries of the Zulu Kingdom were not clearly demarcated in the 19<sup>th</sup> century (Uphongolo Sub-Regional Development Plan: Development Perspective, 2000: 105). In the north lay the Swazi Kingdom and in the north east the direct authority of the Zulu King shaded into the tribute areas of the Thonga Chiefdoms. A cluster of small, independent tribes loosely grouped together as the ‘Thongas’, inhabited the region between the Lebombo Mountains in the west and the sea, their territory included the southern reaches of present day Mozambique. Figure 4.1 below illustrates the divisions of the Zulu Kingdom.

**Figure 4.1: The Zulu Kingdom was divided into 13 ‘chiefdoms’**



Source: Lock and Quantrill (2002: 286)

Historical studies confirmed that the Thonga paid a mark of respect to their powerful southerners; they did not form part of the Zulu Kingdom and were thus not defeated

by the British in 1879. In 1887, when the British annexed Zululand, it incorporated the southern reaches of Thonga territory into the area it was annexing and thus brought them under British Administration. Subsequently, the Thonga in the Kosi Bay area asked for British protection and in 1895 their land was proclaimed a British protectorate. When Zululand was handed over to the Natal Settler government in 1897, Thongaland was included with it (Uphongolo Sub-Regional Development Plan: Development Perspective, 2000: 105). This whole area thus came under the control of the white settlers in Natal and was subjected to the determinations of the Zululand Delimitation Commission.

The most contentious issue in this area until the 1980s was the Ingwavuma land deal. Pretoria developed an interest in the Ingwavuma area in the late 1978, as part of consolidating programmes resulting from the van der Walt Commission of Enquiry (in which it was proposed that Ingwavuma be incorporated into Swaziland). The land exchange was discussed between Pretoria and Swaziland, but not with the KwaZulu Legislative Assembly. This resulted in the initiative being put on the back burner until May 1982. According to the Uphongolo Sub-Regional Development Plan (2000: 106) Chief Buthelezi revealed that Pretoria offered KwaZulu 30 000 ha of land in exchange for agreeing to Swaziland taking over the Ingwavuma district. This resulted in a storm of protest, and again Pretoria was forced to back down. The land question was high in that a lot of activities had to take place such as agriculture and nature conservation as discussed below.

#### **4.2.1 Agriculture and Conservation**

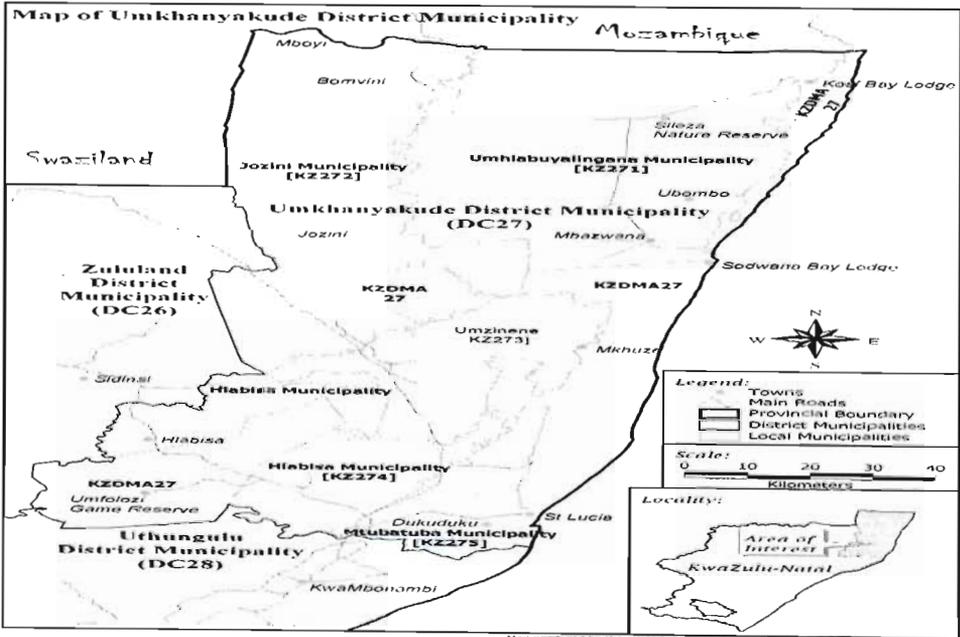
Commercial agricultural development encouraged by the parastatal agencies such as former KwaZulu-Development Corporation, the Industrial Development Corporation, Mjindi Farming and KwaZulu Finance Corporation (KFC) led to the removal of people off land that they were formerly dependent on for farming. The north eastern region of KwaZulu-Natal witnessed several examples of people being removed to make way for development projects. Conversely, many of these projects were poorly conceived and implemented, and made little or no contribution to solving problems of underdevelopment in the region.

Subsistence agriculture is the main economic activity in the area under study. Potential areas for agricultural activities are found around Mkuze and the Makhatini Flats. The rich nature of the physical environment of the municipality resulted in a number of areas proclaimed for conservation purposes.

**4.2.2 Jozini and its development activities post apartheid, 1995-2004**

During the post-apartheid era, particularly during the transitional phase of local government (1994-1999), most areas which are covered by Jozini Municipality today were under Uphongolo Sub-Region, which was bordered to the north by Mozambique, Swaziland and the Zululand Regional Council (currently known as Zululand District Municipality) to the east; and the Umfolozi Sub-Region of Uthungulu to the south (refer to figure 4.2). The key characteristic of the Uphongolo Sub-Region was the low level of services and infrastructure provision in the urban and rural areas. The Lebombo Spatial Development Initiative (LSDI) recognised that infrastructural development was a key contributor to promote economic development. The poor road infrastructure was considered to be a contributing factor to the minimal tourism and agricultural development.

**Figure 4.2: Uphongolo Sub-Region bordered north by Mozambique, Swaziland and Zululand Regional Council (DC 26)**



Water projects were key service delivery initiatives provided by the Uthungulu Regional Council-under Uphongolo Sub-Region. Table 4.1 provides a summary of water projects.

**Table 4.1: Water Projects Provided by Uthungulu Regional Council under Uphongolo Sub-Region**

Project Name	District	Tribal Authority	%Complete	Remarks
Tshongwe/Maloben i Water Supply	Ubombo	Ntsinde, Mashabane, Jobe and Mabaso	100%	Completed and Handed over
Mayaluka Water Supply	Ingwavuma	Mathenjwa	100%	Completed and handed over
Kuzahleni Water Supply	Ingwavuma	Mathenjwa	100%	Completed and handed over
Odwaleni Water Supply	Ingwavuma	Mngomezulu	100%	Completed and handed over
Mbalekelwa Water Supply	Ingwavuma	Mngomezulu	100%	Completed and handed over
Mhlekezzi Water Supply	Ubombo	Ngwenya	100%	Completed and handed over
Empini Water Supply	Ubombo	Zikhali	100%	Completed and handed over
Thokazi Water Supply	Ubombo	Mashabane	100%	Completed and handed over
Mhlabuyalingana Water Supply	Ubombo	Siqakatha	100%	Completed and handed over

(Source: Uphongolo Sub-Regional Development Plan: Development Perspective, 2000:56)

Numerous projects were provided by the Jozini Municipality since its inception. Some of these projects are called Local Economic Development (LED) and are provided through the capital budget of the municipality. Table 4.2 provides the summary of LED projects.

**Table 4.2: LED Projects Provided by Jozini Municipality**

Project Name	Ward	Tribal Authority	%Complete	Remarks
Tshanini Poultry	1	Ngwenya	100%	Completed
Sinamuva Gardening	2	Nsinde	100%	Completed
Ophansi Market	3	KwaJobe	100%	Completed
Qedindlala Gardening	4	KwaJobe	100%	Completed

Ward 5 Bakery	5	KwaSiqakatha	100%	Completed
Igugulethu Gardening	6	KwaSiqakatha	100%	Completed
Siyanqoba Garden	6	KwaSiqakatha	100%	Completed
Maize Meal Grinding	7	Nsinde	100%	Completed
Duduzanani Tent	8	Nyawo	100%	Completed
Singeni Gardening	9	Nyawo	100%	Completed
Phawini Gardening	9	Nyawo	100%	Completed
Sinamuva Gardening	10	Nyawo	100%	Completed
Sovana Gardening	11	Nyawo	100%	Completed
Masekweni Gardening	12	Nyawo	100%	Completed
Asihlezi Piggery	13	Mathenjwa	100%	Completed
Sizanani Youth Club	14	Mngomezulu	100%	Completed
Mgedula Gardening	15	Mathenjwa	100%	Completed
Mlilo Farmers Association	15	Mathenjwa	100%	Completed
Sibahle Block Making	15	Mathenjwa	100%	Completed
Amandlethu Gardening	16	Mathenjwa	100%	Completed
Hlahlambana Gardening	16	Mathenjwa	100%	Completed

(Source: LED Projects 2003/04 Status Report as at 05 November 2004)

In local government projects are provided with different funding. The Mayoral Fund<sup>10</sup> projects are provided with a budget which is normally allocated to a mayor. In order to access this funding communities are encouraged to identify projects in their respective areas and to submit business plans for the identified projects. These projects are aimed at fighting poverty and hunger. Therefore, communities are encouraged to identify income generation projects. Most wards benefit from this funding. Table 4.3 provides the summary of Mayoral Fund Projects.

**Table 4.3: Mayoral Fund Projects Provided by Jozini Municipality**

Project Name	Ward	Tribal Authority	%Complete	Remarks
Mpileni River	1	Ngwenya	100%	Completed
Zamokwakhe Garden	1	Ngwenya	100%	Completed
Vukusebenze Garden	1	Ngwenya	100%	Completed

<sup>10</sup> This refers to funding which is allocated to the mayor by the Department of Provincial and Local Government. At certain times Mayors receive this money from external sources such as outside countries. What mayors are normally using to access this funding are IDPs of their municipalities. This funding also assists in dealing with emergencies and items which are not budgeted for in the capital budget.

Ehlanzeni Creche	1	Ngwenya	100%	Completed
Zamumcebo Garden	1	Ngwenya	100%	Completed
Vukuzithathe Garden	1	Ngwenya	100%	Completed
Khiphikhono Garden	1	Ngwenya	100%	Completed
Vulamehlo Garden	1	Ngwenya	100%	Completed
Msunduze Creche	1	Ngwenya	100%	Completed
Siyaphambili Piggery	2	Nsinde	100%	Completed
Zamani Creche	3	KwaJobe	100%	Completed
Nompi Creche	4	KwaJobe	100%	Completed
Makhonyeni Women's Club	5	KwaSiqakatha	100%	Completed
Ophande Sewing	5	KwaSiqakatha	100%	Completed
Ihluzo Art and Craft	5	KwaSiqakatha	100%	Completed
Art and Craft P Gumede	5	KwaSiqakatha	100%	Completed
Isulethu	6	KwaSiqakatha	100%	Completed
Udondo Youth Club	6	KwaSiqakatha	100%	Completed
Zimele Club	6	KwaSiqakatha	100%	Completed
Ebhokweni Project	7	Nsinde	100%	Completed
Intando Yamakhosikazi	7	Nsinde	100%	Completed
Simunye Project	7	Nsinde	100%	Completed
Vukukhanye Creche	7	Nsinde	100%	Completed
Asithuthukengamasiko	7	Nsinde	100%	Completed
Mpondwane Arts and Craft	7	Nsinde	100%	Completed
Phaphamani Garden	8	Nyawo	100%	Completed
Obhokweni River Fencing	8	Nyawo	100%	Completed
Silwanayo Garden	8	Nyawo	100%	Completed
Qophumlando	9	Nyawo	100%	Completed
Mpumelelo Poultry	10	Nyawo	100%	Completed
Siyathuthuka Poultry	10	Nyawo	100%	Completed
Vukuzenzele Baking	10	Nyawo	100%	Completed
Vukukhanye	10	Nyawo	100%	Completed
Madanishini	10	Nyawo	100%	Completed
Xoshindlala	10	Nyawo	100%	Completed
Vezikhono	10	Nyawo	100%	Completed
Mthonjeni Garden	11	Nyawo	100%	Completed
Thembaletu Garden	11	Nyawo	100%	Completed
Mlawu Creche	12	Nyawo	100%	Completed
Zamimpilo	12	Nyawo	100%	Completed
Vukuzakhe Sewing Project	13	Nyawo	100%	Completed
Vukume Sewing Project	13	Nyawo	100%	Completed
Oshabeni Development Clinic	14	Mngomezulu	100%	Completed
Iyaphi Youth Project	14	Mngomezulu	100%	Completed
Ekujabuleni Creche	15	Mathenjwa	100%	Completed
Khume Women's Club	15	Mathenjwa	100%	Completed
Good Look	15	Mathenjwa	100%	Completed
Mgedla Communication Project	15	Mathenjwa	100%	Completed

Vukanimakhosikazi	16	Mathenjwa	100%	Completed
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(Source: Mayoral Fund Projects 2003/04 Status Report as at 05 November 2004)

#### 4.2.3 Institutional Analysis 1995-2004

Regional Councils formed the third level of government, that of municipalities and replaced areas that were formerly under the jurisdiction of the Joint Services Boards (JSBs). Under these regional councils, there were some Transitional Local Councils (TLCs) and Sub-Regions. Sub-regions had the so called Sub-Regional Standing Committee which provided a link between the sub-regional community and the Executive Committee (EXCO). Most regional councils were grappling with funding and provision of services to meet the needs of under-serviced communities, although their performance was critical to the delivery of services on the ground.

Probably the most contentious issue was that of the role of traditional leaders and regional authorities in local development. Most regional councils such as Uthungulu Regional Council involved traditional leaders; apart from being ex-officio members they were also represented in the Executive Committee.<sup>11</sup> In the first council meeting the Uthungulu<sup>12</sup> Regional Council held on the 20<sup>th</sup> of August 1996 after the first democratic elections held in June 1996 in KwaZulu-Natal councillors insisted that they could not discuss any issue related to development in the absence of traditional leaders. The Speaker insisted that they learnt a lot of things on how important it is to work with traditional leaders in development issues. The traditional leaders were tasked to report to other traditional leaders on the deliberations of the Uthungulu Executive Committee. The late Inkosi Mathenjwa was sitting on the Uthungulu Regional Council Executive Committee and was serving as the Chairperson of Ingwavuma Regional Authority. His participation resulted in a direct communication between traditional leaders and the Uthungulu Regional Council.

Most sub-regions within Uthungulu Regional Councils had TLCs, but Uphongolo Sub-Region had no TLCs. Instead there were fourteen traditional authorities which were found under two regional authorities. There were ten traditional authorities

<sup>11</sup> Interview with the Speaker of Jozini Municipality 25/10/2004

<sup>12</sup> Where Jozini Municipality is today, it was part of the sub-region of Uthungulu Regional Council before December 2000 elections.

under Ubombo Regional Authority and four under Ingwavuma Regional Authority. Their names are shown in the following table.

**Table 4.4: Traditional Authorities under Uphongolo Sub-Region**

Ingwavuma Regional Authority	Ubombo Regional Authority
<ul style="list-style-type: none"> <li>• Mathenjwa</li> <li>• Mngomezulu</li> <li>• Tembe</li> <li>• Nyawo</li> </ul>	<ul style="list-style-type: none"> <li>• Nsinde</li> <li>• Ngwenya</li> <li>• Siqakatha</li> <li>• Mashabane</li> <li>• Mabaso</li> <li>• Jobe</li> <li>• Makasa</li> <li>• Nibele</li> <li>• Mnqobokazi</li> <li>• Zikhali</li> </ul>

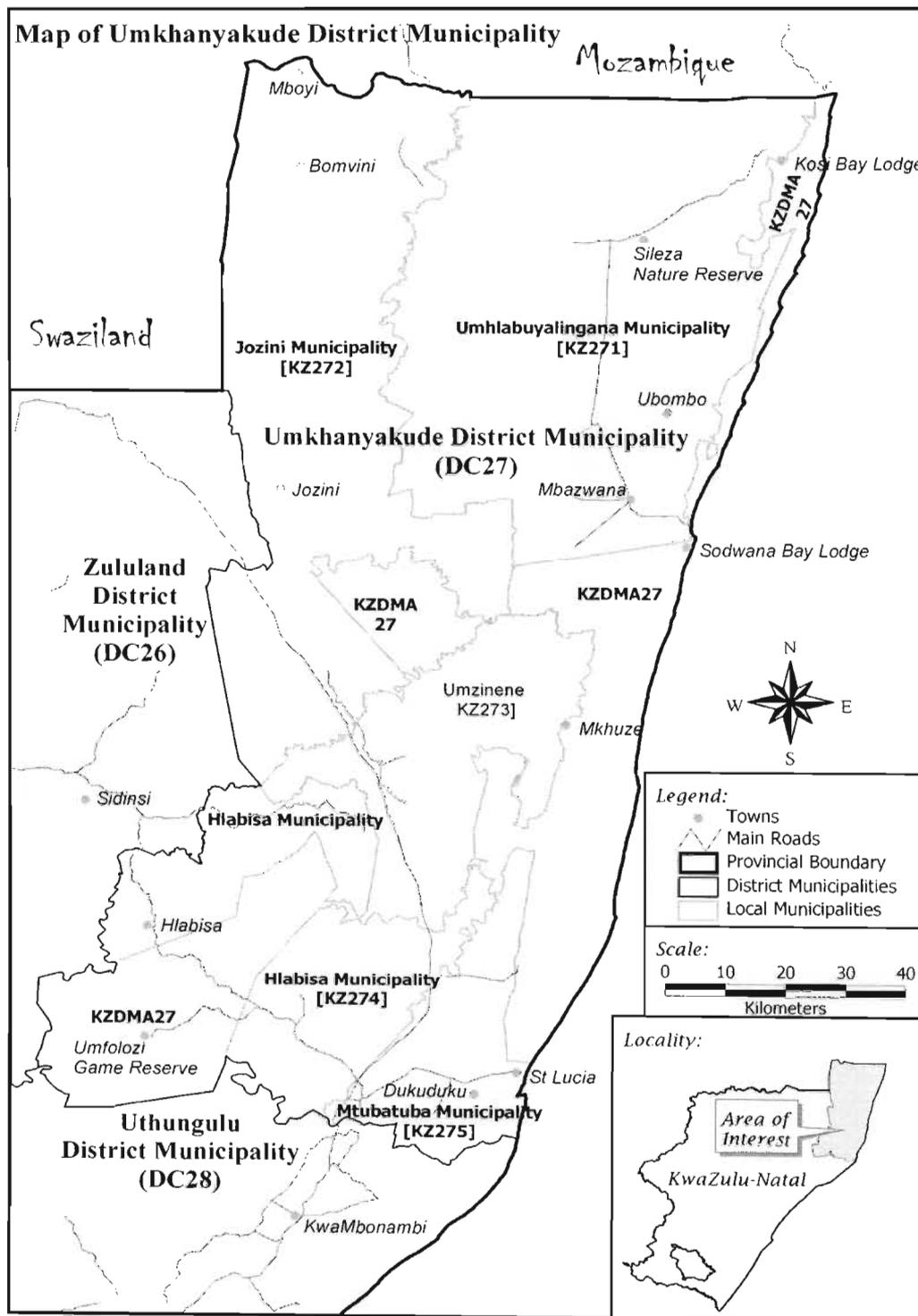
(Source: Uphongolo Sub-Regional Development Plan: Development Perspective, 2000:36)

Although the Uphongolo Sub-Region had no TLCs, most towns were managed by the former Development and Services Board (DSB) later known as Umsekeli Municipal Support Services. Ubombo, Ingwavuma and Mkuze were administered by Umsekeli Municipal Support Services.

Within the consolidation phase (from 2000) of local government, there were many institutional changes that took place. Most of the areas which were part of Uphongolo Sub-region are now found under Umkhanyakude District Municipality. This district municipality is made up of five local municipalities-Umhlabuyalingana, Big Five False Bay (Umzinene), Hlabisa, Jozini, Mtubatuba. Worth noting, such changes contributed to the change in traditional authorities and their boundaries. Currently, there are areas of other traditional authorities which are found in certain municipalities, this is because there are some overlaps of traditional boundaries from one municipality to the other. Consequently, most traditional authorities under Umkhanyakude District Municipality are not serviced by single municipalities. Instead they are serviced by different local municipalities.

Figure 4.3 below summarises the above paragraph about the current state of affairs under Umkhanyakude District Municipality.<sup>13</sup>

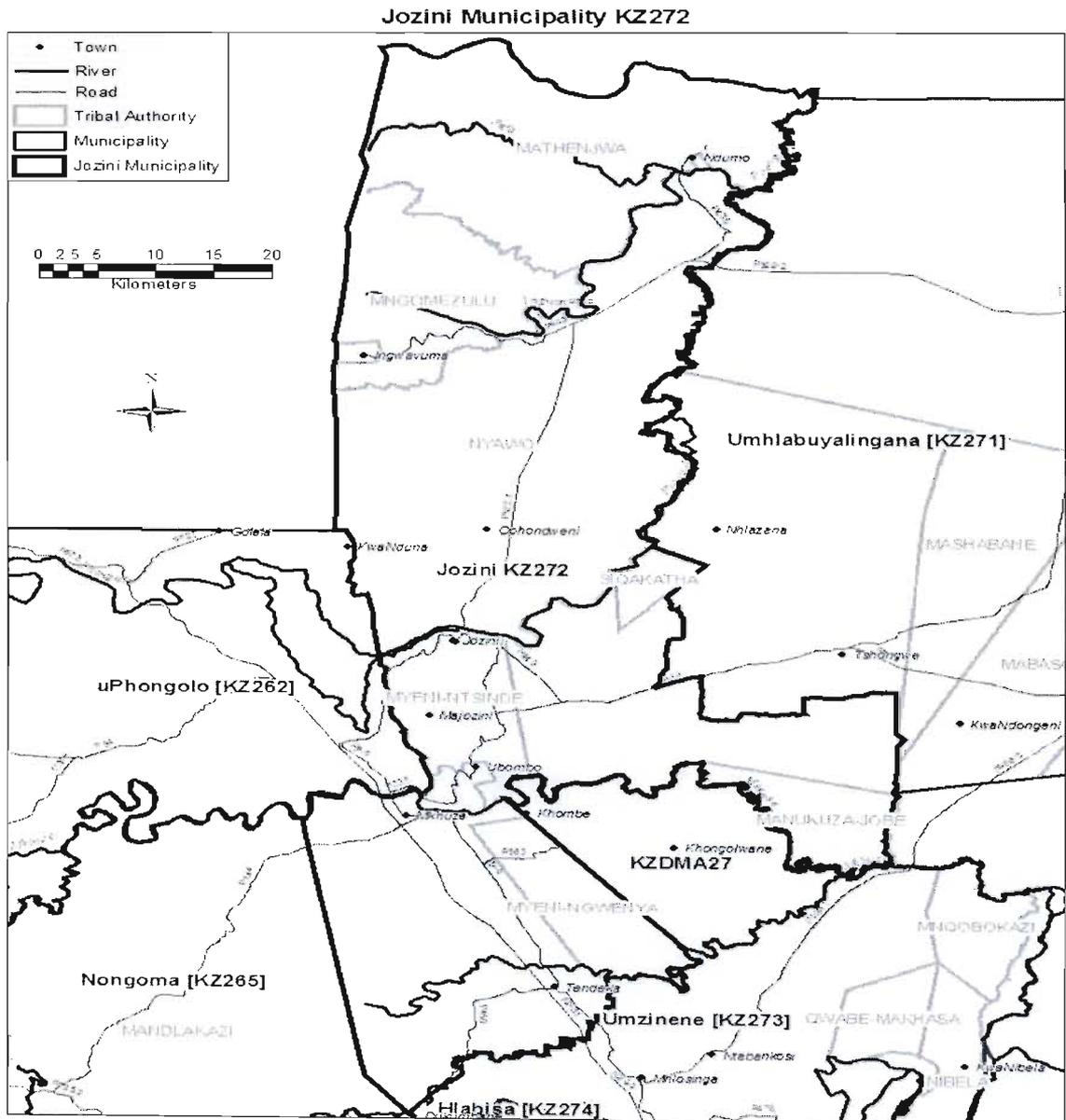
**Figure 4.3: Local Municipalities under Umkhanyakude District Municipality**



<sup>13</sup> The intention of the map is to show local municipalities which are part of Umkhanyakude District Municipality.

What should be noted is that out of fourteen traditional authorities, seven remained under Jozini Municipality which is the area under study.<sup>14</sup> There are still two regional authorities under Jozini Municipality. These are Ingwavuma Regional Authority and Ubombo Regional Authority. Traditional authorities under Jozini Municipality are shown in figure 4.4 below:

**Figure 4.4: Traditional Authorities under Jozini Municipality**



<sup>14</sup> During the time of this research Tembe Traditional Authority was still part of Ingwavuma Regional Authority. This reflects that there is still a parallel operation between municipalities and regional authorities but there were some arrangement for this traditional authority to be taken to be party of Umhlabuyalingana Municipality.

Since the year 2000 local government elections Jozini Municipality has seven traditional authorities. Each traditional authority has its traditional council made up of elders dominated by men. Women are only included in community structures which are project specific. What is interesting within the traditional structure is that each headman is allocated a certain portfolio as is the case with the modern institutions, and most headmen are close relatives of chiefs and even share similar surnames. Most of the headmen in traditional authorities are not commoners. In addition, each traditional authority has its own secretary paid by the government and most of them are females. These secretaries report directly to district offices of the Department of Traditional Affairs in the case of KZN. Most of the traditional authorities' files are audited in the nearby district office of the Department of Traditional Affairs. In essence one of the important stakeholders for the Department of Traditional Affairs is the traditional authorities.

The number of headmen varies from one traditional authority to the other; the formations of traditional councils are dependent upon traditional wards whilst other traditional councils also include chiefs' advisers who are nominated from amongst elderly men. For example, the Mathenjwa Traditional Authority is made up of twenty one headmen who come from three wards according to municipal boundaries. Traditional authorities under Jozini Municipality are made up of between five to twenty five headmen. It should be noted that the traditional structures are very complicated and this adds to the difficulty of understanding these structures.

Regional Authorities<sup>15</sup> are formed by different representatives from each traditional authority. Each traditional authority has three representatives which comprise a chief and two members, one elected from headmen and the other being elected from and by community members. Once it is clear as to who represents a certain traditional authority then these members sit down and elect the chairperson of the regional authority (refer to figure 5.3 in chapter 5). It is inevitable that the chairperson should be a chief. The regional authority meeting is held once in three months. It is worth

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<sup>15</sup> Regional authorities were created for the administration of the kings, so-called paramount chiefs. These paramount chiefs, sat together with the leaders of the traditional authorities, the so-called chiefs, as well as appointed on the basis of their expertise in identified fields (see Nkosi Phathekile Holomisa, 2004)

noting that in these regional authority meetings development issues are discussed such that each traditional authority gives updates on the implementation of the its development plans. It is in regional authorities where development activities are discussed and upcoming development projects are presented by various line functions departments. Regional authorities report directly to the Department of Local Government and Traditional Affairs in the case of KZN.

Jozini Municipality has sixteen wards and a total of thirty two councillors. The combination of ward councillors and proportional representative (PR) councillors strike the balance. Ward councillors are the only representatives accountable to the public and in all spheres of government. These representatives are more important in South Africa's fledgling democracy. The Jozini Municipality is dominated by IFP male ward councillors, with only one ward belonging to the ANC. There are few women councillors in this municipality and they are PR councillors. Out of these women councillors few are given positions, for example out of six portfolio committees the municipality has only two women who serve as Executive Committee Members.

In the case of KZN the establishment of ward committees<sup>16</sup> was not promulgated. This places more responsibility on ward councillors and all of them serve on a part-time basis. Only the speaker<sup>17</sup> serves in a full-time capacity. Although in Jozini Municipality there are wards with ward committees, they are not fully functional because the incumbent had inadequate training. The municipality is servicing deep

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<sup>16</sup> There are numerous debates leveled against ward committees which include the fact that the number in such a committee should not exceed ten. This presents a problem in the functioning of wards because they are too vast and there are a number of different interests that need to be represented. There is no guarantee of deepening democracy through the formation of these ward committees. In the case of rural areas and in other areas there have been some tensions because structures which existed such as development committees saw ward committees as trying to undermine their functioning whilst in other areas development committees were changed to take on ward committee functions. This structure was recommended to deepen democracy and to development a culture of participation among community members. It is emphasized that within ward committees women should be equitably represented together with the diversity of interests in that ward. Municipalities are supposed to make administrative arrangements to enable the ward committees to perform their duties and exercise their functions effectively (see *Municipal Structures Act of 1998*)

<sup>17</sup> The speaker is the chairperson and presiding officer of the council, responsible for the control of proceedings. He/she is required to be neutral in debate and ensure fair play among the parties. In councils using the plenary executive system (councils with no executive committee, where decisions are taken by council) the mayor acts as the speaker.

rural areas. Most of these rural areas have big wards which have more than one proportional representative councillor. What was observed during the research was that other wards remain without PR councillors.

### **4.3 Qualitative Research Design**

The qualitative approach was adopted as a methodology for data collection and analysis for this study. The qualitative approach was crucial in that it does not only tell you why a phenomenon occurs but also helps in developing ‘a detailed understanding of individual views, attitudes and behaviour’ (Moore, 2000: 121). A qualitative approach was crucial in that the study focuses on issues that are too complex to be understood by applying quantitative measures. Gillham (2000: 10) argued that ‘qualitative methods focus primarily on the kind of evidence (what people tell you, what they do) that will enable you to understand the meaning of what is going on’. The qualitative approach to social science research is about researching human behaviour, looking for facts, opinions, experiences and preferences on the subjects (Bless and Higson-Smith, 1995; Blaikie, 2000). To understand the dynamics typical in most rural municipalities require a researcher to see the world through communities’ eyes. This allowed the exploration of complexities that are beyond the Jozini Municipality in implementing developmental local government. It was further necessary to investigate situations where little is known about what is there and what is going on.

### **4.4 Case study approach**

The strategy adopted in exploring developmental local government in a rural context is the case study approach, which is one of the ways of conducting social science research. According to Huysamen (1994: 168) ‘case studies are directed at the understanding of the uniqueness and idiosyncrasy of a particular case in all its complexity’. There was a rationale for adopting a case study approach. In a case study different methods are used such as interviews, observations and documentary analysis. This approach is called triangulation. Clarke *et al* (1999: 88) argued that ‘one of the main advantages gained from using triangulation as part of multi-method research design is that it allows the researcher to have greater confidence in the

research findings than is the case when a single method is used'. It is widely accepted that research methods have their own strengths and weaknesses. Those who support triangulation maintain that strengths of one method can be used to complement the weaknesses of another.

Gillham (2000: 2) advised that 'no one kind or source of evidence is likely to be sufficient on its own. This use of multiple sources of evidence, each with its strengths and weaknesses, is a key characteristic of case study research'. It is for this reason that this study adopted the case study approach, because there are numerous units of analysis and sources of data.

#### **4.5 Strengths of case study approach at Jozini Municipality**

The case study approach may be utilised with several different instruments such as participant observation, questionnaires, and interviews in providing qualitative information (May, 2001). The use of this method in the study focusing on developmental local government in a rural context was to understand the Jozini Municipality and the activities taking place on an everyday basis, through the lens of the relationship between traditional leaders and councillors. Gillham (2000: 102) warned that this method is not expected to be wasted on issues which are unimportant for 'its real power is in part a function of the uses to which it is put'. He further stated that the case study research requires time and one should be prepared to commit the time.

#### **4.6 Limitations of case study approach at Jozini Municipality**

The disadvantage of the case study method is that it is impossible to observe and analyse every municipality because of time and cost constraints. Some of the recommendations from this case study could be utilised to facilitate the relationship between the traditional system of governance and democratic system. However, such recommendations cannot be replicated in their totality in municipalities in rural areas which are dominated by traditional leaders because of the specifics of geographical localities.

#### 4.7 Negotiating entry

There are various ways which were used to negotiate entry in Jozini. On the municipal side, the researcher started by having telephonic discussions with the municipal manager.<sup>18</sup> There were two main reasons for the telephonic discussion. Firstly, it was to establish interpersonal relations before the commencement of the actual interview process. Secondly, it was to communicate the objectives of the research project.

The complexity and sensitive nature of the study necessitated the researcher to observe most of the protocols. After the telephonic discussion with the municipal manager, the researcher drafted a letter (see Appendix 1) which was directed to the municipal manager to serve as the follow up. Thereafter, the researcher had another telephonic conversation with the speaker of the municipality. The intention was to secure interviews with councillors. During the processes of negotiating entry, the researcher capitalised on three issues. Firstly, he was known in the area while working for the Centre for Public Participation (CPP) which focuses on capacity building of stakeholders involved in local government structures and other interests groups involved in development. Secondly, the researcher grew up in the area of jurisdiction of the municipality. Lastly, as a senior student of the University of KwaZulu-Natal (UKZN) the authorities trusted him and offered co-operation and were not suspicious of his motives. Consequently, most interviewees were motivated to respond positively. To avoid problems and questions, it was made clear that the research was purely academic, and had nothing to do with the state, or political organisations.

In accessing traditional authorities, the researcher used regional authorities' officials who were able to give details as to when traditional authorities had their meetings. Some traditional authorities meet once a week, whilst others meet twice a week. This happens because of the workload traditional authorities have. Although the regional

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<sup>18</sup> The Municipal Manager is the head of administration of a municipality. He/she is responsible for the formation and development of an economic, effective, efficient and accountable administration. One of his/her duties is the implementation of the municipality's integrated development plan, and the monitoring of progress in the implementation. He/she is an accountable officer, responsible for all income and expenditures of the municipality.

authority's officials were able to give details about when traditional authorities meet, it was recommended that the researcher pays a personal visit to those traditional authorities. The researcher was able to establish interpersonal relations with these authorities. The objectives of the study were explained as was the case with the municipality. The researcher avoided suspicions by stating that 'I am doing a purely academic research and I am a student at the University of KwaZulu-Natal'. Those who were interviewed requested that this take place in their homes. As the researcher was tape-recording most interviews traditional leaders needed to be assured of confidentiality. Although trust was developed, the researcher observed that they are afraid of the media. In other cases, the researcher had to produce his student card to develop trust.

#### **4.8 Sampling Technique**

According to Huysamen (1994: 37) it is not practically and economically feasible to involve all members of the population in a research project. Instead, one can obtain data from population through sampling. Bless and Higson-Smith (1995: 274) define sampling as the process used to select cases for inclusion in the research study. Sampling was necessary for this study, given the complexity and vastness of the Jozini Municipality.

A non-probability sampling technique was used for this study. Within each community/traditional authority the judgemental or purposive sampling technique<sup>19</sup> was used to obtain the population sample to be interviewed. This sampling technique was employed with a specific purpose in mind. According to Huysamen (1994: 44) in using this technique 'researchers rely on their experiences, ingenuity and /or previous research findings to deliberately obtain participants in such a manner that the sample obtained may be regarded as representative of the relevant population'. Bless and Higson-Smith (1995: 275) argued that 'purposive sampling has a great value especially when used by a person who knows the population under study'. Marlow (1998) argued that purposive sampling allows the researcher to handpick the sample according to the nature of the problem and the phenomenon being studied.

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<sup>19</sup> Only specific groups of people who were crucial for rural development to take place were selected for this study.

Respondents were selected in terms of their involvement either on municipality, traditional authority or any other development activities. Table 4.5 illustrates the categories of people interviewed for the purpose of this research project. The people chosen represent the various groups of people that are relevant for development in rural areas.

**Table 4.5: Categories of people interviewed**

Category	Councillors <sup>20</sup>	Ordinary Members <sup>21</sup>	Civil Society Representatives	Traditional Leaders	Municipal Official	Traditional Authority Secretaries	Total
No	6	3	2	4	3	3	20
Percent	30%	15%	10%	20%	15%	10%	100%

#### 4.9 Interview Process

According to Gillham (2000: 77) interviewing is a central technique in a case study research. Given the nature of the study interviewing participants was more appropriate and flexible in nature. This study adopted principles of unstructured and semi-structured interviews. Huysamen (1994: 145) argued that semi-structured and unstructured interviews provided an opportunity for the interviewer to use probes with a view of clearing up vague responses, or to elaborate on incomplete answers. Given the nature of the study, Gillham (2000: 62) argued that ‘interviews assist particularly where material is sensitive in character after trust has been developed. People will disclose things in a face to face interview that they will not in an anonymous questionnaire’.

Exploratory in-depth interviews were carried out for a period of two months. The aim of qualitative in-depth interviewing was to provide an opportunity for the interviewees to speak freely and openly in their own terms and words. Huysamen (1994: 145) argued that in in-depth interviews questions on highly sensitive and

<sup>20</sup> This category is divided into two, it represents councillors which are elected through the proportional representation system and those elected through the ward based system. There are also councillors who serve as advisers of chiefs within certain traditional authorities.

<sup>21</sup> This study by ordinary members mean a group of people who are not necessarily affiliated to any social formations like political parties, social movements, associations etc. These members do not necessarily mean that they are less educated. Instead, they well vested with socio-political issues that affect a large number of communities in South Africa in general and in Jozini Municipality in particular.

emotional issues may be asked. Most of the interviews were conducted in respondents' own language, which is isiZulu and isiSwati. The rationale for using the respondents' language was to ensure that respondents articulated their views freely and clearly without being impeded. The researcher was in an advantageous position of understanding most of the local languages under the Jozini Municipality.

The intention of these interviews was to understand the relationship between councillors and traditional leaders at Jozini Municipality and how this impacts on development, especially in promoting developmental local government. To a large extent, the researcher had an understanding of the municipality, but did not have all the latest developments of the area. The researcher started by surveying the broad area where the municipality operates, which was followed by spending time in each traditional authority with senior citizens, interacting with them with an intention of learning their development concerns. During that time traditional authorities' meetings were attended where much of the observation took place about the proceedings and deliberations.

Twenty people (municipal officials, councillors appointed through proportional representation and ward elections, traditional leaders, community members belonging to different local formations and traditional authority secretaries) were interviewed under the so-called elite interviewing. These stakeholders with whom qualitative interviews were conducted were seen as people involved in development activities in the Jozini Municipality. According to Gillham (2000: 63-64), 'elite interviewing is when you interview someone in a position of authority or especially expert or authoritative, people who are capable of giving answers with insights and a comprehensive grasp of what it is that you are researching'. Open-ended questions were identified as the appropriate method to obtain as much information as possible. Respondents were asked the same questions, but the researcher was able to adapt the formulation, including the terminology, to fit the background and educational level of the respondents. This was done because of the sensitive nature of the study and divergent backgrounds of the respondents.

Most of the interviews were tape-recorded. As Clarke *et al* (1999: 78) argued: 'tape-recording is advantageous, as for example, when conducting in-depth interviews with

senior policy-makers or where a detailed contextual analysis of the data is to be performed'. Interviews were later transcribed. These interviews were supplemented with information obtained during the researcher's participation in local government seminars, training workshops, group discussions, conferences and forums organised by organisations who work on local government matters in the KZN. The analysis of Jozini Municipality documents such as Integrated Development Plan (IDP) served as another method of getting a better understanding of local dynamics in the region.

#### **4.10 Ethical Considerations**

The researcher assured respondents that their identity would be concealed. As Huysamen (1994: 178) argued: 'research participants do not owe anything to the researcher and they are entitled to be treated with respect, dignity and courtesy'. Respondents were interviewed after consent was granted. Huysamen (1994: 180) further asserted that 'the informed consent of prospective subjects to participate in research should be obtained before hand'. Whenever the identity is revealed in this study, prior consent was obtained from person(s) concerned to do so.

#### **4.11 Data Analysis**

Data analysis is deemed one of the most crucial stages of research regardless of the method of research i.e. qualitative or quantitative. Glanse and Peshkin (1992: 37) maintained that data analysis involves 'organising what you have seen, heard and read so that you make sense of what you have learned'. Gillham (2000: 25) supported the view that 'the purpose of analysis is to faithfully reflect in summary and organised form of what you have found'. Qualitative and quantitative methods were used to analyze all the collected data and quantitative data is represented statistically. Results from interviews were analyzed thematically and themes were discussed separately. The rationale for doing this was to test data from one source against other source in order to get a better picture on each theme. In certain instances anecdotes from the field were used to authenticate information from the secondary data.

Maykut and Morehouse (1994: 128) recommended that the constant comparative method is useful when analysing qualitative data collected from focus group

discussions and individual interviews. The two authors argued that it is imperative to analyze data according to themes and unitize discussions into easily identifiable chunks of units. It is these bits and pieces of units that will convey the message to the reader(s). The data collected were divided into chunks organised around themes that are crucial for this study. Each theme was then dealt with according to the data collected.

#### **4.12 Conclusion**

This chapter presented a historical overview of Jozini Municipality. This was done in a chronological order aimed at illustrating the changes which were introduced by political transformation in South Africa. It is worth noting is that part (Ingwavuma) of Jozini Municipality was a subject for controversy in the 1980s, and is still a subject for debate. The changes that took place in the post-apartheid era impacted on traditional boundaries.

This chapter showed that a qualitative approach was adopted for data collection and analysis. It also demonstrated that a case study approach was relevant in exploring developmental local government in the rural context, particularly where there are complexities and the sensitive nature of the study. It was relevant because of its different methods that are used such as interviews, observations and documentary analysis.

# CHAPTER 5

## POLITICS, GOVERNANCE AND DEVELOPMENT IN THE JOZINI MUNICIPALITY

### 5.1 Introduction

The first issue that seems to be prevalent is the clash between traditional and democratic structures on their roles and responsibilities. The clash between the two structures is related to a power struggle over who controls the area. People are divided by age on the issue. Young people seem to be rarely aligning themselves with the traditional leaders, but elderly people still acknowledge the value of the system, whilst the issue of development looms large for traditional leaders and elected councillors. The traditional system is at times politicized. Therefore, while some communities would like to cooperate with the municipal system they are afraid to defy their leaders. These two power blocs seem to be aligned to different political parties.

The data analysed in this study is divided into different themes. The first part of the chapter analyses the relationship between politics and traditional leadership. These themes give an overview of the main research questions such as the relationship between traditional leaders and democratically elected councillors and how this impacts on development. The second section considers the role of traditional leaders in implementing developmental local government. The ways in which the Jozini Municipality interacts with traditional leaders is examined in detail.

### 5.2 Politics and traditional leadership

The relationship between political parties and traditional leaders is dependent on various issues such as the organisation to which the traditional leader is aligned. The majority of respondents claimed that the relationship of the two structures is good under the Jozini Municipality with an exception of a few who were critical of the nature of engagement between political parties and traditional leaders. Traditional leaders who are aligned to political parties that are in charge of their areas relate well

with them, but under certain conditions. One of the major conditions is that political parties are not allowed to have meetings at traditional authority offices. This suggests that traditional leaders do not oppose political parties provided such organisations follow proper channels of communication and observe protocols. The second condition was that political party leaders were not allowed to use traditional structure representatives in inviting people to participate in party's meetings. This shows that traditional leaders do not stand in the way of politicians and do not prevent parties from meeting people. The municipal speaker argued that 'what traditional leaders dislike is the situation where political parties are found having meetings without their approval. It must be remembered that political parties do not have people. People belong to traditional leaders or amakhosi'.<sup>22</sup> One ward councillor argued thus:

The relationship is dependent as to what makes you to relate with traditional leaders. If you relate with traditional leaders with something that threatens their power, the relationship will not be conducive. If you relate with them with something that will bring development, the relationship will be good because they also like development, but we cannot say the relationship is sour at the same time we cannot say it is smooth (Interview, 12 October 2004).

This view showed that the relationship is a compromised one because councillors who come from political parties that form the municipality have got money, whereas traditional leaders have none. It was argued that disputes start because traditional leaders are under pressure from communities. They then pressurize councillors about development activities. If councillors do not respond to this pressure then the relationship becomes sour.

Some councillors maintained that the relationship is dependent on the reality that traditional leaders understand which political party rules and dominates in the Jozini Municipality. A civil society representative argued 'my understanding is that traditional structures relate well with political parties specifically at Jozini Municipality because the traditional structure is IFP orientated and the majority of councillors come from the very same political party which advocates for traditional leaders'(Interview, 15 October 2004). This view was supported by one ward councillor who is part of the EXCO who argued as follows:

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<sup>22</sup> Interview with the Speaker of Jozini Municipality who is a ward councillor and was given a mandate by the municipality to interact with traditional authorities before any development could take place and he also served while the part of Jozini Municipality was under Uthungulu Regional Council.

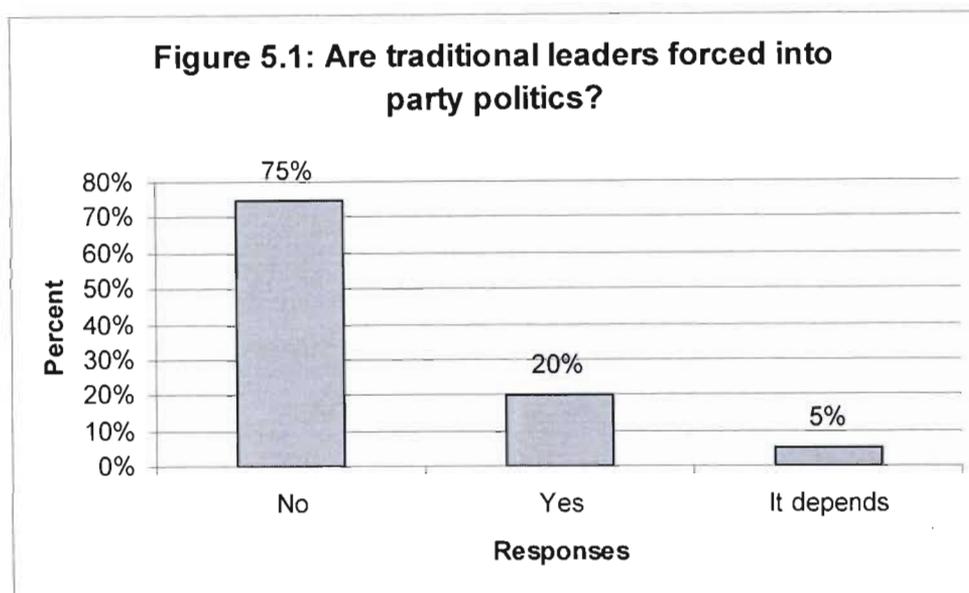
Traditional leaders are different, as the present government is informed by democracy, in that regard everyone has got a choice to go where he/she likes. What I can say is that the majority of traditional leaders are under IFP in KZN. In the Jozini Municipality they are aligned to IFP as it is the only party in KZN that recognizes traditional leaders (Interview, 25 October 2004).

One civil society representative argued that traditional leaders are pretending as if they relate well with political parties, particularly with the IFP, because they feel that there is nothing they can do on their own (Interview, 12 October 2004). Even if traditional leaders are not satisfied, they cannot complain; instead they are tolerant for the sake of the political party to which they are linked.

It is evident from figure 5.1 that 75% of the respondents hold the view that traditional leaders are not forced into party politics. There were different reasons advanced as to why traditional leaders were not forced into party politics. There were those who argued that it was optional for traditional leaders to be part of party politics. Traditional leaders' involvement was seen as an opportunity to practice their democratic rights which are entrenched in the constitution. Councillors argued that traditional leaders were not forced into party politics. Instead, they are part of party politics.

Twenty percent (20%) argued that traditional leaders were forced into party politics and supported their arguments by comparing the apartheid regime with the democratic regime. Community members and civil society representatives argued that traditional leaders were forced into party politics during the apartheid era and were threatened that they would not get paid if they did not implement government policy at that time. Such an approach intimidated many traditional leaders. Other traditional leaders joined politics because they were given incentives by the leadership of certain political parties. Traditional leaders noted that in the democratic era they are no longer forced to participate in party politics. Furthermore, it was noted that other traditional leaders were indirectly forced into party politics through certain policies such as the KwaZulu Amakhosi and Iziphakanyiswa Act (Act No. 9 of 1990) that were in place under the apartheid regime. Other traditional leaders involved themselves in politics for the sake of securing development projects for the people they represent.

The remaining five (5%) of the respondents argued that traditional leaders' participation in party politics is dependent on where they are, which party is dominating in that area and how members of that party behave. It was further stated that traditional leaders find themselves compelled to join politics as a survival mechanism, whilst others joined politics because their colleagues were doing the same.



As shown in figure 5.2, 60% of the respondents see a need for traditional leaders to involve themselves in party politics. These views were supported in different ways. Some respondents argued that there was a need for traditional leaders to be involved in party politics, because they govern through politics. It was argued that for traditional leaders to be well posted or versed with political changes that will make them take effective decisions on behalf of their subjects there is a need to involve themselves in party politics. However, some contended that once traditional leaders do not involve themselves in party politics it means they are excluding themselves from development activities. As one traditional leader argued: ‘if you exclude yourself from party politics development is skewed in your area, development is linked to politics’ (Interview, 11 October 2004). Others argued that if they did not participate it means they excluded themselves from exercising their civil and political rights. Some remarked that ‘there is a need to be involved in party politics for better understanding the political developments and even how government institutions

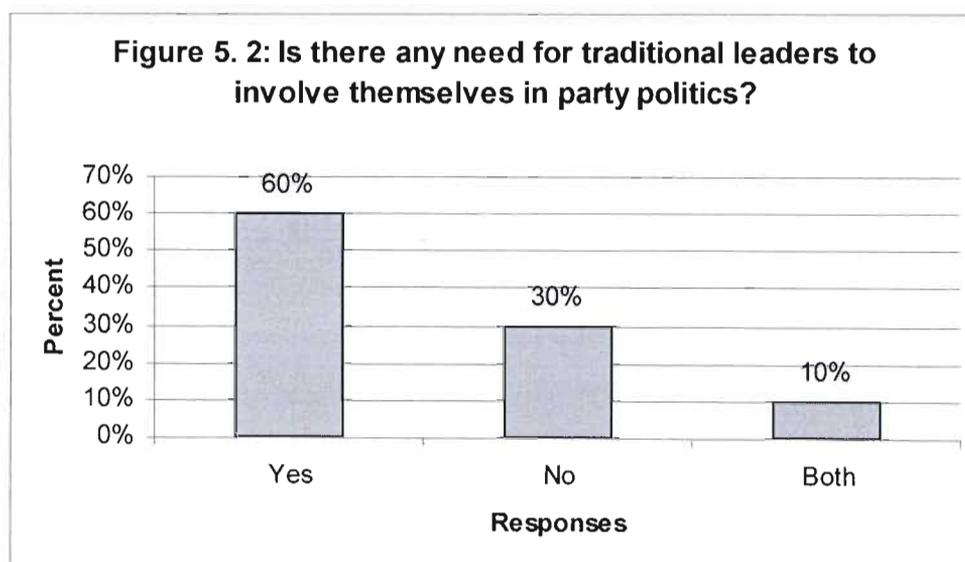
operate, more specifically at the local level. And without being involved in party politics there is little one can understand' (Interview with PR councillors, 9 October 2004). This was further supported by the view that the involvement of traditional leaders in politics is important because 'politics is an engine for everything and that such traditional leaders must involve themselves mostly with parties that advocate for and protect them' (Interview with ward councillor, 25 October 2004).

Figure 5.2 further shows that 30% felt that traditional leaders should not be involved in party politics. As one senior official argued: 'traditional leaders must participate in development issues, but it is a pity that politics drives development in that regard if traditional leaders distance themselves in politics it would mean they are distancing themselves from development' (Interview, 14 October 2004). Furthermore, others felt that involvement in party politics could lead to a situation where traditional leaders become bias and that would disturb their functioning and decision making because they would find themselves failing to accommodate other members of certain political parties which they do not support. One community member argued as follows:

There is no need for traditional leaders to be involved in party politics. Instead, there is a need for them to stand firmly in traditional leadership. Traditional leadership was there during apartheid and during the government of National Unity, and I am convinced that since they understand a lot of things in relation to rural communities they could have a strong influence on people and as communities since we know them and are close to us and our complaints will be directed to them. First and the foremost traditional leaders should make sure that they advocate for development from elected councillors because the elected have got the fixed term. Traditional leaders must make sure that within this fixed term elected councillors have to ensure that services are delivered. Once traditional leaders do not lobby for development in their respective areas, people would blame them, because they are always with people, and as their positions do not change. Traditional leaders should not be threatened by people (elected representatives) who conform to changes which are changing and twisting. In summary traditional leadership have got things which are static and which will be there for some times (Interview, 12 October 2004).

The remaining ten (10%) of respondents believed in both (that traditional leaders be involved and not be involved in party politics). The view that traditional leaders should be involved in party politics was supported on the basis that there are

traditional leaders who are already involved in party politics and already assuming roles and responsibilities in certain political parties. It was argued that ‘politics is about power, so the traditional structure is a political structure on its own. Once they run away from involving themselves in politics they will end up with no voice. At the same time if they are not active they will be swallowed by history so they need to improve themselves by being involved’ (Interview with ward councillor, 12 October 2004). Councillors and community members argued that traditional leaders should not be involved in party politics because they look after all communities regardless of affiliation. One community member felt that there is no need to be involved in party politics because traditional leaders could still perform their administrative and development duties without necessarily getting involved in party politics (Interview, 25 September 2004).



There were debates among stakeholders about the involvement of traditional leaders in party politics, and especially whether such involvement supports or impedes developmental progress. Most of the respondents (councillors, ordinary community members and civil society representatives) agreed that traditional leaders’ involvement in party politics supports development. Traditional leaders argued that they support development activities provided that such projects were introduced in their jurisdiction after consultation. Some traditional leaders argued that they involved themselves in party politics for the benefit of their subjects, because if they excluded themselves from party politics their subjects would not receive any

development projects. Traditional leaders supported this view by stating among that ‘their involvement in party politics does not stop development. Instead, traditional leaders are waiting for development. In that regard we welcome councillors if they come with development activities’ (Interview with traditional leader, 15 October 2004). Two traditional leaders were reserved about their involvement in both party politics and developmental issues, but agreed with the view that it supports development. As one traditional leader argued, ‘party politics support developmental progress, it is a matter that we need clarity on our powers in development so that we would be able to fully engage ourselves in developmental issues’ (Interview, 25 October 2004).

One civil society representatives supported the view that traditional leaders’ involvement in party politics promoted progress. This representatives commented that the promotion of development activities depends on how traditional leaders welcome ideas. It was further argued that ‘developmental progress is supported by traditional leadership and is the best structure to work with, although their powers are not well defined, but we do acknowledge their presence in as much as we also acknowledge the presence of councillors’ (Interview with civil society representative, 12 October 2004).

Two respondents who serve as traditional authority councillors, traditional leader advisers and municipal councillors<sup>23</sup> agreed that traditional leaders’ involvement in party politics support developmental activities. It was argued that ‘traditional leaders’ involvement in party politics supports development because co-ordination gets promoted and development activities get the fertile ground to be implemented and that if they are not involved in party politics development is retarded’ (Interview with PR councillor, 9 October 2004). These views were supported with sentiments such as the following:

Councillors are a product of politics and in such circumstances they are protected and governed through politics, therefore we need to work with traditional leaders for us to give development to people. If a traditional leader

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<sup>23</sup> This refers to the fact that there are traditional leaders who serve in both the traditional and modern institutions. These members are well vested in understanding both institutions and are well placed in providing tangible solutions where there are some conflicts.

has a sour relationship with the councillor, then development is disturbed and skewed. The municipality has got money for development and traditional leaders have got land and its subjects need to be developed (Interview with ward councillor, 25 October 2004).

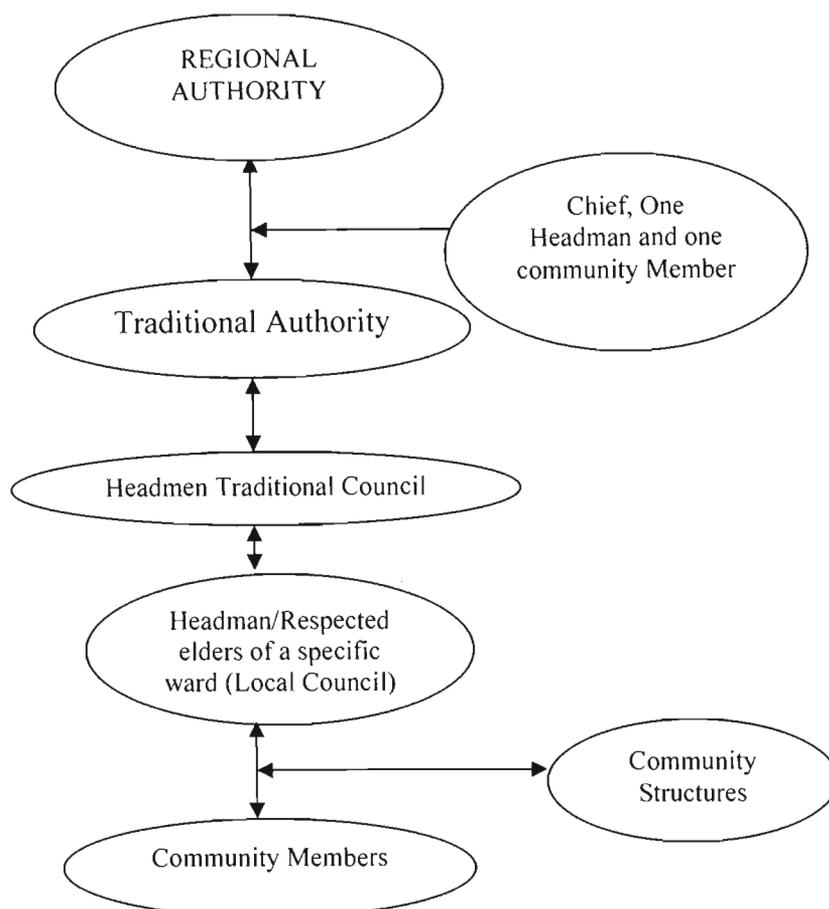
This shows the relationship that exists in the Jozini Municipality which is viewed as a compromise because the traditional leadership institution is faced with the problem of insufficient resources to provide services to their subjects. In that regard there has to be an exchange of resources (land and money) for the implementation of development projects.

In general, councillors were more impressed by the way the relationship between them and traditional leaders was taking shape. The Speaker commented as follows:

In Jozini Municipality, we have got a good working relationship with traditional leaders when it comes to development and most of them understand who leads this municipality. It is my responsibility to interact with traditional leaders or traditional authorities when there are development activities that need to be introduced. Even if such development activities come through the District Municipality, it has to go through Jozini Municipality. What I do is to take development agents to introduce them to traditional authorities when there is a traditional authority meeting or at times I introduce them to the traditional authority council. It is expected that the development agents have to explain the objectives of the project that they need to provide and how they would like to do it. After the agents, are welcomed, the headmen (Izinduna) hold public meetings in their respective traditional wards with an intention of disseminating information to people about a certain project that will be forthcoming. If the project touches all traditional authorities under Jozini Municipality, I take development agents and go with them to regional authorities under the jurisdiction of Jozini Municipality to let them introduce such project(s) (Interview, 25 October 2004).

This demonstrated the relationship that is currently taking place in the Jozini Municipality. However, this does not mean that these development agents are always welcomed in the traditional authorities as will be demonstrated later in this study. The comment from the speaker is summarized in figure 5.3.

**Figure 5.3: Hierarchy of Traditional leadership**



The Municipal Manager also supported the views from the speaker as follows:

In terms of relationship in general we agreed or took a resolution in this municipality that the speaker of the municipality must visit regional authorities, traditional leaders' areas and traditional councils to present what the municipality is doing. It is believed that through such visits co-operative relationship would be promoted between these two structures. The democratically elected leaders do their ground work as they understand how traditional leaders' operate. There are few cases where we can say we have failed to develop a good relationship between these two structures because traditional leaders are not part of the municipal council (Interview, 04 November 2004).

The history of this municipality with regard to the political party agenda informs the kind of relationship that should be maintained. The IFP aligned Mayor argued as follows:

What made the municipality of Jozini to resolve to work with traditional leaders is that the IFP is the party that recognises, respects and fights for the dignity and importance of traditional leaders. After the election of 2000, Chief Mangosuthu Buthelezi invited all IFP councillors at Emandleni who were

instructed that in all municipalities that are under the leadership of the IFP, councillors must make sure that they respect traditional structures and all other relevant structures that work closely with traditional leadership institutions. We as a party that respects our leadership came back and took a resolution to work closely with traditional structures in our municipality so that we do not have any conflict with traditional leadership as the municipality has more rural areas and is dominated by traditional communities (Interview, 05 November 2004)

Two municipal officials' respondents were critical about traditional leaders' involvement in party politics. One senior official argued that 'traditional leaders' involvement in party politics supports development because where there is politics, development is also part of the agenda' (Interview, 14 October 2004). One councillor provided a critical view when he said: 'if Jozini Municipality is a state I would say it is a one party state, therefore, most traditional leaders aligned themselves with the ruling party so that development would not suffocate. And most of them are realistic at times because once they see development they indicate as to where they belong' (Interview, 12 October 2004). This suggests that for traditional leaders to benefit from development in the Jozini Municipality there is no escape from politics. This is a similar case with councillors, if they need to provide services to communities they have to co-operate with traditional leaders.

One traditional leader and civil society representative noted that traditional leaders' involvement in party politics provide different opportunities for development. One traditional leader further argued that 'traditional leader's involvement in party politics supports while at times it impedes development' (Interview, 15 October 2004). A key determining factor in this regard is that party affiliation influences who got services and who did not. Whether such involvement supports or impedes development can be seen from the argument that:

In Jozini Municipality there was a situation where people did not accept the water scheme because of the fact that they would be seen as being associated with the ANC. This resulted in a situation where people distanced themselves from that water scheme. At a later stage some realised that those who accepted such delivery enjoyed the availability of water in times of drought while those who rejected such scheme suffered drastically (Interview with civil society representative, 15 October 2004).

The case of the water scheme was a good example of how the governments' commitment to poverty reduction and service delivery could be derailed by political tensions.

The national government is aware of the tensions between traditional leaders and elected councillors. It responded to the matter through the formulation of various legislations such as the White Paper on Local Government and the White Paper on Traditional Leadership. In Jozini Municipality, there are no development projects that are provided without the consent of traditional authorities. This is facilitated through workshops and frequent visits to traditional authorities mostly represented by the IFP political leadership so as to open a space for councillors to operate effectively. The Mayor argued that 'councillors understand that their role is to work on development issues in traditional leaders areas. In a place where there were traditional leaders, before any development could take place it is our (Jozini Municipality) policy to ensure that traditional leaders or Izinduna were consulted and a consensus was reached as to how the project would be implemented' (Interview, 05 November 2004). This view was supported by the statement that 'when we talk about development issues the relationship is good, but when it comes to issues that would eliminate the powers of traditional leaders the relationship takes another shape. This forces the municipality before any thing could happen to sit down and set terms of reference so that development could effectively take place' (Interview with ward councillor, 12 October 2004). The drawing of terms of reference or a memorandum of understanding reflects how each structure is suspicious of the other. One councillor commented as follows on what informed the terms of reference: 'traditional leaders thought that we as councillors were part of those who did not want to make any clarity about their role in local government. Traditional leaders forget that councillors work with policies enacted from the national government and provincial government which are supposed to be implemented at local government level' (Interview, 25 October 2004).

One ward councillor and ordinary community member argued that the government is running away from the responsibility of giving clarity about the roles and functions of traditional leaders and councillors. One community member argued as follows:

In my view the government does not want to come clear on the role of traditional leadership. We as communities acknowledge and witnessed the role of traditional leaders and they have vast responsibilities. At the same time we have observed that their responsibilities are disturbed by the shortage of funding to fulfil them. I argue that there is no need for traditional leaders to have responsibilities without resources and we also admit that traditional leaders need to be empowered (Interview, 12 October 2004).

One of the IFP aligned councillors argued that ‘it is a political agenda of the ANC government to do away with the institution of traditional leadership, especially in this province of KZN since the majority of traditional leaders support the IFP’ (Interview, 25 October 2004). This is reflected in government policies which were enacted in favour of the elected representatives (Interview with traditional leader, 11 October 2004). Table 5.1 shows the impact these tensions have on the IDP which is an important document for spearheading development at a local government level.

As table 5.1 shows, 30% of the respondents agreed that these tensions are impacting negatively on the IDP because they give latitude to councillors not to observe protocols. At the same time they do not give feedback on development activities. This further contributes to the improper implementation of the IDP. Traditional leaders and community members also highlighted that these tensions left an open space for councillors to decide as to who gets development projects. It was further argued that at times development projects are provided in a non-conducive environment that makes such activities to move at a snail’s pace. One ordinary community member provided balanced views by noting that ‘there are traditional leaders who still want to prove to elected councillors that they are still in charge. Similarly, some councillors are unnecessarily arrogant in that they by-pass traditional leaders simply because they enjoy public support because they were elected into the office’ (Interview, 25 September 2004).

Forty percent (40%) of the respondents, most of whom were municipal representatives, argued that they ensured that tensions were avoided by involving traditional leaders when identifying development priorities. This depended on the way in which councillors interacted with traditional leaders. It was argued that ‘conflict starts only if a ward councillor is not following the right structures or when the communication channels are not followed by either party. What is important in

Jozini Municipality is that councillors should keep on updating traditional authorities about developmental progress, because they are working for people who support traditional leaders' (Interview with municipal official, 14 October 2004).

It was noted that most of the traditional leaders do attend IDP meetings because they were aware that IDP informs development activities. One councillor argued that the participation of traditional leaders in IDP processes should not be viewed as if clashes between these two structures (elected representatives and traditional leaders) do not exist. The study revealed that the attendance of most community members in IDP processes seems to be dependent on traditional leaders. As one official argued: 'people always come to listen Amakhosi than the politicians in rural areas. When Inkosi invites people to come and listen to a councillor or a politician on development activities people come in numbers' (Interview, 14 October 2004). The Municipal Manager captured these views as follows:

We are not pushing traditional leaders to compromise their positions. If there are gatherings such as IDP meetings, we do invite them and they do attend. Traditional leaders do play a role as they are recognised by the communities in making the environment conducive for participation and for project implementation. The resolution the municipality adopted in advance was to involve traditional leaders in municipal activities to prevent conflict that might emanate in future between the two power blocs (Interview, 04 November 2004).

It was found that in cases where ward committees were already established a relationship was forged between headmen and ward committee members. The resolution the municipality adopted was to report to traditional authorities, and what happens is that Izinduna (headmen) are allowed to sit in ward committees as ex-officio members, in that way ubukhosi (traditional leadership) is kept informed through Izinduna about municipal activities. These headmen are also expected to give feedback to their respective traditional wards.<sup>24</sup> It is only the Izinduna that participate in such ward committee<sup>25</sup> meetings that may be able to report back to their respective wards or areas about municipal activities. This may widen the gap of information

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<sup>24</sup> This refers to traditional wards which were created in a traditional way through natural boundaries such as mountains and rivers.

<sup>25</sup> This refers to modern wards which were established in municipalities' jurisdiction as per the recommendation of the Municipal Structures Act. These wards are different from traditional wards because the modern wards combine many different traditional wards in each modern ward.

dissemination between those who may not be in a position to participate in ward committees and those who may not give feedback at all.

Among the 30% of those who were uncertain on whether these tensions are impacting on the IDP, there were concerns that there are tensions between traditional leaders and elected representatives about who controls the area. It was noticed that people were divided by age on the issue. Young people seemed to be rarely aligning themselves with the traditional leaders, but elderly people still acknowledged the traditional political system. The study found that the IDP was introduced when there was an ongoing conflict between traditional leaders and elected representatives which were caused by the overlaps on activities and the misunderstanding on the side of traditional leaders as to how the modern system operates. Community observers argued that the IDP concept was very new to the current political leadership at local government level. Accordingly, respondents argued that there was still a top down approach because the IDP was not people driven; instead the consultants were driving the IDP. One community member and civil society representative argued that the IDP process was highly politicised, since other stakeholders were not consulted. The rationale behind the non-consultation was that communities were not organised. It was argued that people were invited to participate in the IDP once they are on the database and part of the IDP Forum.<sup>26</sup>

**Table 5.1: Are tensions between elected representatives and traditional leaders impacting on the IDP?**

<b>Responses</b>	<b>Number</b>	<b>Percentage</b>
Yes	6	30%
No	8	40%
Uncertain	6	30%
<b>Total</b>	<b>20</b>	<b>100%</b>

Councillors argued that when the municipality started to operate it was difficult to work with traditional leaders who believed that councillors wanted to take away their

<sup>26</sup> This forum is made up of various representatives from government departments, civil society organizations and the business people around the jurisdiction of the municipality and other stakeholders that they know they would have something to provide to the municipality. This forum is criticized at times because of its exclusive nature as it is unrepresentative according to gender.

powers. The conflict was about power to govern people. Accordingly, this study revealed that what made the IDP process and concept more problematic was the fact that after recognising that traditional leaders are important stakeholders, when councillors were trained on IDP matters, traditional leaders were excluded. The municipal manager argued that traditional leaders were excluded because there were some outstanding issues about their participation in local government affairs (Interview, 04 November 2004). Officials were constraints as to what would be traditional leaders' role should they invite them in municipal affairs. Also, they did not have a budget allocated for traditional leaders to participate in the municipality. Although traditional leaders were later invited they did not attend. Instead, some traditional leaders sent their representatives to IDP training sessions. One could argue that these traditional leaders were invited after realising that it was not easy to implement most of the programmes without their co-operation.

Some of these initiatives included inviting traditional leaders to the launch of certain projects. Some of these attempts did not work because of the diverse nature of traditional leaders, their level of understanding of development issues and their leadership approach. A practical case was that of a certain traditional leader (at KwaSizakatha Traditional Authority) who rejected a housing project which was a priority in the municipal IDP. People preferred low cost houses but due to the fact that the traditional leader had another opinion as to what should be provided for his subjects, this project had to be stopped. This suggests that the traditional leader had his own IDP for his people which was different from that of the municipality. In essence that traditional leader wanted his people to be provided with water. Water was not part of the services which fall within the powers and functions of Category B<sup>27</sup> municipalities. In this regard the Jozini Municipality had some problems with the rejection of low cost houses because they had to shift the project to another area. This could be viewed as a tension which impacted negatively on poor communities because of the failure of the two power blocs to reach a mutual agreement on what would contribute to poverty reduction.

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<sup>27</sup> These are local councils which share similar decision-making with the District Council in whose are they fall, according to their capacity.

From the perspective of poor people, the problem was not that they were resisting development but rather that the municipal authorities had failed to consult the KwaSiqakatha Traditional Authority. They also resented the fact that the municipal authorities failed to treat people in rural areas according to tradition. Instead, traditional leaders were treated in the same way as urban dwellers, irrespective of their socio-economic predicament. The rejection of the housing project raised a lot of suspicions among stakeholders involved in development at Jozini Municipality. Some believed that the traditional leader was against the political party that governed the municipality. This led the Municipal Manager to argue as follows:

If the Inkosi of KwaSiqakatha or a certain Induna of KwaSiqakatha was part of the municipality in charge such project would have been implemented because they would have shared the objectives of the project. It is clear about this project that these two structures had different views. In essence the councillor had a different view point as compared to the Inkosi of KwaSiqakatha. The point of departure that I would like to see as the Municipal Manager is a situation where both structures would be able to take decisions together and such mutual agreement could effectively lead to such projects being implemented in time (Interview, 04 November 2004).

The Municipal Manager was concerned about conflicts between councillors and traditional leaders, and wanted both structures to be involved in participating in decision-making.

### **5.3 Traditional leaders and land under Jozini municipality**

According to the data collected traditional leaders still play a crucial role in land allocation under Jozini Municipality as demonstrated in Figure 5.4. Most community members in this municipality know that if they need sites what channels they have to follow as reflected in Appendix 2. The procedure in which business sites are allocated seems to be similar to residential sites. The difference is with the amount paid for business sites as compared to residential sites. What is worth noting in regard to a business site, and for other institutional buildings such as churches, is that a letter had to be written and be supported by the constitution or a business plan of that

institution so that the application could be debated at a traditional authority meeting.<sup>28</sup> Once the application had been approved at such a meeting, then a traditional stamp was put on the letter and filed. A copy of the decision was given to those who lodged the application. The channels which local residents follow for land requisition is different from the one followed by an outsider. Also, the amount which was paid by an outsider was different from that which was paid by local residents.<sup>29</sup> An outsider pays the so called *khonza fee*<sup>30</sup> which refers to administration costs.

It was further noted that in each and every traditional authority, there was land earmarked for public facilities such as clinics and schools. In certain cases it was argued that such earmarked land belong to certain family members. In such cases traditional leaders played a critical role in intervening and encouraging the community around the area and such families to donate with the land in question so that development could take place. In Jozini the Municipality did not have any options except to go through traditional authorities if they require land to provide development projects for communities. One senior official argued that ‘traditional leaders are the custodians of the land. In order, for a municipality to provide development activities they need land. Therefore, the municipality is forced to go through traditional leaders to get land, and follow proper channels and protocols. If they refuse to release the land then specific reasons are given’ (Interview, 14 October 2004). This view was supported as follows:

The issue of land is clear. Land is under Amakhosi that is why if there is a project to be provided we go straight to traditional authorities, and traditional leaders allocate land for projects. It is good to approach traditional leaders for the sustainability of projects because land in rural areas belong to certain people and most of the time chiefs do not have any problem to discuss issues of land with such people. As the municipality we recognised that traditional

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<sup>28</sup> Notes taken at Mathenjwa Traditional Authority meeting on the 06/10/2004 where a Zion Church requested land to build a church but created concerns among traditional council members that there were too many churches which were close to each other.

<sup>29</sup> Interview held at Mathenjwa Traditional Authority on the 06/10/2004 showed that local residents pay R200-00 for residential sites and R1000-00 for business sites. Outsiders pay R1000-00 for residential sites. I was told that the money is used to pay for local students at tertiary institutions; lack of hard facts prevents me from saying with precision that this was the case. I still do not know because auditing their books was not my intention. Interview with Nyawo Traditional Authority on the 15/10/2004 showed that the money is used to buy stationery for the traditional authority so that it could continue operating. I still also do not know because I did not have access to their books and registers and they were going to view me with suspicion should I required to have access to their books.

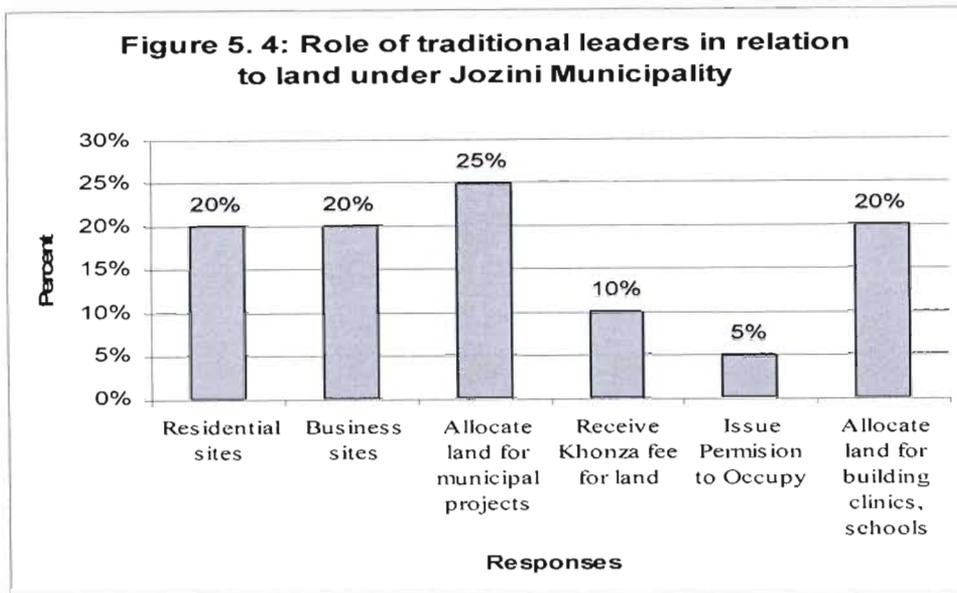
<sup>30</sup> This refers to a cash fee which is paid by a person coming from a different traditional authority.

leaders are the custodians of the land, and the municipality respects these powers. The municipality had certain resources to provide development, but did not have other resources such as land; that is why the municipality requested traditional leaders to provide land for development. If we by-pass traditional leaders it is likely that this may lead to conflict in communities (Interview with Speaker, 25 October 2004).

This shows that access to land can lead to conflict, as the ownership is with traditional leaders. This attests to the view that the accomplishment of rural development is linked to supports from traditional leaders for specific projects. The Mayor argued as follows:

Without respecting and recognising the role of traditional leaders in rural areas you cannot do anything. The role is important because people in rural areas strongly respect their traditional leaders. If you come as a councillor and you talk about development and start with traditional leaders it becomes easy because communities still respect traditional leaders. Traditional leaders and land are part of the life in rural areas. If a councillor comes and says I am here to provide you with development and you do not mention what their traditional leaders have said in relation to that development, people will not take you very seriously and you can go back with your money. In this regard, traditional leaders' role is very important and it is very crucial to lobby traditional leaders for development. Once you win supports of traditional leaders it becomes easy for development projects to be highly accepted by communities (Interview, 05 November 2004).

This attests to how influential traditional leaders are in development, especially with regard to issues related to land. One IFP aligned councillor argued that 'IFP councillors and IFP led municipalities were warned by IFP leadership that powers for land allocation and administration belong to traditional leaders. The problem is that it delays development processes because one should keep on requesting and making some follow up until they agree to release the land' (Interview, 25 October 2004). This situation has put councillors at the centre of conflict because communities would be looking to be provided with services whilst councillors at the same time would keep on requesting land from traditional leaders. Currently, it is up to traditional leaders in the Jozini Municipality whether they approve the application for land or not.



It was noted that most respondents in all groups hold that there are no “no-go areas” under Jozini Municipality even though traditional leaders have a loud voice on issues related to land. This suggested that traditional authority areas are democratic to an extent that all people are allowed to exercise their rights. It was further argued that each and every community member can go anywhere without any disturbance no matter which political party dominates in that area. However, civil society representatives and ordinary community members felt that the traditional structures are still dominated by the old people who tend to be authoritarian and bureaucratic. This gives less voice to communities to express their views under this democratic regime. One councillor who was objective argued that ‘it is not only traditional leaders who make the situation untenable at times, instead, some councillors with their attitude make it difficult for certain projects to kick start’ (Interview, 12 October 2004).

#### **5.4 Traditional political system and development**

Figure 5.4 indicates that 20% of councillors who participated in the study argued that both municipal and traditional structures should work together so that long-term development and sustainable projects are realised at Jozini Municipality. These councillors proposed that it could be advantageous for traditional leaders to become part of the council and advice on certain issues. If such a proposition was

accommodated, then traditional leaders would receive the same council agenda as that of councillors. One councillor argued that ‘to make traditional leaders part and parcel of municipal processes would be an advantage for the municipality or councillors to lobby them to attend planning workshops’ (Interview, 25 October 2004). The councillor raised this issue because he observed that the sending of representatives by traditional leaders seem to be adding to existing conflicts/tensions. Observers argued that most representatives who were sent by traditional leaders do not report exactly what were discussed on meetings and what they were trained in during workshops. Instead, information got distorted. The complementary role was advocated because of the existing practise which was forged a long time ago under the jurisdiction of Jozini Municipality. It was revealed that there was an existing relationship that before development projects kick-started they were introduced at Regional Authority level, but for implementation such projects were introduced at traditional authority level. This suggests that such complementary relationships existed historically although it kept on changing due to the political landscape.

Five percent (5%) of the councillors argued that they worked in an environment that was not well clarified and defined and without a clear mandate. The speaker argued that ‘since the national government is silent about the matter of traditional leaders, we discuss with them because we understand what their role and functions were in the past’ (Interview, 25 October 2004). Evidence seems to suggest that the translation and implementation of policies at local government level are informed by historical experiences such as who was responsible for development projects before the democratic regime.

Traditional leaders (30%) opined that the working together of both tribal leaders and elected representatives would sustain long-term development projects. What traditional leaders put as a condition in that mutual relationship was that they did not want to be instructed by councillors. It was argued that there was a need to witness the implementation of services and development projects instead of being promised projects which were later not provided. One traditional leader argued: ‘I think there should be a working relationship between the two structures so that there could be long-term development activities. But if there is conflict that hinders progress, leaders from both structures should sit and discuss differences if there are any’

(Interview, 15 October 2004). Among traditional leaders 5% advocated for clarity on their roles in promoting development at the local government level.

Officials who had got the mammoth task of implementing the day-to-day government policies supported a working relationship between both structures. The Municipal Manager argued as follows:

My view is if Amakhosi are sitting fully in the Municipal Council Chamber and contributing effectively even though that would be compromising the Municipal Structures Act requirements on the way the municipality should function, but there would be no delays and duplications. What is currently taking place is that every councillor after each meeting is expected to meet with various traditional leaders and report as to what will happen within their areas. Some of the traditional leaders do not respond very quickly. I feel that development is delayed through such chains. There are some delays because respective councillors have to start securing appointments with traditional leaders (Interview, 04 November 2004).

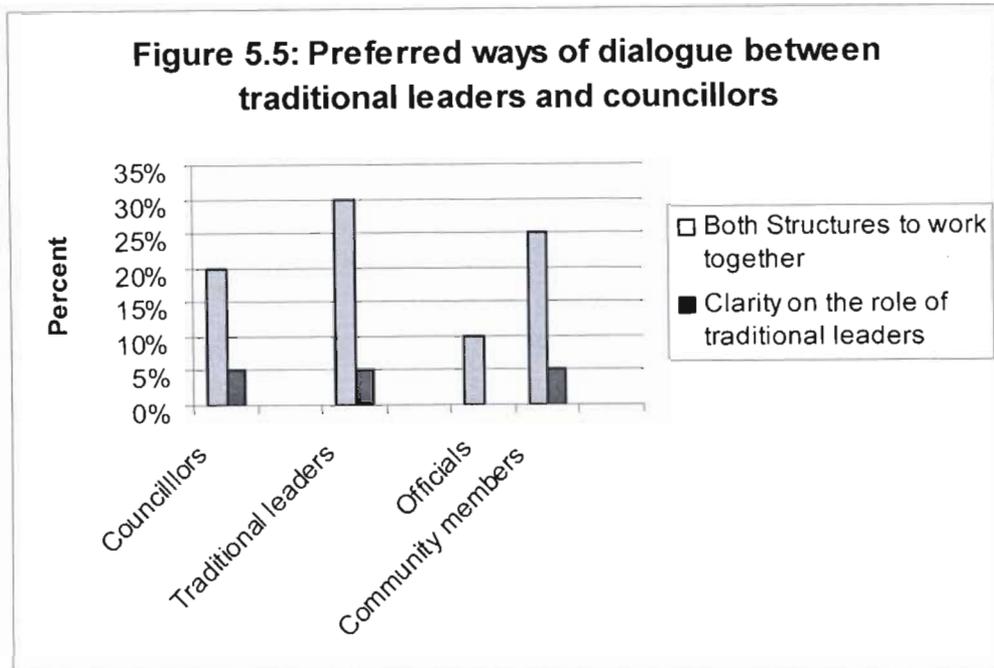
This illustrates the problems that officials are facing when implementing local government policies. It is these senior officials who have to be accountable at the end of the day. Although in certain cases these officials assume that elected councillors do their ground work of forging a relationship with traditional leaders but this cannot be simply generalised as if all councillors do the same. There are those who support traditional leadership and those who are against. A similar situation prevails with officials. A senior official argued as follows:

The municipal council and the traditional council must come and work together. It should be ensured that traditional leaders are involved in the budget process of the municipality. Traditional leaders' involvement in budget process would mean they own the process and they would be proud of the process. Being involved would also enable them (traditional leaders) to identify and be informed about development issues (Interview, 14 October 2004).

This notion seems to be against the practice of always informing traditional leaders about decisions taken in their absence.

Community members who are also at the receiving end observed that there is a need for these two structures to work together. Twenty percent (20%) argued that for effective engagement these two structures should work together. One community

member suggested as follows: ‘It would be preferable to bring both structures so that they would be able to understand each other. Other traditional leaders do not know where they stand’ (Interview, 12 October 2004).



Civil society representatives were suspicious of the government for providing more powers to local elected representatives. Instead, of solving the political stand-offs between the two structures, it opted for giving more powers to elected representatives through the enactment of different policies. The granting of more powers to local government representatives resulted in tensions between these two structures. One community member warned that ‘elected representatives should work with, not in competition with traditional leaders. Development meetings should not only be sanctioned by government but should be initiated by both parties on their own free will. They should also address public meetings jointly’ (Interview, 25 September 2004).

As long as these structures continue to work parallel to each other developmental activities are bound to suffer because each would be tempted to oppose development activities introduced by the other. One councillor argued that ‘the implementation of developmental local government in rural areas is dependent upon giving a voice to traditional leaders within this municipality’ (Interview, 12 October 2004). In other

communities there are those who advocate for traditional leaders and those who advocate for councillors. It becomes difficult to work in such communities and this result, ultimately, in the discontinuation of development projects.

What happens is that these groups (traditional leaders and elected councillors) criticise each other on development issues. It is worth noting that these criticisms seem to hold back development projects because where there are disagreements between traditional leaders and elected representatives, development is likely to suffocate. It was argued that elected representatives would not be able to report anything associated with any misuse of or vandalism to traditional leaders if councillors are not working closely with traditional leaders. This would be exacerbated by the invisibility of councillors in the constituency. This further limits time for giving feedback to communities about development issues.

There were some respondents who argued that there is still some contestation among departments. It was noted that for developmental local government to be implemented there should be co-operation among government institutions. Some councillors interviewed were calling for some of the provincial departments to start respecting municipal IDPs. The Mayor maintained: 'some of the provincial government departments by-pass the municipality and launch projects with traditional leaders within municipal boundaries. These government departments are aimed at creating conflict between traditional leadership institution and the municipality at Jozini' (Interview, 05 November 2004). This kind of activity seems to create projects which would not be easily maintained.

The consolidation phase of local government needed most stakeholders to work together for the achievement of developmental local government. This introduced a number of institutional changes at local government in order to support development in rural areas. It was clear in Jozini that traditional leaders were at the forefront for implementing rural development projects during the apartheid period and most line functions departments operated through them. With changes in the political system rural communities became exposed to different structures providing basic services. Development projects which were provided through traditional authorities before 2000 had to be implemented through municipalities. With the second democratic

local government elections in South Africa, traditional authorities witnessed the shrinking of their powers.

### **5.5 Preferred structure to lead development in the Jozini municipality**

The distribution shows that 45% of the respondents prefer a joint service delivery (traditional leaders and councillors). This was supported for different reasons ranging from cost reduction to conflict resolution. Through joint service delivery it was hypothesised that the amount of resistance and opposition by the followers of each of the two parties would be reduced. Councillors and traditional leaders joint service delivery because most of the areas under Jozini Municipality are rural and dominated by traditional leaders. Existing evidence seems to attest that councillors would currently not be able to work in isolation. One senior official argued that these two structures should lead development projects because ‘if one is leading without the other, one cannot succeed’ (Interview, 14 October 2004). This view was supported by a traditional leader as follows: ‘both structures should work together because we all lead people. Another important factor is that councillors may keep on changing and on that note people will keep waiting and crying for development activities. Traditional leaders are full-time at people<sup>31</sup> and we need to be given a direction as to how we should work together’ (Interview, 25 October 2004). This suggests that although there are those who advocate for working together, they do not have a clue as to how that should happen. Another view presented was that both structures could work together provided there is a memorandum of understanding.

What emerged from this study was that 45% of respondents, the majority of whom were councillors argued that development activities should be led by councillors. Traditional leaders and councillors supported this view by stating that councillors form the legitimate structure which is part of the government. This structure was established through government policies. Councillors have tools to monitor development such as strong administration. Arguably, traditional authorities do not have all these tools except traditional offices. Some traditional authorities do not have expertise for managing and leading development projects such as planning and

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<sup>31</sup> This refers to the fact that traditional leaders are always visible to communities as compared to councillors.

evaluation. To a certain degree, traditional authorities do not have budgets to implement projects. In addition, evidence attests that councillors should lead because they are part of the government which has got a mandate to deliver to communities.

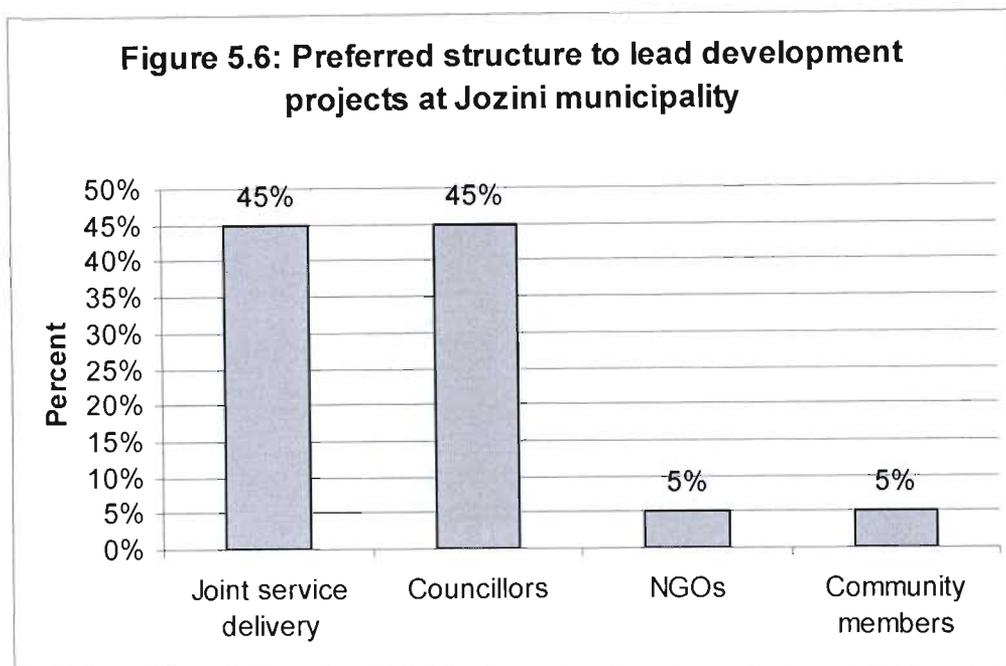
Two traditional leaders and councillors suggested that it was better for development to be led by councillors because it was easy to determine how money was utilised. This is all about following accountability principles. There was a view that once development was led by traditional authorities corruption was likely to take place. Evidence seems to suggest that controlling corruption in traditional offices was difficult because the accountability that takes place is different from the way it takes place in modern institutions. If any corruption occurred councillors could be sued and fired from the office, whilst this is not the case with traditional leaders.

Councillors argued that development should be led by them because they had access to government funding. There was a view that access to government funding would be meaningless and would not guarantee the provision of services in the Jozini Municipality if there was no interaction between elected representatives and traditional leaders. One councillor argued that ‘councillors should lead development because they are part of government and receive most of the mandate to deliver from government spheres. When the councillor receives development projects it should start consulting with traditional leaders’ (Interview, 25 October 2004). This councillor was supporting the former view on how development should be implemented.

As a result of conflict between traditional leaders and elected representatives 5% of the respondents argued that development should be led by non-governmental organisations until these two parties reach a consensus on priority projects and implementation. It was argued that once development is led by NGOs, traditional leaders and elected representatives would then have time to deal with their difficulties that impact negatively on development activities.

Other respondents (5%) recommended that development should be led by community members themselves because they are the ones who are suffering because of the tensions between the two structures. This view was further supported by the

argument that traditional leaders and councillors were causing conflict in projects that were initiated by communities. These respondents argued that since communities were initiators of these projects they also knew how they intended such projects to be implemented.



## 5.6 Legal frameworks

Local government policies are difficult to implement because some bureaucrats and officials do not understand the new legislation. Most respondents argued that in many development projects implemented with traditional leaders, there were no directions as to how such projects should be implemented. This questioned the model used for disseminating information to people working at local level. It was crucial that new policies be made clear to local government officials and other stakeholders involved in development project implementation. It was noticed in this study that there were lot of institutional changes which were rapidly taking place at local government level. A good example would be the issue of traditional leaders and elected councillors and how they should work together for the implementation of rural development projects. Some admitted that most of the legal frameworks gave more powers to councillors as compared to traditional structures. As one councillor argued that 'legal frameworks are hindering development, because they led to the shift in recognition, in favour of

municipalities which is new in our community. Councillors are more recognised than traditional leaders, and this destabilises the traditional structure and such destabilisation becomes a source of conflict' (Interview, 25 October 2004).

Some argued that local government policies were not complied with. Most of these policies seemed to support elected councillors and are silent about traditional leaders' role in development at local government level. But one can construct an argument that the implementation and the interpretation of legal frameworks are dependent on who is in power. Other councillors indicated that they worked with traditional leaders because of their rural background and experience. In that respect, one traditional leader argued that councillors do have space to work, 'if there is no development it means that such a councillor is failing to attract development' (Interview, 25 October 2004).

It emerged in the interviews from different respondents that legal frameworks used in local government such as the constitution do not clarify the roles of traditional leaders in local government. Although officials do know what strategies can be used to deal with these practical problems associated with the political stand-off between councillors and traditional leaders, the municipality did not have sufficient financial resources to spearhead most of these strategies. One senior official argued: 'I would be happy to see a legal framework putting it straight as to what should be the roles and functions of traditional leaders in local government' (Interview, 04 October 2004).

## **5.7 Structures and mechanisms**

Different participants (traditional leaders and councillors) argued that there is minimal training provided to the institution of traditional leadership. It was noted in most of the local government policies that the institution of traditional leadership could play a role in development, but some of these policies do not indicate how they should be involved. What has been the cause for concern was to understand whether the government is taking any responsibility in capacitating this institution. Most of the policies were enacted at the national level so what is expected is for the central government to take an initiative in capacitating the institution of traditional

leadership. However, respondents argued that national government did not play a role in training traditional leaders, and limited support was provided by the province. The Mayor argued that only the municipality does training for these two structures (traditional leaders and elected representatives) with its minimal budget. It was further argued that NGOs also trained traditional leaders, but without any follow-up to assess the efficiency of such training.

Councillors argued that chiefs who were given such training became more co-operative when it comes to development issues. This depicts the marginalisation of some of the members within the institution such as headmen, despite the large amount of work in which they are involved. It needs to be noted that headmen are also important in rural areas in different ways such as facilitating public participation and resolving local disputes in the absence of chiefs.<sup>32</sup>

Councillors argued that in other circumstances those traditional leaders provided with training programmes were more co-operative regardless of the fact that such training programmes were not well co-ordinated. Some of the training programmes were initiated by individual organisations on what they think is relevant to traditional leaders. It could be advantageous if such training programmes were developed in consultation with traditional leaders themselves. One traditional leader argued: 'training given to traditional leaders is not enough, at times we feel that we should be given more, for development related issues. It is worth noting that traditional leaders are not the same. There are those who are not exposed to developmental issues whilst others are exposed. That is why we feel it would worthwhile to provide us with training' (Interview, 25 October 2004).

The issue of training programmes is a highly contentious issue; the government is currently capacitating the elected representatives, rather than traditional leaders, despite the fact that they were constitutionally recognised. It could be argued that the government's failure to train traditional leaders seemed to indicate that it was eliminating them from playing an active role in the current system and in the new

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<sup>32</sup> This has been noted at Mathenjwa Traditional Authority where the Chief Headman is acting as a chief since the death of Chief Mathenjwa. The same thing happened at Mngomezulu Chiefdom/Mngomezulu Traditional Authority since the death of Chief Mngomezulu.

approaches of development. Councillors contended that they were not aware of any workshop to capacitate traditional leaders. Instead, they were only witnessing debates about the issues of traditional leaders which are not productive at all at the end of the day. It is worth remarking that policies are in place but the government is lagging on the practical side. The Municipal Structures Act and the Municipal Systems Act refer to the participation of traditional leaders in municipal affairs, but these frameworks lack clarity, and do not consider the tensions between the two power blocs.

### **5.8 Relation between traditional leadership and government officials**

Some of the government officials were interacting well with the institution of traditional leadership. Other departments in KwaZulu-Natal Province (such as Department of Transport, Department of Education and Department of Health) even extended invitations to traditional authorities to show that they recognised the traditional leadership structure. Institutions such as schools and clinics were almost reporting most of their activities to traditional authorities. Even if there were new committees that were established, traditional authorities were kept informed. This was informed mostly by the experience and the knowledge that officials had about the structure. One traditional leader argued that ‘committees which are functioning under traditional authority areas are compelled to open their files in a traditional authority so that they will know that they are functioning and if their terms end they are also compelled to go to the traditional authority and close their file’ (Interview, 14 October 2004). Other officials went to an extent of even attending regional authority meetings<sup>33</sup> because it was where they were able to make presentations of the projects they were intending to implement. This shows that most officials who are working in rural areas understand protocols. It was a cause for concern as to what happens to officials who are working in rural areas who do not have any knowledge and experience of working with the structure of traditional leadership.

What needs to be noted is that the relationship is different from one department to the other and from one sphere of government to another. What the study revealed was

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<sup>33</sup> This is where different traditional authorities meet to discuss development issues. Regional authorities are formed by different traditional authorities. In most cases departments use this space to inform different traditional authorities about upcoming projects that might be provided in traditional authority areas. These meetings are held once every three months.

that there are departments which are working closely with traditional structures such as the Department of Transport in the province of KwaZulu-Natal in its project of alleviating poverty. The transport forum reports most of the activities to traditional authorities. With the officials under Jozini Municipality, there were also a kind of interaction between officials and traditional leaders. But the relationship that currently exists needs to be observed very closely. One official argued that ‘most of our leaders or politicians under Jozini Municipality come from the IFP therefore we as officials are forced, like it or not, to communicate or to relate with traditional leaders’ (Interview, 14 October 2004). This was supported by a councillor who argued that ‘municipal officials respect traditional leaders because councillors respect traditional leaders’ (Interview, 25 October 2004). The councillor further argued that ‘Ingane ehloniphayo yenza njengomlayezo kababa wayo [which literally means: A child who respects does as his father has instructed him]’. This shows how officials were forced by the political leadership in the Jozini Municipality.

Officials protect themselves by involving traditional leaders, because some councillors also supported traditional leaders to certain extent. There was no escape for officials as most activities at local government were guided by the political leadership in most municipalities. By involving traditional leaders officials prevent the frustration they might encounter during the implementation exercise should they exclude them. It was further argued that there were other government departments which by-pass traditional leaders and did the same thing even to the municipality. What was highlighted more often was that rural local government politicians who have rural backgrounds interact well with traditional leaders because they know how the institution of traditional leadership operates.

There were different views about how traditional leaders relate with elected representatives. These views came from traditional leaders and councillors. Traditional leaders complained that most councillors were part-time. Consequently, councillors played a minimal role in addressing the needs of the communities. Instead, they seem to commit themselves more on their full time work. Observers argued that councillors who work on a part-time basis contributed to the slow delivery of services. Traditional leaders complained that councillors were not visible to communities. What was required was for councillors to be introduced and to be

visible in traditional authority meetings. It was assumed that if councillors availed themselves in traditional authority meetings they would be able to achieve the common goal which was service delivery to communities. One traditional leader argued that 'traditional leaders would appreciate seeing councillors in traditional authorities if there are meetings, just to inform us about development issues' (Interview, 15 October 2004).

It was pointed out earlier that the municipality of Jozini is headed by the IFP councillors and most of the councillors are IFP orientated. Notwithstanding, one councillor argued 'traditional leaders do not relate well with councillors and do not include us in their programme but need us to make them part of our programmes' (Interview, 25 October 2004). This seems to suggest that councillors involved traditional leaders in their programmes as a compromise, or as a way of respecting the ruling of IFP political leadership.

Traditional leaders repudiated the view that they were authoritative and that at times they did not respect councillors. Instead, they argued that they respected councillors because they came from within the very same communities. In that regard they give them more support because what they are looking for is development that makes better life for communities.

### **5.9 Gender and traditional political institutions**

Women have limited access to traditional leadership because the elections is based on customary law. Others argued that despite the constitutional guarantee of equality women still have less power and are inferior. Some traditional leaders argued that they encouraged the participation of women such that they ensured that women constitute one-third in local structures. It was argued that women seem to exclude themselves in participating in these local structures. This repudiates the view that traditional leaders are not gender sensitive. One councillor argued as follows:

Traditional leaders are not gender sensitive, so they need to be capacitated so that they can conform to democratic principles because the apartheid government did not emphasise the issue of gender. The new government should take an initiative in capacitating traditional leaders to be gender

sensitive. Training could assist them in seeing that they must appoint or elect females (Interview, 25 October 2004).

Comparatively, even within the municipality there was a lesser role for women in municipal structures that take decisions. As one community member argued ‘in theory women have the same status as men. In practice, they are under-represented and those that are there either suffer from inferiority complex or are out-voted when they raise gender issues. After all, the general assumption was that men are above women’ (Interview, 25 September 2004).

Although women were encouraged by traditional structures to participate in local structures to at least form one-third, this did not change the formal power that was dominated by men. This was one of the weaknesses of the traditional institution as compared to the modern institution. Leadership was dominated by men in many traditional authorities. This attests that women were formally excluded from traditional leadership and reveals the biasness of the institution. Whether the biasness of this institution in excluding women is a violation of human rights and democratic principles is a subject for considerable social, legal and political debate.

#### **5.10 Traditional political system and youth**

The youth have limited access to traditional leadership. Traditional leaders argued that youth do not want to participate in traditional structures. The youth responded that the traditional structure neglects them as they do not have much space to express their views. This can be the source of conflict not only because of exclusion, but also because the younger generation tends to be more exposed and open towards change and modern structures. Traditional leaders still hold that the youth were not trustworthy and only participate in structures where there was money (Interview, 15 October 2004; Interview, 25 October 2004).

One civil society representative and community member argued that youth was not only excluded in traditional structures, but had been marginalised from all economic, political and social sectors and their participation was minimal (Interview, 25 September 2004; Interview, 12 October 2004). This calls for a vibrant leadership that

will be able to understand on what issues youth need to be empowered. The participation of the youth would be able to allow for the promotion of democracy and further lead to a vibrant democracy. Failure to include the youth would consequently leads to the violation of some of the democratic precepts. The project of nation-building, youth development and equality would be highly compromised.

Traditional leaders feel that youth need to be educated about the importance of traditional leadership in their lives, despite the negative attitude youth had towards this structure. The youth had less interest in the structure of traditional leadership because it was not open for competition. Instead, it restricts participation to male elders. As one community member advocating for youth argued: ‘the youth play a major role in local government structures through their elected representatives. However, their role is minimal in traditional authority structures because positions in traditional structures are hereditary, which means that the phrase “infusing young blood” in leadership does not always apply’ (Interview, 25 September 2004).

### **5.11 Conclusion**

There were a lot of disparities and dissatisfaction at Jozini Municipality. This municipality is not immune to problems affecting other municipalities regarding issues such as the relationship between traditional leaders and elected representatives. This study revealed that what matters the most for development to be implemented is determined by political alliances. The survival of the municipality in implementing its activities is informed by the reality that most traditional leaders are linked to the ruling party (IFP) in the municipality. Although there are ANC councillors but they have less influence as they are not the majority in the council, especially in important structures such as EXCO of the municipality.

This study claimed that communities suffered because they were consequently not provided with low-cost houses due to conflict of interest between the municipality and the traditional authority. The issue of the limited role of youth and women is also a subject for considerable debate in the municipality. Most respondents argued for a clear working relationship between the two power structures. Interestingly, both the municipality and traditional structures were dominated by men.

The study revealed that there was very little understanding of detailed analysis of local government policies, such that even IDP of Jozini municipality was not compiled by municipal officials. Instead, it was compiled by the consultant. This was against the governments view that ‘integrated development planning is a normal and required municipal function – IDPs are not “add-ons” and should not be “farmed out” to consultants’ (White Paper on Local Government, 1998:28). Ignorance about policy issues within the study area created a lot of space for political manipulation. The fact that in the Jozini Municipality there was no strong opposition party would make the consolidation and the deepening of democracy difficult. It was revealed that the IFP aligned councillors were respecting their political leadership in working with traditional leaders not that all of them want to work with traditional leaders. Most office bearers were appealing to the government to take the issue of traditional leaders and democratic structures very seriously because they witness the slow service delivery which emanates from political stand-offs.

# CHAPTER 6

## EVALUATION

### 6.1 Introduction

It is the argument of this thesis that the institution of traditional leadership be retained in the new South African political dispensation and be given a space for working together with democratically elected representatives for the effective implementation of developmental local government in the context of rural local government. These two structures should complement each other instead of competing with each other. The findings of the study confirm the research and theoretical assumptions. There is a vast literature which attests to the view that traditional councils operate like modern cabinets as its members are in charge of specific duties due to their experience in the field of development, negotiations and exposure to the affairs of the chiefdom (Jordan, 1969). It was revealed in the fieldwork that most traditional councils were dominated by elders because of their sophisticated and specialized experience in the affairs of their traditional authorities.

Chazan *et al* (1999: 32) noted that heterogeneity and complexity define traditional leadership institutions because each traditional authority has got its own ways of dealing with development issues; this is a similar case in the area of study. This study revealed that out of seven traditional authorities under Jozini Municipality, each has its own peculiar way of spearheading development activities. This challenges the municipality to designing programmes that would promote a close working relationship with each of these traditional authorities. It may be inevitable that the municipality may apply different approaches in these different traditional authorities for it to succeed in implementing development policies. This may be due to intricacies within these traditional authorities. In essence, it may be dangerous for the Jozini Municipality to lump traditional authorities together without understanding differences.

History confirms that supporting one structure at the expense of the other would lead to conflict. These two structures claim legitimacy from different sources. It should

be understood from the outset that these different sources of legitimacy between government and traditional leaders may lead individuals to viewing each other as competitors. The legitimacy of tribal leaders is not rooted in constitutions, but in a long history of tradition and culture. Traditional leaders are not subjected to the electoral process, but to a certain kind of accountability mechanism (see Chapter 2). It cannot be disputed that there were no electoral processes for traditional leadership. Instead, the appointment of traditional leaders took another form and shape. As noted in chapter 2, rulers were chosen in a consortium of lineage and contestation took place between children of the same family. It might be the case that such contestation or competition had certain similarities with that which takes place in modern institutions and structures. Furthermore, it was argued that the electoral process took place among the adult men who had demonstrated certain skills (Zungu, 1996). This is similar to what was observed in most traditional authorities in the Jozini Municipality. One of the main reasons for advocating for the inclusion of traditional leaders at the local level in the new political dispensation is the fact that there are some policies which cannot be implemented without consulting traditional structures. This leads to the suffocation of developmental projects which can have a positive impact in the reduction of poverty. Their incorporation could lead to the improvement of local governance.

Comparative literature has shown that it would be disingenuous to argue that the traditional system is undemocratic. The democratic nature of the traditional system versus the undemocratic nature of the system may be a debate for sometime among revisionists as they are informed by different forms of democracy. Also to those who are engaged in this debate, this study poses a question: can the traditional and the modern institutions claim legitimacy from different sources? Gyekye (1997) conducted a study within Akan Kingdom in Ghana which revealed that no one was excluded from participating in the deliberations and the affairs of the general assemblies, even though the traditional system still reserves and respects the elders. Gyekye in his study did not show channels available for those excluded in general assemblies. This study revealed that channels available for communities are through local councils which are formed by a headman and respected elders. In such councils people participate, democratically provided protocols are observed and it is within these councils that those who participate are allocated positions.

In modern institutions legitimacy is based on democratic principles which are exercised through democratic elections. These democratic principles provide elected representatives power to make legislations which are executed by bureaucrats. Studies confirm that 'legitimacy of leadership in modern societies is based on elections and embedded in constitutional and legal procedures and rules' (Lutz and Linder, 2004: 13). However, it was demonstrated in chapter 2 of this study how different legitimacy sources could supplement each other. It is not true that traditional leaders do not want to buy into the new political system in South Africa but they have problems with the way the system was introduced to them. Some studies done in other parts of the African continent confirmed that the way in which the colonial system was introduced to traditional leaders and to Africans resulted in two major groups - collaborators and resisters (Kiwanuka, 1975). This is similar to what has been revealed by this study that there were still groups of traditional leaders who were still opposing the newly established system of local government - such groups may be called resisters. The groups which may be taken as collaborators although they embrace and are interested with the newly established system but they demand a lot from the government - such that in all their different categories traditional leaders need to be paid. Traditional leaders are crucial because they enjoy certain legitimacy in rural areas and they are currently more organized to apply pressure on the post-apartheid government, this could be effectively utilized for improving the quality of life of rural communities.

In most African countries it seems to be clear that the abolition of traditional structures was an invitation for conflict. The traditional system has been in existence for a long time. Modern institutions may play their role to a certain extent but the issue in the countryside is on people who are exposed to different structures and in different legitimacy. For example, people might accept local government for the provision of basic services but not for things that affect their lives such as social matters and conflict related to land. Such issues are reported to traditional leaders. What is crucial for effective complementary roles between these two structures is the acceptance of each others legitimacy. Currently, it is evident in most countries that they are searching for an appropriate place for traditional leaders in governance in sub-Saharan Africa (Goodenough, 2002). Municipalities are also searching for an appropriate space for traditional leaders. Most municipalities have started to share

ideas on how they may develop a model that would ensure that traditional leaders are involved in municipal affairs so that they would be able to implement developmental local government in the rural context. This study argues that traditional leaders operated like local government before the first local government democratic elections in South Africa. The comparative literature shows that traditional leadership in Africa is the broadest political unit which needs to be integrated in governance as people in the countryside are more concerned about it (Mohanty, 1992: 8). Excluding the traditional leadership institution in local authorities' affairs would not benefit development projects in the countryside that is supposed to be spearheaded by local government structures (Amonoo, 1981).

South Africa before the local government elections in 1995/1996 experienced a situation where traditional leaders played a service delivery role in local government affairs. This study concurs with other former studies that throughout history traditional leadership in Africa formed the basis of local government (Rathbone, 2000; Rugege, 2002). It is with this background that Goodneough (2002) holds that such history is useful in understanding the role of the institution of traditional leadership today (see Chapter 2).

## **6.2 Dialectical modernization theory**

Dialectical modernization proponents argued that tradition need not impede development (Martinussen, 1997: 172). This was the main argument in the Jozini municipality that traditional leaders should not be seen as if they would impede development. Instead, their participation in local government affairs should be seen as complementing the elected representatives, because the modern system is weak as compared to traditional system in the Jozini municipality. In this regard, traditional institutions might play a major role in promoting political reforms so that a smooth transition from old practices to new ones would be realized.

Martinussen (1997) argued that there are moments where modern institutions can obstruct development and not function as effectively expected because they may be incompatible with the traditions of the societies. A good case in the Jozini municipality was that of KwaSiyakatha community where the local government low

cost housing project was unsuccessful because the chief in charge rejected it because access to water was identified as a priority for his community.

One of the main findings in Jozini was that the municipality's IFP dominated political leadership also advocated for the existence and the participation of traditional leaders in municipal affairs. However, tensions loom large in the municipality. It is always argued that most traditional leaders belong to IFP. The IFP currently serves two constituencies and each strives to stamp its authority over the other. One constituency serves in a traditional setting while the other responds to a modern environment. Therefore, this raises questions as to how the IFP its serves these two constituencies. This political party, particularly in Jozini, needs to see tradition and modernity as reinforcing each other (Gusfield, 1971).

Dialectical modernization emphasises experience. The Jozini municipality is weak in mobilizing communities to participate in municipal affairs. Some of the weaknesses could be attributed to the fact that this municipality is newly established, therefore it does not have enough resources to support participation which is expensive. The new developmental local government approach assumes a certain level of community participation. Unfortunately, the level of participation in government issues in Jozini was very low. The Indian experience showed that existing traditions were used to achieve new changes (Krishma, 2001). Similar experience could be used in the Jozini municipality where traditional leaders could be invited to improve community participation and representation. Communities in the Jozini municipality have a desire to be modern and to see development taking place, but are not necessarily interested in losing their traditional outlook.

### **6.3 Traditional leadership and governance**

The issue of traditional leaders and their role in governance of most African countries in general and South Africa in particular became part of the public debate since the inception of transition to democracy. Ntsebenza (2003: 55) argued that 'the role of traditional authorities was debated in the post colonial era long before it became an issue in South Africa'. Unfortunately, the focus of the debate was on what traditional leaders were doing in the past but was not strongly based on what should be their role

in future. The debate created pro-and-anti camps within ruling parties in Africa in general, and in South Africa in particular (Ntsebenza, 2005: 77). The camp which advocates for the exclusion of traditional leaders in governance argued that democracy would be compromised if they were accorded an active role in politics. Mamdani (1996) shared the same view with those who advocated for the exclusion of traditional leaders, as he noted that bifurcated states need to be dismantled for transformation to take place.

However, an important issue is whether those who advocate for the exclusion of the institution in governance are not falling into a trap with contemporary studies about the institution of traditional leadership. It is argued that contemporary studies lack both proper historical and ethnographic focus; therefore, they treat the institution of traditional leadership in a singular manner. Most of these studies focused on what took place during the colonial period. These studies failed to consider that generalizing about the transformations of kingships under colonial rule is a risky business (Lemarchard, 1977: 14).

Others who advocated for the exclusion of traditional leaders in governance argued that the institution is male-dominated, which goes against the principles of non-sexism. These were concerned about the patriarchy of the institution and issues of gender equality (Mokgoro, 1994). The present study shows that although there is lack of practical implementation of gender equality in Jozini this does not mean that traditional leaders are opposed to addressing gender equality. Traditional leaders in Jozini are encouraging women to participate in local structures. Keulder (1998: 7) argued: 'one cannot assume that greater representation would automatically lead to more gender-sensitive policies'. Chazan *et al* (1999: 93) contended: 'development policies have frequently excluded women, and when specific projects were designed for their benefit, these projects often resulted in women's further marginalization'. Interestingly, these writers admitted that more new problems on gender disparities cropped out since independence. Gender disparities since independence coincided with a controversial subject of traditional leadership and democracy in African countries.

The debate about traditional leaders and democracy can be viewed in two broad categories. Some scholars argued that traditional leaders should be completely eradicated in favour of democratic rule. This was because traditional leadership was primitive and corrupted by the process of colonial state formation and apartheid (Mamdani, 1996). Other scholars concluded that chiefs and democracy are not incompatible. Hart (2002: 275) observed that the amalgamation of urban and rural areas led to the redefinition and reduction of powers and functions of traditional leaders and replaced them with elected representatives.

Political developments in Africa have always been questioning the democratic nature of the institution of traditional leadership, as it is hereditary. The question that arises is the following: do we have to judge the democratic nature of the institution by elections? It is worth asking this question in an African context, especially because we have moved away from African thinking to Western thinking about democracy. One may ask: in light of these fundamental changes in thinking about democracy in the institution of traditional leadership, is the form of democracy and practice of traditional leadership institution still relevant in the current system of governance? This is a question one has to ruminate about in an African context where the debate about traditional leadership in governance and in development looms large. Arguably in some country case studies (Ghana, Uganda and South Africa) most development agencies recognised traditional leaders as partners in development processes.

Basically, those who advocated for the inclusion of traditional leaders in governance supported their argument with reference to their role in the pre-colonial period. They further referred to African democratic experiences such as assemblies where important issues were discussed. The view was that traditional leaders were not far away from communities as compared to the modern institutions. In Jozini most traditional leaders argued that they need to be included in the local government system because most of the work done by local government today was done by them in the past.<sup>34</sup> While this thesis is in favour of complementary role for traditional leaders in local government, there are certain issues that they may be unable to

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<sup>34</sup> The 'past' in this case refers to the apartheid regime in South Africa but it cannot be underestimated that even during the colonial period there were other duties which were done by traditional leaders. The apartheid system consolidated some of the colonial activities.

handle. Such cases may call for the understanding of internal governance system of traditional authorities, and be benchmarked with that of local government so that these structures would be able to work with something which is more practical in the rural local environment, rather than working with something based on theory. There may be ineffective models of co-operation and integration that would be developed if there is no understanding of different norms and values in these different structures.

Those who advocate for exclusion fail to account for the shortfalls of the electoral systems that are being followed by political parties, and those who advocate for inclusion fail to convincingly account for why general assemblies are constituted by elders and what kind of approach they are intending to use that would lead to popular participation in decision-making. In terms of gender existing data still shows that there are a lot of disparities in both structures.

Both camps glorify and praise their positions, but the fact that positions are derived from different precepts may not stop clashes which at times are healthy for the consolidation of democracy. What needs to be noted, which is hardly mentioned in the literature, is that both the modern and the traditional institutions - if viewed very closely - are closest to the people according to their definition. These two structures are linked to each other because the modern structure is a product of a traditional structure. History confirms that democracy and modern institutions did not emanate from a vacuum, particularly in Europe and Asia. Krishma (2001) conducted a study in a north Indian village where it was revealed that effective institutions are those that combine elements of tradition with aspects of modernity. This could be a lesson for South Africa.

It seems to be true that most of the African politicians were critical of the system of traditional leadership. Even in South Africa there are some disagreements in the alliance (African National Congress, South African Communist Party (SACP) and Congress of South African Trade Unions (COSATU)) about the issue of traditional leaders in a democracy. Ntsebenza (2005: 77) argued that 'the alliance is not unanimous on the issue of traditional leaders in a democracy. Some of the ANC members have taken vanguard positions of excluding traditional leaders in certain important issues as it was assumed that they would undermine democracy. In Jozini

municipality, it was observed that excluding traditional leaders created numerous challenges for the newly structured municipalities because they are very weak as compared to traditional authorities because they have a strong support from the constituency on the ground in rural areas. A good example was the case of KwaSiqakatha Traditional Authority where low cost housing project was not provided because of the weakness of the municipality (see Chapter 5). It was due to these weaknesses that some politicians and officials are calling for the working together of these two structures. Friedman (2003) warned that excluding traditional leadership from political participation would be risky and could threaten the new democratic system.

According to lessons drawn from Ghana's experience the traditional leadership institution became dependant upon the government for its legitimacy, maintenance and survival (Rathbone, 2000). Experience drawn from Ghana, which is similar to that of South Africa in general and the area of study in particular, is that of political parties working with traditional leaders. Jozini Municipality is IFP led, hence, there is a growing consensus that most traditional leaders support the IFP. However, close observation shows that not all traditional leaders are IFP supporters, but are also aligned to different major political parties, such as ANC and DA. In Ghana, UGCC relied on chiefs to campaign for support in rural areas. This is similar to South Africa, particularly in KZN, where the IFP seems to rely on chiefs for a vote. This led to the situation where traditional leaders were assumed to support the IFP.

Traditional leadership suffered in Ghana and in Uganda after independence. Chieftainship was abolished in Uganda under Obote's regime but restored under Museveni. It was transformed in Ghana and chiefs realized that their future depended on loyal co-operation with the government. In South Africa apartheid consolidated colonial activities where chiefs were used as public servants and paid. This still prevails in the post-apartheid era.

It seems to be clear that the institution of traditional leadership derived its legitimacy outside the state structures. The involvement of traditional leaders in state structures may at times undermine their independence. Once the state fails to provide basic services, traditional leaders may be blamed for the state failure. It is a challenge to

traditional leaders and they need to ruminate about whether they need their independence to be compromised. In addition, their involvement in policy implementation and their mobilization capacity are important in implementing policies.

This thesis revealed that most people are still attached to traditional structures, particularly in the Jozini municipality. Similarly, Lutz and Linder (2004: 12) revealed that 'in other parts of the world, where the majority of the citizens are still attached to traditional structures, the issue is more about interaction between traditional and modern structures'. Traditional structures have historically been linked to spiritual, religious, political, judicial and economic functions and traditions. In South Africa before 1994 there were chiefs who were against the apartheid government, whilst others supported it. Interestingly, in the post-apartheid period after realizing that certain legislations were silent about their role in local government they then worked together to challenge the democratic government. Collaboration among traditional leaders contributed to a lot of political changes and amendments in certain laws. For example, the Municipal Structures Act was amended so that traditional leaders' representation in local government affairs was increased from 10 to 20 percent. It was revealed in the Jozini municipality that the 20% representation of traditional leaders in the municipal affairs is not utilized.<sup>35</sup> It is worth noting that this 20% participation of traditional leaders was provided after a long debate and intimidation where traditional leaders took a vanguard position that they would disrupt the second democratic local government elections of December 2000.

#### **6.4 Traditional leadership and the land question**

Any discussion about the effective implementation of developmental local government would be incomplete if it did not mention the land question. Land has been for sometime served as an economic base for most chiefs in Africa. Turner (1972: 110) observed that most of the faction fights originated from land shortage and

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<sup>35</sup> This refers to the case of Jozini Municipality where they argued that they could not do anything with that 20% because it is not clear what these traditional leaders could do in council matters and that they had a minimal budget. Most municipal officials are reluctant to encourage them to utilise this percentage because they do not have a budget to give allowances to traditional leaders for attending council meetings.

further led to intense competition among clans in particular communities. He further argued that ‘the land is the cement that binds the tribal society together in one social, economic and religious group’ (Turner, 1972: 116). This shows that the issue for land contestation is not a new debate. Writing the foreword to the White Paper on South African Land Policy, Derek Hanekom (then Minister of Land Affairs) held that ‘land ownership in South Africa has long been a source of conflict. Our history of conquest and dispossession, of forced removals and racially-skewed distribution of land resources, has left us with a complex and difficult legacy’ (White Paper on South African Land Policy, 1997: 3). Barrow (1977: 26) argued that ‘not long after the first Dutch settlers arrived at the Cape in 1652 they were confronted with the problem which remains fundamental in South Africa; land’. This confirms that land-based confrontations have a long history in Africa in general, and in South Africa in particular. This study revealed that at Jozini Municipality, this land conflict was neutralised by the IFP political leadership. The view was that IFP councillors should not disturb traditional structures on land systems because traditional leaders are the custodians of the land.

Traditional leaders were at times selling communal land as an income-generating activity, but in certain cases this is done to benefit of local communities, whilst at times, it was used for their own benefit and needs. The study revealed that there is a certain tax that people are paying for land in rural areas, but it has not been the task of this study to audit as to how this tax is used. There is a need for further research about whether it is fair to pay such a tax or not. In the case of Jozini Municipality, the council does not have land (Jozini Municipality IDP Review, 2004: 19). This leaves the council with no choice except working in juxtaposition with traditional authorities.

This thesis found that there was a concession directed to traditional leadership which has been a product of limited co-operation between government departments (Department of Land Affairs (DLA) and Department of Provincial and Local Government (DPLG)) at national level. Land is important for the provision of development projects in rural areas. Ironically, the Communal Land Rights Act (CLRA) gave powers to traditional councils to allocate and administer land issues in rural areas. In KwaZulu-Natal such powers were already in place through Ingonyama Trust Land Act. It is against this background that these two structures should work

together. Traditional authorities should not be service delivery agents. Researchers such as Keulder (1998: 315) argued that ‘traditional authorities do not have sufficient capacity to become service providers themselves. Any attempt to turn them into service providers will probably fail and undermine the support of the institution’. Through the inclusion of traditional leaders the new conception of developmental local government would be able to contribute to the quality of service delivery to previously disadvantaged communities.

Most country case studies reviewed in this study vividly show that traditional leaders were used by colonial governments to maintain control over the African population and to implement unpopular policies. With the advent of democracy and the introduction of local government in rural areas, traditional leaders were stripped of their remaining powers and were transferred to rural local government. Ironically, although their powers were reduced implementing some of the development policies required the support of traditional leaders or chiefs. This is similar to the indirect colonial rule system which relied on the traditional system to implement its unpopular policies. The difference in the new political landscape in South Africa is that traditional leaders are viewed as one of the important stakeholders in implementing rural development in South Africa (Pycroft, 2002). The question that arises about the participation of traditional leaders in municipal affairs is whether it is a supportive or a directive one.

It has been clear in this research that the colonial and apartheid government used traditional leaders as civil servants and paid them for doing certain administrative work. What is emerging even in the post-apartheid government is that although some are advocating for the exclusion of traditional leaders from governance, but traditional leaders are still paid just like civil servants. It could be argued that by paying chiefs the state can instruct traditional leaders to implement some policies of government institutions. This has also created a potential for latent conflict among traditional leaders themselves. This thesis revealed that only the chiefs are paid. Headmen are concerned that such concessions were only directed to chiefs whilst they were also performing a lot of administrative work in rural areas. There has been a concern in this thesis as to how accountability is exercised by chiefs as paid civil servants because both structures are informed by different types of legitimacy.

Accountability is an important requirement in public management. For centuries accountability was a central issue in the theory and practice of public administration. Accountability is a traditional cornerstone of democracy to which each political representative and public official has to adhere. It is vital to note that at the heart of any discussion about accountability lie questions about who is accountable to whom, for what, in what manner and in what circumstances?

### **6.5 Service delivery mechanism in the new macro-economic context**

Despite gradual developments from apartheid to democracy and the establishment of wall-to-wall municipalities in rural areas, such restructuring has played a limited role in bringing about liberation of the mass of ordinary people in rural areas in South Africa in general, and in KZN in particular, from the scourges of poverty and widespread unemployment. Basically, rural poverty has its own basis in the structural inequalities of wealth and power. Indeed, the main purpose of developmental local government is the improvement of service delivery and poverty reduction, but all these are dependent on the active participation of communities in the identification and implementation of developmental activities. The high level of incompetent personnel and the lack of capacity of municipal structures to deliver is a subject for considerable debate in the reduction of rural poverty. Many rural local municipalities including Jozini municipality lack the organizational, technical and administrative capabilities to undertake meaningful development processes. Instead, they rely on consultants and thereafter they shift the blame as if traditional leaders are preventing the progress of development. Ironically, most rural local municipalities fail to acknowledge that they are not economically viable to ensure that poor households have access to basic services.

There was a formal adoption of the macro-economic policy GEAR in 1996 when the RDP collapsed. Most advocates state that GEAR was a neo-liberal agenda which calls for the privatization, public-private partnerships and cutbacks in social spending lead to serious consequences for the rural local government environment. Most of these approaches to service delivery are laid down in the White Paper on Local Government, but what needs to be accounted for is how such approaches work with unskilled officials and scarce resources in rural local government.

There has been a shift in municipalities from being providers of services to becoming facilitators and leaders that work with multiple partners. This shift introduced great challenges for municipalities in addressing administrative and spatial inequalities generated by apartheid, the large scale of service backlogs, and the internally divided and non-developmental nature of much of local government.

The two-tier system which exists in rural local government poses serious problems for rural municipalities as this contributes to slow service delivery. Communities are not well educated in understanding how the current system of local government is operating. Instead, most of them still understand how traditional leaders operate. For these rural municipalities to be able to improve their communities within their areas of jurisdiction they could not operate in isolation. Instead, they need traditional authorities to assist them.

What has been observed in this two-tier model which operates in rural local government is that there is suddenly a conflict (between District Municipalities and Local Municipalities) which adversely impacts on the vision for developmental local government. The Constitution gives all the categories same functions, but the role for the rural local government is further clarified in the Municipal Structures Act (1998), especially in terms of Category B and C. Interestingly, there is a key challenge in distributing these powers and functions between district municipalities and local municipalities. Presently district municipalities have all the powers over local municipalities in the district, and are taken as the engine for implementing rural development in South Africa. What was observed in the area of study was that the issue of powers and functions between the district municipality and Jozini local municipality has become a contentious issue. Communities argued that even in the new system of government there is still no improvement and no body seems to care about them. People are looking for basic services such as water, electricity and all this according to powers and functions as laid down on the Municipal Structures Act of 1998, are supposed to be provided by the district municipality. People in the Jozini municipality continue to identify such services during IDP processes. The identification of services during IDP processes show that communities are still not aware of who provides what between local municipalities and district municipalities. This thesis argues for the revision of the current local government system that exists

in rural areas in South Africa, because in one way or the other either local municipalities or district municipalities serve as a bottleneck for rural service delivery.

## **6.6 Traditional leadership and party political affiliation**

It has been revealed in the area of study that most traditional leaders are pro IFP, and the municipality is also IFP-led. It has also been argued that some traditional leaders are leaving the indigenous structure particularly those who are at the lower level such as headmen. It may be concluded that they leave their positions because they are not being paid. They vote with their feet, but community members do not understand that they are no longer traditional leaders. In certain instances these traditional leaders serve as elected and traditional representatives at the same time. In his research in four country case studies (Nigeria, Namibia, Botswana and Zimbabwe), Keulder (1998: 316) revealed that there are those who serve in two positions at the same time. He argued that 'traditional leaders should not be allowed to serve as elected and traditional representatives at the same time' (1998: 316). This calls for the resignation of one position at the time the other position is assumed. In addition, it may be noted that most people still fail to make a distinction between traditional and modern structures, and that people in the countryside may not quickly embrace democratic principles and rules. However, they may start to do that once they see a difference in their lives.

For developmental local government to succeed it requires some form of participation. It is worth noting that participation in development issues was neglected over the years, especially in rural and marginalized communities. Lutz and Linder (2004: 24) argued that traditional leaders have their own special, historical and cultural sources of legitimacy in implementing developmental approaches. Studies confirmed that in most African countries governance is shared asymmetrically between governments and traditional leaders because of their divided nature of legitimacy and sovereignty (Ray and Brown, 2004: 2). Interestingly, with their kind of legitimacy traditional leaders could be able to convince their subjects to participate in developmental programmes. In essence, community participation needs to be secured through traditional leaders as they retain extensive influence over their subjects.

Traditional leaders have a special political legitimacy that is recognized by their subjects.

It is possible that people may enjoy the benefits of developmental local government in different ways if one compares urban and rural areas. Basically, there may be a gradual shift in power relations such that those who were marginalized would take DLG principles as a stepping stone towards the realization of their own ends/needs. Greenberg (2004: 20), for example, observing the local government restructuring argued:

Despite the discursive framework of developmental local government, rooted as it is in the rhetoric of popular participation, accountability and transparency, this is not the way post-apartheid local government is experienced by the residents of informal settlements or farm dwellers on the commercial farms. Local elites have been able to capture institutional political power to serve their own interests.

This shows that people from dominant parties in certain areas may become primary beneficiaries of local government restructuring. This calls for certain models or forms of participation that may ensure that it caters for the needs of most people without discrimination of any kind.

Participation is an area mostly spoken about but rarely effectively implemented. It is important to recognize that within communities there is wealth of human and physical resources. The incorporation of these human resources development projects is the challenge. The understanding, knowledge and skills that communities have should be utilized by planners to determine strategies to solve problems. Using such knowledge would assist in the effective implementation of developmental local government. Conversely, what is often taking place and observed in Jozini is the sidelining of active members of communities in participating in their own development activities, despite the fact that participation in governance is a defining feature of the new system of local government. Mogale (2003) argued for a synergic partnership for the delivery of services in a decentralised governance system for it to address poverty.

The invisibility of elected representatives has become a contentious issue in South Africa. Local government structures in rural areas of KwaZulu-Natal are very weak

and underdeveloped. Keulder (1998: 317) observed that if the elected local government structures are weak that leaves a space for traditional leaders to develop strong support base in future because of their active involvement which could create problems for elected structures to retain their powers. Greenberg (2004: 22) also noted that the tendency of lack of accountability by elected representative to the constituency is visible in both rural and urban municipalities. This is linked to the electoral system that is currently in practice in South Africa. The electoral system has opened a grave problem at local government level because councillors are not accountable to constituencies, but rather to political parties. Although the rural population could have little difficulty in supporting both structures but traditional structures would receive greater endorsement. This was because chiefs remained the only authority in rural areas. For that reason this thesis is advocating for a complementary role between traditional leaders and elected structures.

Keulder (1998: 316) argued that where the elected local government representatives are weak and the traditional leadership was not formally incorporated to serve in the local government structure, the local government representatives may face a challenge. It was viewed that traditional leaders may supply alternative strategies that may lead people to deny the local government in favour of traditional leadership institution. This attests the need to incorporate traditional leaders in local government. In Jozini different development agencies used traditional leaders in implementing projects. Some of these development agencies do not follow new strategies such IDP which gives mandate to municipalities to coordinate development at the local level. It is argued that the denial of using new development strategies may lead to the duplication of services. Once there is a continuation of providing services using traditional authorities, elected representatives would find themselves in a difficult situation of contesting with a structure that is rooted in a long history of tradition and culture. It can be argued in this thesis that it seems to be clear that in most African countries the state finds difficult to penetrate the rural areas. The fact that traditional structures survived the colonial as well as the post-colonial period suggests that traditional structures were strong in rural areas. Therefore, it is there to stay in most African countries.

Oldfield (2002) argued that the division between the ruling party and opposition parties created complex politicisation that looms large at the local level in different ways. More specifically in the Jozini, it was revealed that most of the time there were instances where those who form part of the municipality do not comply with certain legislations. Instead, orders were taken from the party that dominates the municipality. The party that runs the municipality is an opposition party at the national level. In essence, the party that runs the municipality ensures that it pushes its own agenda.

The new local government system has to attend to the backlog of service delivery which is very visible in rural areas. But the communication channels are too long for rural local government. Greenberg (2004: 21) argued as follows:

The DCs have been given statutory control over many of the functions that were to be performed by the municipal council, but which the latter lacked the capacity to view, it nevertheless serves to extend the distance between farm dwellers and political institutions. From voter to ward committee to ward councillor to local council to municipal EXCO to DC to district EXCO is a long distance indeed.

This is too long and it can be made worse if there is no close relationship between the municipality and the traditional authority in the area where the project is located. The traditional structure has its own chain to be followed. Such a chain can be eliminated and costs saved through what this study is advocating for, the complementary role.

There are interesting debates in the field which this thesis was able to capture. Some argued that traditional leaders should not be part of party politics because this would undermine their legitimacy. It emerged from others that chiefs should remain 'neutral' in party politics. There was also a view that chiefs are citizens who have the constitutional rights to support and be actively involved in any party of their choice. The debate in South Africa about traditional leaders is centred around the issue of party politics. In Ghana it became clear that traditional leaders were not encouraged to play a major role in party politics. In South Africa most debates revolve around the fact that traditional leaders should not be used by political parties to further their political agendas.

In the South African context, various apartheid policies and homeland laws brought traditional leaders at the centre of politics, in such a way that others (traditional leaders) formed their own political parties. The apartheid state supported these initiatives because the parties formed by traditional leaders were going to fight with underground structures of ANC especially in areas where such parties were not subscribing to ANC ideology. It was clear that some traditional leaders participated fully in homeland legislatures (in the case of KwaZulu under the banner of Inkatha), for other traditional leaders such participation was a bitter pill to swallow.

This thesis argues that this debate of neutrality is informed by political history. Observation shows that the establishment of a democratic order in South Africa in 1994 witnessed traditional leaders assuming different positions with regard to political affiliation. The argument that traditional leaders should not be part of party politics seemed to be informed by history of manipulation they faced during colonialism and apartheid. Presently the South African Constitution entrenches and guarantees that everyone has a right to belong to any political party of his/her own choice. This confirms that even traditional leaders could align themselves with political parties of their choice. Evidence seems to suggest that neutrality is far from traditional leaders (Mamdani, 1996).

With the potential these structures have a lot can be done to implement developmental local government and to revive rural economies. The majority of rural people are poor and unemployed. It is therefore imperative that these two structures co-operate with each other so that poor people can benefit. The quality of local leadership could play a crucial role in the achievement of rural development opportunities.

# CHAPTER 7

## CONCLUSION AND RECOMMENDATIONS

### 7.1 Introduction

The current study has explored numerous factors that shaped the nature of the relationship between governments and traditional leadership institutions in Africa in general, and in South Africa in particular. The purpose of this chapter is threefold. First, it provides a synthesis of the issues addressed in the preceding chapters regarding governance and traditional leadership institutions first in the African context and more specifically in the South African context. Second, it demonstrates the significance of the study in implementing developmental local government in South Africa where there is a dominance of traditional leaders. Last, it suggests a way forward for the proper implementation of developmental strategies that would contribute to the realisation of rural development.

### 7.2 Synthesis

The history of the operation of the traditional leadership institution as local government in Africa pre-dates the colonial period. During the pre-colonial era this institution used certain strategies to address social problems among the communities – some of these strategies are still relevant and used even today. What was not visible was competition among political parties to form local governments similar to the one which is taking place in contemporary Africa. Mngomezulu (2001: 18) once reasoned: ‘political parties have never been part of the political set-up in pre-colonial Africa in general. This is partly due to the fact that African states were ruled by kings and chiefs. These rulers were appointed and did not need any election, nor did they require a political campaign structured along party politics’. Although there were no political parties forming local government, the view that traditional leadership was autocratic is rejected by some scholars. Mngomezulu (2001: 18) further reasoned that participatory democracy practised in Africa in the pre-colonial era ‘did not require political parties because people debated issues as a community and were answerable

to the king or their local chiefs, just as people are answerable to presidents and local government councillors in the modern politics’.

Chapter 2 demonstrated that some scholars argued that there was no democracy in traditional African political systems. Their arguments are built on the fact that the African systems of governance were hierarchical, nonegalitarian, gerontocratic and sexist (Simuny, 1987). The current study demonstrated that democracy is interpreted in different ways by intellectuals in different disciplines, especially politics, history and philosophy. These scholars are informed by their background.

The arrival of the colonists marked a watershed between chiefs and their subjects, particularly in places where chiefs collaborated with the British. Chapter 2 demonstrated how the issue of citizens/subjects dichotomy emanated. It was through this dichotomy that scholars like Mamdani were critical about the wave of democratisation which took place in African states and was instituted into a bifurcated power relation. It can be concluded that in most African countries traditional leadership or traditional authorities cannot be ignored in development activities. Failure to include them puts such development activities and initiatives at risk. It was clear from this study that the debate between these two structures was far from being exhausted and that they are not new debates. These debates have a long history in most African countries – they date back to the independence period while in other countries they started from the formation of political parties to fight against colonial imperialism.

This study demonstrated in chapters 2 and 3 how colonialists worked with the institution of traditional leadership and how this co-option led to division among traditional leaders themselves. This was due in part to the fact that there were those who collaborated with British imperial policies whilst others resisted working with British administration. Those traditional leaders who did not want to implement British imperial policies were dealt with accordingly. British imperialists insisted that implementing the colonial order depended on traditional leaders. In the contemporary order evidence in this study seems to suggest that the successful implementation of some of the developmental policies are dependent on the politicians, whether they embrace the idea of working with traditional leaders or not. It was demonstrated in

the current study that the alliance which was forged by the colonists and the chiefs was more beneficial to the former than to the latter. Colonists were able to secure labour through such an alliance.

During the post-colonial era the attempts of African politicians to exclude traditional leaders in mainstream politics or governance prompted other developments and certain benefits to the institution of traditional leadership. The wave towards independence was also characterised by tensions, which exacerbated divisions in African societies. Chapter 2 demonstrated that chiefs who were sympathetic to nationalists lost their positions. Ironically, after independence some nationalists did not support traditional institutions. Instead, they abolished them. These nationalists were driven by the zeal that democracy was incompatible with traditional leadership structures.

Similar tensions emerged in South Africa in the post-apartheid era. The study has demonstrated in chapter 3 that the relationship between governments and traditional leadership in different periods in South Africa was characterised with many changes and conflicts. Holomisa (2004: 3) argued that ‘the initial exclusion of traditional leaders from the constitutional talks by the De Klerk government and the ANC deprived the people of a contribution which could have produced better dispensation on the question of the land’.<sup>36</sup> This study demonstrated that such exclusion led to a strained relationship between government and traditional leaders.

First, the crisis and the transition led to the restructuring of local government which remained on top of the political agenda. Out of the political agenda the LGNF was born which excluded those who lacked local government profile. Traditional leaders were among the groups excluded. The exclusion allowed an opportunity to Bophuthatswana and KwaZulu, CONTRALESA and Inkatha to speak in one voice calling for the inclusion of traditional structures in the Interim Constitution. Such exclusion further led to the collaboration among traditional leaders to force the post-apartheid government to provide them with a space in the new political set-up. This is

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<sup>36</sup> Nkosi Phathekile Holomisa is strongly aligned with an organization of traditional leaders which is Contralesa, which became more vocal and advocated for the inclusion of traditional leaders in the Interim Constitution of 1993 in South Africa. He made this statement in a Conference Reviewing the first decade of Development and Democracy in South Africa

still a contested issue at local government level since there is no clear policy that encourages traditional leaders and councillors to work together.

The constitutional exclusion of traditional leaders contributed to challenges in the implementation of RDP and to the failure to run first democratic local government elections in KZN on the stipulated date. The White Paper on Local Government was silent about the roles and functions of traditional leadership in local government. Ismail *et al* (1997: 116) argued about the lack of political will in traditional local governance as follows:

The question of integrating indigenous and contemporary structures and process of governance has thus proved to be a difficult one for African countries generally, and South Africa in particular. The Interim Constitution, 1993 (Act 200 of 1993) and the New Constitution acknowledge the existence of indigenous local governance, but remain ambiguous about its roles, powers and functions. Similarly, many constitutions of other African make reference to indigenous systems. But the general trend has been to marginalise these institutions. In fact, many of them were mere retained for symbolic rather functional purposes. Admittedly, there are features of the indigenous local government system which are not consistent with democratic principles. However, the reality is that chiefs ruled people for many years before colonial rule was imposed upon them. Thus, for many rural communities in South Africa, the indigenous local government system is the only one known to them.

The above quotation conceptualised the premises on which the debates between traditional leaders and elected representatives is centred around in South Africa and in the Jozini municipality in particular.

The current study, in chapter 3 demonstrated how academics, practitioners, activists and observers from different disciplines articulated their views about developmental local government. What loomed large was that DLG was premised on addressing poverty, deepening social justice and fostering sustainable development. Some scholars remained critical about DLG due to numerous contradictions in rural local government and the neo-liberal orientation. These scholars were critical in the sense that, it would be difficult for service provision to be directed to poor citizens.

Chapter 5 of the current study revealed that the clash between traditional leaders and elected representatives in the Jozini municipality is related to a power struggle over

who controls the area about service delivery. This chapter further showed that disputes start because traditional leaders were under pressure from communities. They then pressurised councillors about development activities. This chapter revealed that the involvement of traditional leaders into party politics loomed large in such a way that their involvement is questionable whether it promotes or impedes development. Most participants argued that traditional leaders' involvement supports developmental progress and that the more they excluded themselves from party politics the more development is skewed in their areas. In addition, it was revealed that when the IDP concept was conceived that local government should work through it in search for developmental projects and budget, traditional leaders were excluded, after realising the difficulty of implementing developmental projects they were invited in training workshops. Conversely, some chiefs did not attend such workshops, instead, they sent Izinduna (headmen). A cause for concern is whether they give proper feedback or not.

Furthermore, chapter 5 showed that the land question occupied a large space in the current developmental issues of South Africa in general, in the Jozini Municipality in particular. Land ownership rests with traditional leaders in the Jozini Municipality. This clearly indicated that the accomplishment of rural development projects in the Jozini Municipality is linked to supports from traditional leaders. From a development perspective, it was concluded in Jozini that councillors should lead development projects because they are a legitimate structure established through government policies but should work in consultation with traditional leaders and communities.

## **7.3 Recommendations**

### **7.3.1 General issues to be addressed**

The implementation of developmental local government in Jozini has shown that it should not be only about the application of formal procedures and recognising official structures, but that it should be about involving traditional leaders through a process of inclusionary debates. The research revealed that the inclusion of traditional leaders lacks a commitment of political will due to the fact that political leaders have a

different vision of democracy. This study recommends that a political will is needed for the proper implementation of developmental local government, and this will require the inclusion of traditional leaders. Most studies revealed that traditional leaders have become important stakeholders for the realisation of rural development.

The realisation and failure of rural development lies in the rural local government. It was revealed in this study that most local municipalities are undergoing institutional changes and the politicisation of positions looms large. Such politicisation of positions destroyed the proper implementation of developmental programmes. This study recommends for the discontinuation of the politicisation of positions. Once municipalities and other government departments take vanguard positions in discouraging these politicisation activities, issues of addressing skills shortages and attracting relevant people for programme implementation would be witnessed. This further requires that clear boundaries be drawn between political functionaries and administrative office bearers when it comes to recruitment processes.

In the democratic era participation has become a cornerstone in any public policy. But incorporating these participation principles are challenging because it has divided communities as there are those who support the idea of participation whilst others reject it completely. However, this study suggests that marrying democratic principles in a low capacity environment is challenging. Failure to attend and assist with capacity-building programmes will eventually threaten the vision for developmental local government, for example, addressing the high levels of poverty.

The issue of consultation, feedback and people's participation needs to be carefully reviewed. In the current system of governance most activities need to be people driven. Observation showed that councillors are only reporting to selected individuals in their wards. Other community members were excluded because of the fear that they would challenge issues. In addition, as noticed (in the Jozini municipality) most councillors were part-time. Therefore, they were not always available to address community concerns. Consequently, community members would get disillusioned on community matters and further do not allocate time to attend community meetings.

The study revealed that there were conflicts and tensions between traditional leaders and elected representatives, but there were instances where the district municipality and local municipality created unnecessary structures which are uncoordinated and powers duplicated. These structures were created on top of tensions and conflicts between traditional leaders and elected representatives- resources used in running these structures seemed to be wasted. This study recommends that such activities should be avoided and resources be utilised and directed at assisting poor communities. This study further argued that the two-tier system that exists in rural local government needs to be observed and evaluated very closely in terms of whether it contributes to the proper implementation of developmental local government or it hinders the speedy delivery of services. This study also argued that most people working for rural municipalities have insufficient skills to implement local government services in rural areas.

### **7.3.2 Specific issues to be addressed by the municipality**

This study has shown that people in rural areas are exposed to both the modern and indigenous local governance systems. It was revealed that the colonial penetration created a dual system of governance and at the same time chiefs too had to exercise dualistic roles as they had to be accountable to their subjects and to government but in an asymmetric way. Therefore, the Jozini municipality is facing a challenge that it has to educate community members on the importance of both structures in government for smooth developmental activities.

This study has shown that one of the major issues that added to the tensions between traditional leaders and elected representatives is the reality that these two structures claim legitimacy from different sources. It is important for traditional leaders and elected councillors to accept their differences and implement developmental local government projects for the benefit of the masses in the countryside without competition and conflicts.

It is an inevitable debate that most rural constituencies are still not yet exposed to IDP processes. Less exposure was exacerbated by the fact that these IDP processes are politicised and most of these processes are driven by consultants. In rural local

government it was conceived in the context of tensions between traditional leaders and elected representatives. This study argues that such politicisation augmented gaps in information among rural constituencies. Therefore, the municipality is facing a challenge in that it has to develop mechanisms that would empower rural stakeholders to use the IDP as a powerful tool to select programmes that would address their priority needs.

It is true that there is bias in developmental local government. This can be attributed partly due to the fact that urban constituencies are more organised as compared to rural communities. This resulted in the marginalisation of rural communities. It can be argued that this political marginalisation of rural areas gave little space for the rural poor to influence government policies. This calls for strategies that would be able to provide rural people with basic skills to interpret local government policies, and this should take into consideration the high rate of illiterate that prevails in these areas.

It is revealed within this study that one of the major predicament of the traditional leadership structure in adapting in democratic governance is fear of unknown and some of its members are illiterate. Therefore, the structure needs to be empowered in different categories. Empowerment should not only be directed to chiefs, headmen should also be trained. Traditional leadership structure need to be capacitated on the following issues: understand the Constitution; to understand developmental processes and their roles in such projects. Introduction of basic training modules in these areas would be useful.

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## APPENDIX 1

Cell: 082 971 0443

23Minelso Gardens  
30 Prains Avenue  
DURBAN  
4001  
01 September 2004

**Attention:** Municipal Manager  
Jozini Municipality

**Fax:** 035 572 1292

Dear Sir or Madam

### REQUEST TO CONDUCT RESEARCH - MASTER'S DEGREE

I am registered student at the University of KwaZulu-Natal in the School of Development Studies. I am currently pursuing the Masters Degree in Development Studies and the primary component deals with research-based investigation which necessitates, *inter alia*, field work and data collection. I intend commencing with data collection process from the 04<sup>th</sup> of October 2004 to the 15<sup>th</sup> of November 2004.

My topic is entitled: '**Developmental local government in a rural context: A case study of Jozini Municipality**'. In order to successfully complete my Masters Degree, the latter part of the empirical framework involves conducting interviews with some of the municipal councillors and some traditional leaders within the Jozini Municipality. Your municipality has been identified as the municipality where the exploration of developmental local government in a rural context can be done. There is an assumption that the traditional and modern structures are operating in juxtaposition to each other. Indeed, this study intends to develop practical and salient recommendations on how these two structures work together in enhancing service delivery, and on the whole promoting rural development which appears to be taking strain due to the discord that exist between modern and traditional structures of governance.

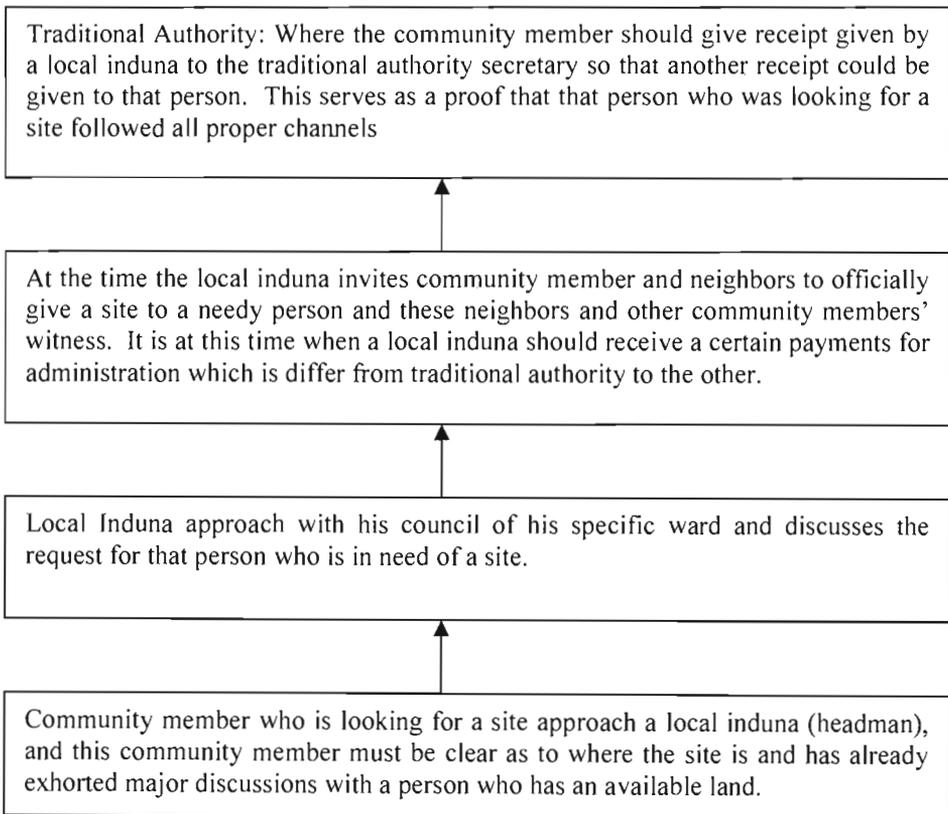
Your co-operation in assisting me with this important component of my study is highly appreciated and I look forward to a positive feedback. If there are any queries, please do not hesitate to contact me at the above address and cell number. I take this opportunity of again thanking you in advance in order to enable me to complete this research project.

Sincerely

---

Sithembiso Lindelihle Myeni (Mr)  
Student Number: 202519238 University of KwaZulu Natal (Howard Campus, School of Development Studies)

## APPENDIX 2



**APPENDIX 3**  
**QUESTIONNAIRE**

**Interview Number** :.....

**Developmental local government in a rural context: A case study of Jozini Municipality.**

**Name of Interviewee (Optional)** :.....

**A. BIOGRAPHICAL DETAILS/DEMOGRAPHIC INFORMATION**

**Gender**

Female	
Male	

**Age**

18 and below	
19 – 25	
26 – 30	
31 – 35	
36 and above	

<b>Position</b>	<b>Full Time</b>	<b>Part Time</b>
Senior Municipal Official		
Junior Municipal Official		
PR Councillor		
Ward Councillor		
Community Member		
Represent Civil Society Member		
Represent Traditional Leadership		

**Place** :.....

**Date of Interview** :.....

**Time of Interview** :.....

**Ward Number** :.....

**Name of Traditional Centre** :.....

**B. QUESTIONS**

**1. Politics and Traditional Leadership**

1.1 How do traditional leaders relate with political parties?

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1.2 Are traditional leaders forced into party politics? Elaborate.

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1.3 Is there any need for traditional leaders to involve themselves in party politics? Yes or No? Elaborate.

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1.4 Are traditional leaders' involvement in party politics supporting or impeding developmental progress? With reference to Jozini.

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1.5 Do you think the government is aware of the tensions and conflict associated with the relationship between traditional leaders and elected representatives?

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1.6 Are the tensions between elected representatives and traditional leaders impacting on the IDP? Elaborate.

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1.7 What is the nature of relationship between traditional leaders, government and civil society in this municipality?

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1.8 What role do traditional leaders have in respect of all issues relating to land in Jozini?

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1.9 How democratic are the traditional authority areas e.g. are there any no-go areas? Elaborate.

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**2. Traditional Political System and Development**

2.1 What are preferred ways of dialogue between elected representatives and traditional leaders that could sustain long-term development projects in Jozini?

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2.2 What are preferred ways to implement developmental local government at Jozini?

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2.3 How do the tensions between elected representatives and traditional leaders impact on development projects in Jozini?

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2.4 Who do you think should lead development projects in this municipality? Why?

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2.5 What has changed on the ways in which development was taking place within the jurisdiction of this municipality since 2000?

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**3. Legal Frameworks**

3.1 How is the statutory relationship between traditional leaders and elected representatives promoting or hindering development?

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3.2 Is the content of the legislation about the role of traditional leadership institution and government institutions reconcilable with the system of democracy in the country? Elaborate

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**4. Structures and Mechanisms**

4.1 Does central government take any responsibility for capacity building of traditional leaders and other stakeholders involved in development?

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**5. Relation between traditional leadership and governments**

5.1 How are government officials at all levels interacting with the institution of chieftaincy?

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5.2 How do traditional leaders relate with local government, especially the elected councillors?

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5.3 How do traditional leaders relate to provincial and national government?

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**6. Gender and Traditional Political Institutions**

6.1 What is the status of women in traditional authorities?

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6.2 Are women allowed to be traditional leaders? If yes, what are the criteria used to appoint them?

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**7. Traditional Authority and Local Government in Service Delivery**

7.1 What is the relationship between traditional authority and local government in Jozini?

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**8. Traditional Political System and Youth**

8.1 What is the status and the role of youth in traditional authority structures and areas?

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**9. Policies**

9.1 Are you aware of national policies that are designed to promote the relationship between traditional leaders and elected representatives?

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9.2 What are problems facing the institution of traditional leadership in adapting to democratic governance in South Africa?

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**THANK YOU, FOR YOUR PARTICIPATION**