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Chiefs and Democrats:
On the Compatibility of Traditional Authorities and Political Democracy in South
Africa

Thomas Koelble
University of Cape Town

With assistance from:

Edward LiPuma
University of Miami

Thobani Matheza
University of the Western Cape

Introduction

Chiefs, the icon of tradition, custom and backwardness of pre-modern societies, have often been assigned a similar role to that of the European aristocracy – modernity, in the form of the nation-state and democratic political procedures that enshrine equality across the citizenry, would replace the institution as well as the persons occupying the role. While European aristocrats may still exist, they do not occupy a central role in the political, social or economic life of modern Europe. And, yet, as the African National Congress (ANC) widens its grip on political power in South Africa, its reluctance to oppose, indeed its support of the institution of traditional leadership is remarkable for a political party otherwise (and seemingly) imbued with all of the trappings of a modernist movement for liberation and emancipation. In South Africa, as indeed in many other post-colonial places, the chief is making a comeback being granted representation in elected houses of representation and provided with local decision-making power of some importance.[1]

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[1] On the South African resurgence of the chief see Robert Thornton, (2002), "Traditional Authority and Governance in the Emjindini Royal Swazi Chiefdom, Barberton, Mpumalanga", paper, Department of Anthropology, University of the Witwatersrand. See also Lungisile Ntzebesa, (2002), "Decentralisation and natural resource management in rural South Africa: Problems and prospects", Occasional paper, Programme for Land and Agrarian Studies, University of the Western Cape, pp. 12-16 who argues that recent legislative amendments proposed in late 2000 to the Municipal Structures Act provide traditional

What explains this seeming paradox? Why should the political party that takes pride in claiming responsibility for the adoption of what is widely believed to be the 'most liberal constitution in the world' allow for the survival of non-elected power holders in the rural areas, the survival of patriarchy, and the sharing of power between those elected and those with hereditary titles?

I will argue that despite the illegitimate nature of much what passes as 'traditional leadership' in terms of its recent and imagined origin, its highly suspect past in terms of the collaboration with apartheid, traditional leadership has a number of important functions ideologically, symbolically and politically for the ruling party. While chieftaincy, at least as it is conceived of today, is of recent origin as a product of the encounter with colonial rule, and while it is deeply incompatible with western democratic theory of representation, it features importantly in the nationalist, anti-colonialist, and post-colonial discourses concerning identity. While neo-liberalism, financial global institutions and practices, and the internet revolution are washing away the foundations of the developmental state, the stage and state of indigenous, and, by implication, non-western culture, the realm of the family and the nature of sociality become increasingly important in the imagination of the post-colonial political elite as well as at the grassroots level. Safeguarding remnants of the 'past', the cultural autonomy of the 'nation', of African 'ways of doing things' become vital ingredients in the struggle for authority, power and local legitimacy. Traditional authority, particularly if it is imagined to be of a pre-modern, pre-capitalist but highly democratic nature – as village democracy in Africa is often portrayed – then may serve a powerful ideological purpose of building African nationalism and pride in

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leaders and authorities with policy-making authority denied to them in earlier legislation and in the constitution. For a discussion of the role of traditional authorities in form of the chief in various Pacific Islands see, for instance, Geoffrey White and Lamont Lindstrom, (1997), (eds.), **Chiefs Today: Traditional Leadership and the Post-colonial State**, Stanford University Press.

African culture.[2] It becomes a useful trope in reversing western notions of African patriarchy, ungovernability, and autocracy.   The use of 'village democracy' predicated upon the notion of a wise chief or leader as a unique African contribution to democratic discourse may, in itself, not be of great importance if it were not for its widespread use by political elites across Southern Africa and most often expressed by leading figures such as Nelson Mandela.[3] Mandela's notions of an African version of democracy are of utmost import in the discourses on Southern Africa's modernity and governmentality.

The importance of African democracy, of safeguarding traditional and customary ways, including traditional leaders, goes well beyond the ideological and cultural debates on self-worth (the African renaissance). As the power of the state to reach into the hinterlands of the rural areas declines in material terms, traditional leaders become an alternative instrument for government. Yet, it would be wrong to think of chiefs as merely puppets of the state or the regime – their actions revolve around a re-interpretation and adaptation of culture that is both grounded in a certain version of the past (often cloaked in amnesia) and that sets out an agenda for the future with a definitive version of what society, the proper community, a proper social order, ought to look like.[4] Enterprising chiefs seize the opportunity that is given to them by the new dispensation and the relative impotence of the state to reach into the

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[2] There are several examples where the village council, or kgotla, is likened to the concept of direct democracy. The village council is seen as a forum of discussion where the chief is advised on policy and in which the opinions of the community are voiced, debated, and in which consensus decisions are reached.   See for instance, Nelson Mandela refers to this kind of African direct democracy in Nelson Mandela, (1994), **A Long Walk to Freedom,** Randburg: McDonald Parnell, pp. 18-19.

[3] See Nelson Mandela, (1965), **No Easy Walk to Freedom**, London, Heinemann, p. 147. See the very insightful discussion of Mandela's vision of village democracy in Andrew Nash, (2002), "Mandela's Democracy", in Sean Jacobs and Richard Calland, (eds.), (2002), **Thabo Mbeki's World: the politics and ideology of the South African President**, Pietermaritzburg: University of Natal, pp. 243-256.

[4] See Arjun Appadurai, (2002), "The Capacity to Aspire: Culture and the Terms of Recognition", paper, Yale University who argues that a conceptualisation of culture must include both its 'backward-looking' elements in terms of interpretations of the past as well as its 'forward-looking' qualities in which a vision of the 'good society' to come is presented and defended.

rural countryside to re-invent the traditions underpinning their claims to authority and adapt new forms of agency to re-assert their power.   This power revolves around cultural practices, economic resources such as access to land, and the politics of survival in a setting of poverty and underdevelopment.   The very fact that modernization is failing the rural areas of Southern Africa, in terms of material improvements, economic growth and prosperity for the majority of its citizens, is precisely the reason for the survival and re-emergence of traditional leadership and the re-invention of 'customary' practices.

The approach by the central state and governing party to the issue of local governance in the rural areas of the country is marked by ambivalence – on the one hand a harsh critique of traditional leadership that portrays the institution as an anachronism, on the other an accommodation with traditional leaders to allow them virtually free reign in several parts of the country.[5]   This ambivalence can be explained by two factors: one is the realisation that state power to affect changes in the rural areas of the country are hindered by a lack of resources and will, for all intents and purposes, remain outside of the reach of the central state, and second, a recognition of the ideological usefulness of the institution for the nationalist discourse. In order to develop this argument about the role of traditional leadership in South Africa, its relationship to modernity, the social imaginary, and governmentality, the following essay will delve into the historical, social and political dimensions of the relationship between traditional leadership, local authority, the local state and the global stage.

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[5] Lungisile Ntzebesa, (1998), "Rural local government in post-apartheid South Africa", **African Sociological Review**, Vol. 2, 1.

A Note on Cases and Methods and Acknowledgements

This limited study is part of a larger project dealing with the issue of 'the meaning of democracy' in the post-colony. I am conducting this research with Edward LiPuma, University of Miami in Florida, US. We take South Africa as our most illustrative case but supplement the South African materials from previous research we conducted on Melanesia as well as Latin America and Asia. The research project is being funded in South Africa by the National Research Foundation (Grant #2050506) and LiPuma is being funded by a variety of sources in the US. What is becoming increasingly clear to all but the most ideological of observers is that 'democracy' in the post-colony is taking its own flight and trajectory. Far from being a term of universal meaning and containing an unchanging essence, democracy is part of a global discourse about good governance in which global, western conceptions collide with local political cultures. These collisions transform the meaning of the term. Further, the development of democracy cannot be divorced, as it so often is, from the context of an increasingly powerful system of financial circulation and its concomitant impact on local production and consumption. Several articles in which we outline our analytical apparatus are now in press and the fruits of our labor will soon produce a book manuscript.

We have conducted an inquiry on the role of the global and local discourses concerning democratic institutions and constitutions (including the conception of human rights), the impact of international financial systems on the post-colonial economy, the role and function of the state in transforming society within the limits and constraints imposed on such states by the neo-liberal Washington Consensus, the role of the non-governmental sector including both rural and urban NGO's and

traditional authority structures.   The following research report is a partial down-payment on the larger project and study to follow. We thank the Centre for Civil Society at the University of Natal, Durban for its support of this larger research project by partially funding the study of traditional leadership and authority in the Eastern Cape and KwaZulu-Natal.

In order to gain an insight into the dynamics and politics of the relationship between traditional authorities and the new local government structures in South Africa, I embarked on an ethnographic study of both chiefs and local councillors in two rural districts of South Africa. I chose districts around the two capitals of former Bantustans as they provided both deeply engrained traditional authority structures and represented the heart of rural South Africa. The two areas exhibit similar levels of poverty and deprivation; they have historically furnished much of the migrant labour for the industrial cities of South Africa; they play important roles in the political theatre of South Africa in the sense that they are the heartland of the IFP and ANC respectively. Last, but not least, high levels of political and other forms of violence and confrontation characterise both areas. In the Eastern Cape I focused the research on the Umtata area and in KwaZulu-Natal I focused on the Ulundi area. There we interviewed over a dozen traditional leaders and 30 local councillors and local government officials.   These interviews were conducted by Thobani Matheza, currently a researcher at IDASA, mostly in Xhosa and Zulu, who visited both areas on two occasions and met with both chiefs and councillors. I wish to thank Matheza for his unflagging enthusiasm and the many extra hours he has invested in this project. I believe that he will use the experiences from this project to further his own research career.

We further interviewed several members of Parliament concerned with issues of local governance (Lydia Komape-Mgwenya (ANC), Yunus Carrim (ANC), Peter Smith (IFP), Gavin Woods (IFP)), several academics specialising in the area of traditional leadership and democratic governance (Thomas Bennett, Christina Murray, and Hugh Corder all from the Law Faculty at the University of Cape Town; Lungisile Ntsebeza at the University of the Western Cape; Steven Robins at the University of Stellenbosch; and Michael Sutcliffe, then the Chair of the Demarcation Board). We also spoke with several members of the Congress of Traditional Leaders in South Africa (Contralesa) (Patekile Holomisa, Zoyisile Ntapane, Pietos Mathebe, Holomisa Nqoro).

Edward LiPuma and I were also privileged to meet with the leading members of the House of Traditional Leaders in Bisho where we spent an hour and a half engaging with a dozen chiefs, paramount chiefs and princes covering a range of issues and topics. We visited four chiefs in the Willowvale and Elliotdale districts and were invited to spend time with Ah! Nombangile, the regent of the Bomvana, at her Great Place outside of Elliotdale. We would like to thank all of these individuals who gave us their time and input, often in lengthy interviews that lasted up to three hours. We know that quite a number of them will be highly critical of our findings, but that is the nature of the academic enterprise. One cannot, as much as one would wish to do so, please everyone.

Lastly, we conducted 20 informal interviews with citizens of the two areas. These interviews we did not tape or record as they were intended to provide us with an insight into the thoughts and views of ordinary citizens. These interviews were intended to provide us with a broad setting, rather than empirical evidence.

While the interviews with academics, and parliamentarians were structured in an open-ended fashion, focusing on some ten to fifteen questions that encouraged the respondent to speculate and give his/her opinion on a variety of subjects, the questionnaires for both councillors and traditional leaders were structured and contained both open-ended and close-ended questions.[6] The chiefs questionnaire first solicited information about the chiefs clan, family, customary roles and then focused on the role of traditional leadership and the relationship to the local government structures. The questionnaire for local councillors focused on biographical data and then on the role of local government, the issues facing the new dispensation and the relationship to traditional authorities.

While the interviews provide a window into the state of local government, democracy and administration in the heartland of the former Bantustans, the research was supplemented with a wide range of other sources and approaches. Not content with the politics of the present and the views of those caught up in the politics of the every-day, I employed a wide range of sources focusing on the history of the two regions, their relationship to colonial and apartheid rule to show the connections between global, regional, national and local events and circumstances. The research report is structured along the following lines – the first section deals with the issue of state formation and colonial rule leading into a section on the politics of the apartheid regime and its legacy for the institution of traditional leadership. The second section deals with the contemporary issue of local government reform and its impact on the politics of traditional leadership. The section then turns to the interaction between historical development and the current re-imaginations of what traditional leadership is or ought to be. The section ends with the issue of social structure in post-colonial

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[6] Transcripts of the interviews of local councillors and chiefs are available at the Centre for Social Science Research, the Democracy in Africa Research Unit, at the University of Cape Town.

South Africa to ascertain where traditional leaders obtain their support from and where the opposition to them lies. I then turn more specifically to the interview data to draw out the profiles of the chiefs and councillors interviewed and their respective views of traditional authority and the new local governance structures. The report ends with a section on the reasons why the ANC appears to be moving closer to some form of agreement and division of labour with the chiefs.

Section 1: The Legacies of Colonial Rule and Apartheid for Rural Authority Structures

State Formation and Colonial Rule

The current concept of the chief is a product of the collision between African and colonial culture. The English usage of the word 'chief', according to Tarikhu Farrar, made its earliest appearance in 16th century and was used to characterise native leaders of Ireland and the Scottish highlands.[7] While early Spanish explorers to the Pacific, Africa and the Americas talked of 'kings' or 'caciques', a term they borrowed from the Arawakan of the Caribbean, soon colonialists to Africa and elsewhere argued that 'kings' could only exist in civilised environs and that the term 'chief' was more appropriate to the 'tribes', rather than kingdoms, of Africa and elsewhere. Just as the Scottish chief was viewed as a barbarian, the chiefs in other exotic, remote, and othered spaces were seen as encapsulating the top of a hierarchy with whom colonialists, whether missionaries, traders or bureaucrats, could mediate and negotiate.

Chiefs were conceptualised as the standard bearers of an indigenous social whole that reflected the European mindset and imagination of what social relations in the

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[7] Quoted in Lindstrom and White, (1997), op.cit., pp. 6-7.

other space looked like. As the Comaroffs point out, colonialists met societies that interacted, more often than not, in relational rather than categorical terms.[8] Categories such as Zulu, Tswana, Xhosa were unknown to those who came to labour under their weight until the encounter with colonial rule created these ethnic affiliations.[9] The collision of African and European worldviews was to have profound implications for the development of colonial rule as colonial powers began to use 'chiefs' to set up systems of 'divide and rule' by favouring certain kinds of communities, clans and individuals over others and rewarding their allies, more often than not, with access to resources and power.[10] Chiefs became leaders and representatives of bounded groups and defined communities and their value was ranked in terms of their opposition of compliance with the colonial regime. While some ended up in colonial penal institutions such as the Breakwater Prison or Robben Island in and near Cape Town, others became favoured clients of the colonial authorities and the recipients of status and wealth. The tradition of the colonial state as 'kingmaker' was continued to good effect by the apartheid regime that installed several 'kingly' regimes across the Bantustans and homelands and had few qualms about demoting kings and chiefs if they did not cooperate with the regime.[11] Those favoured by the colonial regime enjoyed almost unlimited power over their constituents, but only as long as they did the bidding of the regime.

The people of Southern Africa experienced colonialism, and later apartheid, as a series of attempts to establish, form, and expand state control. The social and

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[8] John and Jean Comaroff, (1991), "Of Totemism and Ethnicity" in **Ethnography and the Historical Imagination**, Boulder: Westview Press, pp. 49-67.

[9] See the contributions in Leroy Vail, (ed.), (1998), **The Creation of Tribalism in Southern Africa**, Berkeley: University of California Press.

[10] See Rodney Davenport and Christopher Saunders, (2000), **South Africa: A Modern History**, London: McMillan Press, especially chapter seven which deals with the issue of conflict over land and dispossession of black communities.

[11] Mahmood Mamdani, (1996), **Citizen and Subject,** Princeton: Princeton University Press.

political formations of the pre-colonial period in regions such as the Eastern Cape and KwaZulu-Natal were loosely organised kinship and clan groups in which leaders were subject to community control of which 'running away' was the last option. As one chief attempted to explain to the magistrate of 'his district', "there is no fixed boundary, our people are intermixed. Some of my people are 18 miles from my kraal. The space between us is filled with people attached to other chiefs".[12]   From the 1820's to the 1880's, British colonial rule consisted of 'conquest' understood by the Europeans as the subjugation and extension of control over hitherto uncharted territory in terms of maps, statistical data, and anthropological observation concerning culture and tradition.   From the African perspective, colonial conquest was experienced less as a conquest as a series of what looked initially like alliances between the Europeans and certain indigenous kinship groups. As the powers of the colonial state expanded, conquest was experienced as the imposition of boundaries both of land and of communities into what from the European perspective looked like ethnic communities and groups.   From the African perspectives these boundaries made no sense whatsoever since they imposed fixity on fluidity. As Clifton Crais quotes one of the victims of conquest, 'territory is divided into boundaries'.[13]

Conquest, at first, concerned the destruction of chieftaincy as it existed only for the concept to be resurrected in form of the tribalization policy imposed by the colonial authorities in response to the coming of the migrant labour system and capitalism to the rural areas of Southern Africa. In that sense the historical context of the Eastern Cape and KwaZulu-Natal are remarkably similar. While there are certainly differences in the relationships between colonial rulers and various chiefs, the story of the destruction of African pre-colonial society is similar. To return to the

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[12] Clifton Crais, (2002), **The Politics of Evil: Magic, State Power, and the Political Imagination in South Africa**, Cambridge: Cambridge University Press, p. 88.
[13] Clifton Crais, (2002), p. 87.

magisterial account of colonialism as it impacted the Eastern Cape by Clifton Crais, "officials sought to fix African political culture spatially so that, for example, chiefs would be responsible for all people inhabiting a clearly demarcated ward or district. For until then it would be 'quite impossible', the chief magistrate dictated to one chief, 'that either judicial or fiscal administration can be satisfactory so long as the several sections of tribes… remain intermixed as at present'.[14] What changed in the period from 1870 onwards was that the establishment of an entire state structure consisting of courts, laws, regulations, administrative offices, and regulations replaced the face-to-face relationship between colonial administrators, in the form of magistrates and governors. In other words, bureaucracy replaced individual; the state became machinery. And with the increased capacity of the colonial state to intervene and reshape African society in its own image, came the profound destruction of African pre-colonial social and economic structure. Traditional or tribal authorities were to have a central role in this process of destruction as it was kings, chiefs, and headmen that became the instruments of colonial indirect rule. It was these institutions that were to carry out the regulations, the laws, the ordinances of the colonial regime and they were rewarded for it. While the basis in terms of land use for non-capitalist, agricultural subsistence was gradually, brutally, and inexorably removed from the African population, chiefs and their associates were granted access to state resources. Given the abject poverty caused by a plethora of removals, land confiscations, agricultural betterment policies, the privileges granted to those 'servants of the state' were indeed magnificent and the opulence in which the 'traditional leaders' of the Transkei and Ciskei and various other 'homelands' were to become accustomed to was truly conspicuous.

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[14] Crais, 2002: 89.

Apartheid and the Institution of Traditional Leadership

It is not surprising that traditional leaders did not enjoy high currency in the immediate post-apartheid era among members of the liberation movement(s). While the ANC's founding fathers certainly included a number of chiefs, the ANC developed into a mass movement in the 1940's and drew much of its support from the growing black working class.[15] The restructuring of South Africa's rural society that followed the electoral victory of the National Party and the inauguration of the apartheid project was to fundamentally change the relationship between the ANC's political elite and the rural aristocracy, which had, in many cases, resisted the colonial regime. One of the pillars of the apartheid legislative structure, the 1951 Bantu Authorities Act, called into existence the Bantustans, the 'independent' homelands, which were administered by chiefs seen as loyal and compliant to the apartheid regime.[16]

The Department of Native Affairs controlled a patronage network that ensured the complete dependence of the local chiefs on the department, thereby severing the ties of responsibility that chiefs traditionally had held with their communities.[17] Moreover, chiefs and kings that were seen as opposing the regime were deposed and replaced by more compliant members of the community, often headmen who took the opportunity to usurp power. Kaiser Matanzima, long-time dictator of the Transkei homeland, who deposed Paramount Chief Sabat Dalindyebo, provides a famous

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[15] See, for instance, Raymond Suttner, (2002) "Cultures of the African National Congress of South Africa", paper delivered to the UCT Politics Seminar, 12. August 2002 where Suttner cites several cases of chiefs who provided active support to the Umkontho we Sizwe, the military wing of the ANC, by sending a quota of young men to fight for the ANC on behalf of the village. However, he also asserts that the support the ANC drew from its rural bases deteriorated as the apartheid regime became more adept at replacing recalcitrant chiefs and headmen during the 1950's.

[16] See Tom Lodge, (1983), **Black Politics in South Africa since 1945**, Johannesburg: Ravan Press.

[17] Mahmood Mamdani, (1996), **Citizen and Subject: contemporary Africa and the legacy of late colonialism**, Princeton: Princeton University Press uses the metaphor of a 'clenched fist' to characterise the power the chiefs obtained courtesy of the colonial and apartheid regime.

example of this kind of illegitimate 'title-grabbing'.[18] In other words, the apartheid state turned chiefs and headmen into civil servants, ready to be used, hired, and, if need be, fired if they did not perform their duties to the satisfaction of the regime. While the ANC initially attempted to establish a power base in the countryside through the chiefs, the strategy was abandoned in the early 1950's as a result of the almost total surrender of the traditional authorities to the prevailing regime. In turn, chiefs became a symbol and tool of oppression to the vast majority of rural citizens.

The Bantu Authorities Act gave the chiefs a set of important powers. For instance, any individual who wanted to seek work in white South Africa had to apply for a permit to do so. Chiefs charged registration and other fees for this service and could use the permits to regulate the behaviour and compliance of their subjects by withholding travel permission and documents.[19] Moreover, chiefs charged their subjects 'tribal levies'. These levies could be imposed for the building of public institutions such as schools, clinics or post offices. Chiefs could present migrants with a bill for such projects, and very frequently also did so for expenses of a far more private nature such as marriage endowments, the building of another chiefly residence, or the purchase of a personal vehicle. While these decisions were subject to the approval by the village elders, the chief's council, very often the power of the chief, bolstered by access to state resources, was such that the council regarded his personal expenditures as perfectly legitimate. Chiefs could also extract free labour from their subjects that involved working on the chief's land and it is little wonder that in the 1980's chiefs were often viewed with the same kind of disdain as were urban township councillors. In fact, the apartheid regime used urban councillors and rural chiefs in similar ways to control the black population. Both councillors and

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[18] See T. Lodge, (1983), op.cit., chapter 11.
[19] Ineke van Kessel and Barbara Oomen, (1997), " One Chief, One Vote: Traditional Authorities in Post-apartheid South Africa", **African Affairs**, 96, p. 385.

chiefs were dependent upon the state but were also recipients of a variety of benefits and could use the powers provided by the state for their own enrichment that made them the object of envy, fear, and anger among the general population.

When the pass laws were finally abolished in 1986, the loss of control over an important source of finance for the chiefs, namely fees and charges derived from travel documentation for migrant workers, led to a situation where chiefs attempted to make up for the shortfall in revenue by increasing other levies and taxes, furthering their isolation from the communities they were supposedly leading.[20]   There are several incidences were ANC Youth League members chased chiefs from their villages; there are indeed cases where chiefs were killed. Chiefs in turn organised vigilante groups to defend themselves in the name of upholding not only law and order but also traditional hierarchy and authority over the younger generation.[21] Niehaus illustrates how the government-imposed control over chiefs in terms of forcing them to disengage from the issue of witch-hunting, for instance, weakened their position of authority in their communities and allowed members of the ANC Youth League to take over an important 'policing' function directed towards the control of 'evil'.[22]   Niehaus suggests that the youth organisations thereby took on important chiefly and policing tasks and thereby undermined the control of the elders and the chief over their communities.[23] That this kind of loss by the elder generation over the youngsters was not restricted to rural areas is most famously illustrated by the vicious war that broke out between the 'fathers' (also known as the 'witdoekies')

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[20] Ineke van Kessel, (2000), **Beyond Our Wildest Dreams: The United Democratic Front and the Transformation of South Africa**, Charlotteville: University of Virginia Press, pp. 145-148.
[21] For a detailed analysis of these kinds of situations see Isak Niehaus, (2001), **Witchcraft, Power and Politics: Exploring the Occult in the South African Lowveld**, Cape Town: David Philip.
[22] We wish to note here that it is important not to conflate members of the ANCYL with the organization itself. The ANCYL did not, as a matter of national policy, involve itself in local disputes relating to issues of 'evil' or witchcraft. The incidences recorded by Delius, Niehaus and Crais point to the activities of individual members and not the organization itself.
[23] See Niehaus, op.cit., 139-155.

and members of the ANC Youth League in the Cape Town squatter community in Crossroads.[24]   Not surprisingly, the United Democratic Front viewed chiefs as an integral part of the repressive system and the military machine that enabled the survival of the apartheid state.[25]

And yet, not all chiefs were part of the repressive apartheid apparatus. In September of 1987 a group of ANC members formed the Congress of Traditional Leaders in South Africa (Contralesa).   Following the struggle against the independence of KwaNdebele, another proposed homeland in the Northern Transvaal, by several chiefs in the early 1980's, a group of UDF and union activists, led by Samson Ndou, Peter Mokaba, and Desmond Mahasha founded Contralesa.   The organisation was designed to 'school the traditional leaders about the aim of the liberation struggle', to 'win back the land of our forefathers', and to fight for a 'unitary, non-racial and democratic South Africa'.[26]   While the birth of Contralesa was embedded in the rhetoric of liberation, the aim was to avoid a situation like that which had developed in Mozambique and Angola where chiefs formed the backbone of resistance to the liberation movements. Moreover, the role of Chief Mangosuthu Buthelezi, leader of the Zulu cultural movement Inkatha that became the Inkatha Freedom Party (IFP), and the Zulu monarch Goodwill Zwelethini impressed upon the exiled ANC leadership that some form of accommodation with the traditional authorities was an important aspect of taking power. Inkatha was in a position to mobilise large numbers of Zulu migrant workers as well as rural dwellers against the

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[24] See Steven Robins, "Bodies Out of Place: Crossroads and the landscapes of exclusion",

[25] Peter Delius, (1996), **A Lion Among the Cattle: Reconstruction and resistance in the Northern Transvaal**, Johannesburg: Ravan Press.

[26] See van Kessel and Oomen, op.cit., p. 569.

UDF and ANC forces, as was illustrated in numerous bloody confrontations between Inkatha and the ANC in the period between 1990 and 1994.[27]

Not only could the chiefs become an ally of the apartheid state in a protracted civil war with the UDF, they could also mobilise voters in the rural districts. Chiefs still held sway with the adult population of large parts of the rural hinterland who viewed the activities of the UDF youth groups as a challenge to authority, order and law.[28] As the prospect of military victory grew dimmer for the liberation movement, the possibility of elections as a means of capturing state power became all the more realistic. The possibility of the chiefs providing the rural vote to the National Party or some other political force was taken seriously by ANC strategists and, as a result of these considerations, the ANC began the process of building bridges to the chiefs via Contralesa.[29] After the unbanning of the ANC in 1990, the number of Contralesa members increased dramatically and the electoral results of some of the predominantly rural provinces, such as the Eastern Cape, Northern Province (now Limpopo), and Mpumalanga reflect the ability of the chiefs to deliver votes. Similarly, electoral outcomes in the rural districts of KwaZulu-Natal speak to the power of the chiefs to mobilise the vote for the IFP. However, while the political settlement between ANC leaders and the chiefs might have been strategically expedient and politically palatable to leaders such as Nelson Mandela, himself descendent from a royal family, for rural ANC activists who had been engaged in a protracted struggle with the chiefs over the violence-torn 1980's and 90's it was a bitter pill to swallow and is still resented. Some commentators observe that

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[27] Martin Murray, (1994), **The Revolution Deferred: the painful birth of post-apartheid South Africa**, London: Verso Books.

[28] On the generational aspects of the liberation struggle see Hjalte Tin (2001), "Children in Violent Spaces: a re-interpretation of the 1976 Soweto uprising", in Abebe Zegeye, (ed.), **Social Identities in the New South Africa: After Apartheid – Volume One**, Cape Town: Kwela Books; also Niehaus (2001), op.cit., pp. 130-155 and Peter Delius (1996), op. cit., pp. 187-211.

[29] See Van Kessel and Oomen, (1997), op.cit., p. 571.

Contralesa is filled with former apartheid supporters who realised that a change of regime would have serious consequences for their future and changed sides.[30] Steinberg's analysis of a district in the Midlands region of KwaZulu-Natal provides anecdotal evidence for this proposition.[31]

Section 2: The Politics of the Contemporary and Contradictory – Traditional Authorities under the New Democratic Dispensation

Land, Local Authority, and the Reform of Municipal Governance: some contradictions in the South African discourse on governance and traditional leadership

In August 2002, the Minister for Agriculture and Land Affairs, Thoko Didiza, found herself under immense pressure from a variety of sources, including raucous critique from within the ANC itself, on the issue of securing tenure rights on communal land.[32] One of the main policy planks of the ANC government has been to right some of the wrongs of the past. One of these wrongs is the unequal distribution of land ownership between black and white South Africans and one of the approaches to deal with the issue of social justice is a policy of providing those living on the land security of tenure, if not outright property rights.[33] The parliamentary bill at stake was the Draft Communal Land Rights Bill introduced to provide security of tenure to residents on state-owned lands, land that was previously either administered by the

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[30] L. Ntzebesa, Interview on October 7th, 2002, UWC.

[31] Jonny Steinberg, (2002), **Midlands**, Johannesburg: Jonathan Ball, pp. 161 writes about a former Inkatha member and minor Zulu aristocrat in a predominantly ANC area who switches to the ANC in order to maintain his political position. The ANC proves to be only too accommodating to his overtures to join the party and provides him with title and office in order to buy off his allegiance.

[32] Drew Forest, "Row Erupts over Land Law", **Mail and Guardian**, August 2-7, 2002.

[33] For an overview of the land question in South Africa see Fred Hendricks, "Land policies and democracy in South Africa", in Jan Coetzee, Johann Graaff, Frd Hendricks, and Geoffrey Wood, (eds.), (2001), **Development: Theory, Policy, and Practice**, Cape Town: Oxford University Press.

former homelands or by the South African Development Trust (SADT). Traditional authorities, as is the case with most land in the ex-homelands and SADT regions, administer this land at the local level which comprises about 13% of South Africa's land mass but which houses a large proportion of its citizens.

The flashpoint of the debate centred on the lands held by the Ingonyama Trust, a trust chaired by the Zulu king Goodwill Zwelithini, which owns some three million hectares of land (roughly 30% of the province) scattered throughout KwaZulu-Natal. The draft bill exempts the land held under the Ingonyama Trust from providing secure tenure to those living on it. Such an exemption would lead to a situation where tenure rights in some parts of KwaZulu-Natal would be considerably stronger in some areas than in others. The Ingonyama Trust represents a deal brokered between the Inkatha Freedom Party and the ANC in the dying days of the de Klerk regime in which IFP and ANC, in a highly secretive fashion, transferred state land to the Zulu monarch. All three parties hoped to cement their relations with both king and traditional leaders in KwaZulu-Natal and the same reason is being cited to explain why there should be an exemption for the Trust. As Drew Forrest notes,

> "the government has sought to walk a tightrope between its constitutional obligations (to provide secure tenure) and the chiefs, many of whom believe that communal land belongs to them and are resisting moves to trim their powers".[34]

The draft bill on communal land is no stranger to controversy. In November of 2001 it caused a furore in Parliament when it became clear that the bill would allow the transfer of land to communities, i.e. traditional leaders, rather than individuals.

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[34] Drew Forest, "Row Erupts over Land Law", **Mail and Guardian**, 2-7. August, 2002.

Several ANC critics argued that such a move would encourage tribalism, cement the power of the traditional leaders and authorities, and undermine the concept of individual property rights. ANC Member of Parliament Lydia Mgwenya, who leads a committee on the role of traditional leaders in land administration, argued that South Africans wanted individual title to land and that such individual rights would not, in any way, undermine the authority of the chiefs. As she put it:

"Just because you own your home does not mean that you do not respect traditions and traditional structures; it does not mean you do not continue to participate in traditional activities. Rural dwellers cannot understand why the rules applying to them are different from those that apply to people living in former 'white South Africa'".[35]

Mgwenya voiced a widespread anxiety among the progressive forces in the ANC and some of the opposition parties concerning both issues of gender and generation. Cementing the role of traditional authorities is seen in these circles as an attempt to recreate and perpetuate a dual system of land tenure and administration in which non-elected officials, traditional leaders, hold sway over the rural population in direct contrast to their urban brethren.[36] As women are commonly regarded as minors under African customary law, they cannot hold title to any land and are usually completely dependent upon their husbands and families for access to land and income. Given that poverty is greatest among rural females, such progressives argue that it is imperative that rural women are provided assistance in terms of owning and

[35] Jaspreet Kindra, "Land Affairs Officials Push for "African Way of Life"", **Mail and Guardian**, 30. November, 2001.
[36] Lungisile Ntsebeza and Fred Hendricks, "The Chieftaincy System is rooted in Apartheid", **Mail and Guardian**, 18. February 2000.

occupying land to enable them to escape dependence and poverty.[37] In terms of the generational issue, such detractors maintain that a return of power of traditional authority will lead to a re-affirmation of the power of the older generation over the younger. To these critics, the measures taken under the draft legislation is nothing short of the resurrection of apartheid and exploitation under a different guise.

In contrast, Land Affairs officials argued that there was a case to be made for an "African way of life" which revolved around the chief, customary law, and traditional authority structures in such rural areas. Several traditional leaders such as Pathekile Holomisa, president of the Congress of Traditional Leaders of South Africa (CONTRALESA), vociferously supported this position.[38] Traditional leadership could, so the argument goes, be made democratic and indeed, the tradition of the village council approximated the true democratic spirit of direct democracy as every member of the village was given an opportunity to speak and be heard.[39] Holomisa is the most articulate spokesperson for "Ubukhosi", the institution of traditional leadership as "the bedrock of African democracy". Ubukhosi, according to Holomisa, represents,

> "the cultural values, norms, traditions and customs, all combine to ensure that, even in the midst of extreme poverty, there shall be respect for human life and dignity, each person shall not sleep out in the open due to poverty, there shall be respect for law and order, and whatever food there is shall be shared by all. This is the way of life that traditional leaders want to retain for their people".[40]

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[37] See Mirjam van Donk, "Local Government's Role in Realising Gender Equality: from policy to practice", in Susan Parnell, Edgar Pieterse, Mark Swilling, and Dominique Woolridge, (eds.), (2002), **Democratising Local Government: the South African Experience**, Cape Town: UCT Press, pp. 213-214.

[38] Pathekile Holomisa, "Ubukhosi – the Bedrock of African Democracy", **Mail and Guardian**, 11. February, 2000.

[39] Andrew Nash, (2002), op.cit., pp. 253-254.

[40] P. Holomisa, "Ubukhosi – the Bedrock of African Democracy", **Mail and Guardian**, 11. February, 2000.

Holomisa's rhetoric is, of course, a sophisticated version of Africanism and plays on the central theme of 'ubuntu' or humanity in African culture.[41] He argues that African democracy has roots in its pre-colonial social structure and that rather than adopting western versions of democratic governance, South Africa should rediscover its past traditions and practices where it would find indigenous ways of making democratic decisions. In this sense, Holomisa and former President Mandela are of one mind.[42] Holomisa and Contralesa view the local government reform, which installed municipalities across the country, including the former homelands and SADT lands, as a frontal attack on the institution of traditional leadership.[43] What local government reform aims to establish are democratically elected local governance structures.[44] Given that the municipalities are charged with providing services to their impoverished constituents, Holomisa and others argue that services can only be provided adequately if the traditional leaders are brought into the decision-making process and given power to make and execute policy. Instead of reducing the power of the traditional leaders to decisions such as who is to collect what firewood or ceremonial duties, the traditional leaders are arguing for the inclusion of the leaders in the structure of local governance and in the national constitutional apparatus. Indeed, the chiefs are claiming representation above and beyond the rather limited role given to them in the national and provincial House of

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[41] For a thought provoking analysis of the concept of ubuntu and its political uses, including various forms of authoritarianism and paternalism, see Christopher Marx, "Ubu and Ubuntu: on the dialectics of apartheid and nation-building", **Politikon**, Vol. 29, No. 1, May 2002, pp. 49-70.

[42] See Nash, (2002), p. 245.

[43] Interview with Patekile Holomisa, October 7th, 2002, at the Parliamentary Buildings, Cape Town. During the interview Holomisa stated repeatedly that he saw no role for elected councillors at the local level in rural areas but that there was a role for elected leadership at the district level, particularly in areas where town and country intersected.

[44] For a comprehensive account of local government reform in South Africa see Susan Parnell, Edgar Pieterse, Mark Swilling, and Dominique Woolridge, (2002), (eds.), **Democratising Local Government: the South African Experiment**, Cape Town: University of Cape Town Press.

Traditional Leaders, which has certain rights of comment on legislation but not veto power or authority to make legislation. Holomisa argues that the opportunity to provide traditional leaders the role they rightfully deserve was missed during the constitutional negotiations and that the constitution ought to be amended to re-instate kings, chiefs, and headmen to their positions of prominence.[45]

The position of chiefs like Patekile Holomisa on generational and gendered issues is that a return, as they see it, to tradition will herald a new age of proper values in African society. Far from being 'anti-female' or 'anti-youth', Holomisa and others suggest that one of the major problems in contemporary African society is that respect for women and the elders has broken down and that it needs to be resuscitated by the return to good moral values that will see rapists, child molesters, and other criminal elements punished severely and that communal life will restore the sense of well-being and self-worth currently lacking in a 'society without foundations'. As to the issue of ownership of land, the chiefs we interviewed argued that women were not discriminated against because they were women but that individuals could not own land, irrespective of gender. As members of the community, women enjoyed the benefits of communal life and owned land through their participation in communal activities. Women could, in some cases, even be chiefs, Holomisa quipped, referring to his own mother who had held the position in his community.[46]

The issue of traditional leadership starkly divides the political landscape in South Africa. Critics of traditional leaders call for their abolition suggesting that these traditional authorities are a relic of apartheid and colonialism, and are

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[45] Interview with Pathekile Holomisa, October 7th, 2002, Parliament, Cape Town. It has been a long standing demand of Contralesa that the constitution should be amended to provide traditional leaders with a constitutionally guaranteed role in the making of legislation and an executive function.
[46] There are indeed several examples of women chiefs such as Sibongile Zungu, chief of the Madlebe, as portrayed by Mark Gevisser, (1996), **Portraits of Power: Profiles in a changing South Africa**, Cape Town, David Philip, pp. 46-49.

undemocratic and wasteful.[47]   Modernist voices within the ANC and elsewhere suggest that the institution is anachronistic, outdated, and profoundly anti-democratic.[48]   Supporters suggest that traditional leaders represent one of the last vestiges of indigenous culture, polity and society in Southern Africa and should therefore be given pride of place, even over elected officialdom.   While the constitution certainly allows little room for traditional authorities, it does grant them separate institutions (the national and provincial Houses of Traditional Leaders) and a level of involvement in local government structures. The Municipal Structures Act of 2000 goes beyond the constitution and provides chiefs and headmen with important policy-making functions. In each municipality some 20% of the seats on the council are reserved for chiefs and headmen, although many have refused to take their seats.[49]

Some 12 million people are in direct contact with traditional leaders and live in areas directly affected by their power.[50] Lungisile Ntzebesa, one of South Africa's foremost authorities on the issue of traditional leadership, argues that the new 'wall-to-wall' system of municipalities actually strengthened the hand of traditional leaders since it reduced the number of municipalities from over 850 across the country to 243. Although the former homelands did not have any municipal structures, the reform has reduced access for those living in rural areas as distances to the nearest municipality

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[47] See, for instance, Howard Barrel, "Amakhosi Issue can't be left to fester", **Mail and Guardian**, 10. November, 2000.

[48] These critics echo the concerns of 18th and 19th century liberals in Europe who wished to undermine the feudal regimes based precisely on such notions of 'traditional' or hereditary leadership.

[49] In fact, many chiefs and headmen have refused to take their seats on the municipal councils arguing that the institution was not legitimate. Some have argued that local governance should be made up of all chiefs and headmen and no elected councillors. As Holomisa put it, "no chief can represent another chief".

[50] Several observers argue that some 40% of the population live in direct contact with traditional leaders. We feel that the figure is too high and feel more comfortable with an estimate of around 12 million rural dwellers. However, since there is a circulation of individuals to and from the rural areas of the country, there are many individuals that spend much of their lives in the urban setting who circulate through the domain of traditional leaders. Given the massive movement from rural to urban and back, it is a fair guess to say that a third of the population has direct contact with traditional leaders and another portion of the population has to deal with traditional structures from time to time.

are now much greater than before.[51]   Ntzebesa suggests that the reform, initially intended to end traditional authority once and for all, has brought about the reverse. The reform achieved the emergence of 'no-go areas' for democratically elected councillors who essentially do not venture into the hinterland and have ceded power to the traditional authorities. His research in several rural areas of the Eastern Cape indicates that the populace is forced to go to the traditional leaders in order to obtain permission for most activities and that this circumstance has led to a disillusionment with the new democracy as well as the modern state.[52]   Conditions for the rural population have not changed in any meaningful sense – in fact, they may have gotten more desperate.

Opinions are also divided on the issue of social stability. While there are certainly strong sympathies with the sentiments for emancipation and accountable, responsible, and elected governance, the new dispensation has devolved responsibility for policy delivery to the local level without a corresponding level of resources, making the task of satisfying the myriad of demands and needs difficult.[53]   Without some form of social stability, in form of traditional authorities, and an accommodation with traditional power-holders, discontent and dislocation could bring about deteriorating political circumstances in the rural hinterland of the country.[54]   Chiefs may well provide the kind of social glue to keep an unstable situation stabilised and their absence or opposition to national policy goals may lead to greater upheaval. There are fears among some observers that if chiefs were marginalized, they could

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[51] Interview with L. Ntzebesa, October 7th, 2002, University of the Western Cape.
[52] Lungilise Ntzebesa, "Decentralisation and natural resource management in Southern Africa", op.cit., p. 16.
[53] For a powerful analysis of the constraints facing local government structures in South Africa see Gillian Hart, (2002), **Disabling Globalization: Places of Power in Post-apartheid South Africa**, Pietermaritzburg: University of Natal Press.
[54] See Tom Bennett, "Traditional Leaders", manuscript, University of Cape Town, 2001.

become the backbone of a reactionary movement, perhaps even an ally to the right-

wing extremists, as they did in neighbouring Mozambique, Angola, and Zambia.

Images of Tradition and Traditional Imaginations: the chief through the prism

of colonial history

According to the White Paper on Traditional Leadership and Governance, there

are currently 12 kings, 773 chiefs, and 1640 headmen in South Africa,[55] yet there are

serious questions about many of them in terms of the validity they and their clans

have to the titles they claim.[56] This is best illustrated by the politics surrounding a

suggested genealogical study that was proposed by the White Paper on Local

Government in 1997 to ascertain who might have legitimate claim to a title of chief,

king or headman.[57] The study has been shelved after the publication of a pilot study

dealing only with the Limpopo province, which is now under lock and key in the

Presidential office, that appears to have placed grave doubts on the hereditary claims

of almost every current chief in that province. Given that these areas are solidly ANC

controlled – ranging between 70 to over 90% electoral support for the ruling party -

and that these kinds of results were achieved through the incorporation of the chiefs

into the fold of the ANC at the provincial level, it is hardly surprising that there

should be great reluctance to delve into the matter of chiefly authority and legitimacy.

What is of importance is that the present incarnation of the institution chief is a

product of the collision between African society and colonial rulers from Europe. It

also represents an indigenous reaction and coping mechanism with the coming of

modernity to Africa. While there were certainly chieftaincies and kingdoms in pre-

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[55] See the **White Paper on Traditional Leaders and Governance**, September 2003, p. 49.
[56] "Traditional Leaders Cash In", **Mail and Guardian**, 8. November, 1999.
[57] See "Government wants to dethrone NP Kings", **Mail and Guardian**, 21. February 1997. The newspaper reports that the Department of Constitutional Development wanted to ascertain which traditional leaders should have access to government funding and which should not.

colonial Africa, the manner in which they were governed is a far cry from the imagined traditions invented by today's chiefs. There are, of course, several versions of what chiefly rule is and was all about. There are some who suggest that the chief is the head of the family or clan and should have unrestricted authority to adjudicate over all matters pertaining to the family or clan. This version of what the past might have been like is based on a hierarchical notion of order that does not correspond to the pre-colonial accounts given to us in the work of a whole host of anthropological studies.[58] In this model the chief is a person of almost unlimited and unrestricted power, free to decide on almost all issues pertaining to the community.[59] This model of traditional African society was also the preferred model of the colonial administrators keen to establish hierarchies of order where it was clear who to negotiate with. Little wonder, then, that African society was often portrayed by colonial administrators as hierarchical and autocratic.[60]

There are others, such as Nelson Mandela, who argue that chieftaincy depended on a vibrant village council system in which discussions would take place until some form of consensus emerged. A chief was only a chief in so far as the council, and by implication the larger community, would allow him to be chief.[61] While there were certainly a variety of political forms and structures in pre-colonial sub-Saharan Africa, this model of chieftaincy, based on a vibrant system of community negotiations, was, by all accounts, widely spread. There are those who

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[58] See for instance the guarded reflections in W.D. Hammond-Tooke, (1975), **Command and Consensus - The Development of Transkei Local Government,** Cape Town; David Philip where he states that "traditional leadership structures prior to European settlement in South Africa… were not as autocratic and tyrannical as is sometimes suggested" (page 292).

[59] L. Ntzebesa, (1999), **Land Tenure Reform, Traditional Authorities and Rural Local Government in Post-Apartheid South Africa**, Research Report No. 3, Programme for Land and Agricultural Studies, School of Government, University of the Western Cape.

[60] Mamdani, (1996), op.cit., p. 22.

[61] See, for instance, the debates about chieftaincy in Botswana as described by Deborah Durham, "Civil Lives: Leaderhsip and Accomplishment in Botswana", in John L. Comaroff and Jean Comaroff, (eds.), (1999), **Civil Society and the Political Imagination in Africa**, Chicago, University of Chicago Press, pp. 192-218.

liken this form of chieftaincy to the ideal of direct democracy, very much in the fashion of Periclean Athens. However, just as Athens excluded slaves, women, and the young from its deliberations, the council system was reserved for the input of the elders in the community and is, from a modernist democratic point of view, profoundly undemocratic in nature. Interestingly, in such a system a chief was not a chief by virtue of a hereditary title but by virtue of communal decision-making and could be replaced if the community felt so inclined – a mechanism today's chiefs reject based on their claims to hereditary title.

Finally, there are quite novel ways in which contemporary chiefs have regained power and authority under the guise of modernity. For instance, in a fascinating case study of two communities in Northern KwaZulu-Natal, Ilana van Wyk documents how chiefs have turned their 'tribe' into a corporation and have positioned themselves as the Chief Executive Officer of that corporation.[62] Families, clans, even whole communities can develop into corporate entities with the head of the corporation being the chief in the convoluted politics of South African land claims. Several communities have pioneered this model in order to enter and win land claims through the land redistribution program currently in place. The two communities studied by van Wyk are by no means exceptional as a similar development has been documented by Steven Robins in his case study of the #khomani San community.[63] Certainly, the Bafokeng of Rustenburg furnish another interesting adaptation of the notion of a 'tribe' turned corporation as the chief also is

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[62] Ilana van Wyk, (2002), "Land Claims and Corporate Mimicry: Brokering Development in Maputaland", paper, University of Pretoria, Department of Anthropology.
[63] Steven Robins, (2001), "Citizens and Bushmen: The #khomani San Land Claim and the Politics of Citizenship and Community in the Kalahari", **Journal of Southern African Studies**, 27, 4, December.

the CEO of a platinum mine that has indeed paved the community's streets with gold.[64]

To recap the main theoretical points of this section, I have argued that chiefdomship, in its present incarnation, is of relatively recent origin and is a response to the encounter with colonialism and modernity. It has taken a particular, some might argue perverted, form in South Africa as a result of the immense pressure exerted on the black South African population during the apartheid years. Chiefs are conceptualised as the standard bearers of an indigenous social totality and that notion is in itself borrowed from modernist discourses on the constitution of social wholes. In other words, the process of encompassment has moved along pre-colonial African modes of politics, self-representation, and identity and the institution of the chieftaincy is testament to the fact that there is no such thing as frozen tradition. The fires of the encounter between local communities, the interventions of the central state with its myriad of interests, and the parades of Western agents and interests traversing the South African cultural landscape forge the concept of chieftaincy in modern South Africa. Depending on their position vis-à-vis any of these forces, chiefs in South Africa may play the role of opposition to the state, particularly local government, sometimes they may function as representatives of the state, sometimes as mediating agents on behalf of 'their communities' in the negotiations between the South African state, global forces and local interests.

Traditional Authority and the Social Structure in Post-colonial South Africa

Of course chiefs need supporters in order to enforce their rule. What are the reasons for supporting what is, in western eyes, an autocratic, patriarchal system?

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[64] Reference the BaFokeng story

Who are the supporters of such a system?   Lungisile Ntzebesa conducted a comparative study of traditional authority in the Eastern Cape and came to the conclusion that the main base of support for the chiefs came from rural, elderly males.[65] The more removed from the capitalist economy, the more unlikely to move to the urban areas, the elderly the individual, the more likely it was that this person supported 'traditional authority' structures. Indeed, there are several studies across South Africa that re-enforce this point. The reasons why this may be so are grounded in the experiences black South Africans underwent in the colonial and apartheid era. Elderly males experienced the 1980's and 1990's as years of struggle in the sense that the ANC Youth League challenged parental authority.   The struggle was not just carried out in the streets of the townships, at national and at an international level. The struggle against the regime was transported into the home of almost every black South African family and involved issues of gender and generation.[66] What are regarded as traditional relations between men and women were fundamentally challenged by the ANC Women's League and its activities. The authority of males and elders was challenged by the youth activists but actively undermined by the charge that the older generation had done nothing to fight the system, to oppose oppression, or to work for a better society. Youth activists in many parts of the country took it upon themselves to dispense justice, in some cases to seek out 'evil' as so vividly demonstrated by both Peter Delius and Isak Niehaus in their studies of the resurgence in witchcraft accusations, and to establish a new social and political order.[67] In many areas of the country the 'youth rebellion' led to a backlash by those who saw their status and authority challenged. That this backlash was not restricted

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[65] L. Ntsebeza, (1999), **Land Tenure Reform, Traditional Authorities, and Rural Local Government in post-apartheid South Africa**, Cape Town: University of the Western Cape, research report #3, pp. 73-76.
[66] Tin, (2001), op.cit., pp. 127-152.
[67] Peter Delius, (1996), op.cit., pp. 198-211 and Isak Niehaus, (2001), op.cit. pp. 183-193.

to rural and out-of-the-way places is illustrated by the violence heaped upon any unknown young person who happened to venture into Crossroads and fell into the hands of the 'witdoekies', also known as 'the Fathers'.[68] However, the bedrock constituency for traditionalists are the remote rural areas, particularly in the Eastern Cape, KwaZulu-Natal, and the Limpopo provinces.

There is another, and not insignificant, constituency who may provide a bed of support for traditional authority. The apartheid notion of a clear boundary between urban and rural spaces was, of course, always a useful fiction for the regime but had nothing to do with the realities of the migrant worker system. While 'influx control' forced miners and other migrant workers to consider a return and retirement to the rural spaces from where they had come, the abolishing of influx control has led to a situation where more migrants now think of their home in the urban areas where they have spent much, if not all, of their lives. Yet, while 'home' may be a township in urban South Africa, rural assets are of great importance in many black South African households.[69] The practice of lobola, bride-money, is still widely used and in those social circles where lobola is seen as an indispensable means of securing the family name, its importance and traditions, the ownership of cattle, in which lobola is paid and/or arranged for, is an absolutely crucial aspect of wealth creation.[70] That wealth creation in terms of cattle has nothing to do with commercial farming, in fact is diametrically opposed to such capitalist agricultural practices, is exemplified by the struggles over access to grazing land on commercial farms in the Natal Midlands.[71] There is then an urban constituency of young, relatively affluent, and employed

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[68] Steven Robins, "Bodies out of Place", p. 1.
[69] Jonny Steinberg, (2002), pp. 230-231.
[70] John Comaroff and Jean Comaroff, (1980), "Bridewealth and the Control of Ambiguity in a Tswana Chiefdom", in J.L. Comaroff, (ed.), **The Meaning of Marriage Payments**, London and New York: Academic Press.
[71] Jonny Steinberg, (2002), op. cit., pp. 217-232.

individuals who regard the opportunity to access land via traditional authorities as an important means of wealth creation and maintenance.

In fact, this constituency may harbour the desire to maintain homes in both rural and urban spaces. And the benefits to an urban, relatively affluent individual of access to traditional lands are considerable – as one of my informants said:

"where else do you have the opportunity to gain land without paying a single cent for it? How else do you build a house, a really nice place, without paying off a bond? And all you need to do is pay off the chief – they can be had for very little money – and you get the best land. Traditional authorities are wonderful creations for those of us who don't mind going back to the rural villages and want to live the good life there!" [72]

That access to grazing land and land for building purposes has little or nothing to do with commercial forms of agriculture is illustrated in Jonny Steinberg's extra-ordinary analysis of conflicts between white commercial farmers and their tenants as well as extended (often urban) families in the KwaZulu-Natal Midlands district.[73] In fact, commercial farms, eco-tourism facilities, wildlife parks and other capitalist ventures such as forestry might become the targets of concerted efforts to return large tracts of land to its former use as subsistence farms and sites for various cultural and religious practices in an effort to retain and expand the rural assets of urban dwellers. Niehaus, for instance, speculates that former mortal enemies – chiefs and comrades (the activists of the youth leagues) – are now entering a new phase of their relationship.[74]

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[72] Interview with a well-do-to resident of East London who is about to be given land in the Qunu area near Umtata by a chief to whom he is related.
[73] Steinberg, (2002), op.cit., pp. 217-243.
[74] Niehaus, (2001), op.cit., pp. 156-182.

Once divided by their opposition to or support for the ANC, the ANC is now 'the state' or 'the government' and seen as responsible for the lack of delivery and betterment. Comrades and chiefs, first sidelined by the new dispensation, may well find plenty of common ground to act in concert and against the modernising state.

There are then good, some might suggest rational, reasons why a good proportion of South African society might lend support to traditional authority. There are those who benefit from it materially; there are those who imagine that it shores up their political, social and cultural position in society; and there are those who see it as an indispensable means of establishing and maintaining cultural values, customary law and order. In a context in which democratic governance, in the form of a functioning local authority, is virtually non-existent, it is not surprising to see sections, shards of society turning to what is believed to be 'traditional' power and authority as a means of stability and security. The degree to which chiefs are seen as the indexical icon of a social totality, the standard bearer of tradition and custom, is dependent upon a person's position in social space with those who are elderly and rural believing most in the sanctity of the chief and those you are young and urban believing in it the least, unless they have considerable assets invested in the rural areas.

It is then also understandable that there is a considerable social movement opposed to the re-emergence of chiefs as holders of authority and power. Attempts by chiefs to expand their influence and authority into urban spaces are being resisted by a coalition of forces centred around various women's self-help groups and other political organisations concerned with the establishment of democratic structures and procedures in both rural and urban spaces. For instance, the Homeless Peoples Federation, a NGO consisting primarily of women, expressed their surprise when they

learned about the role traditional authorities in Kenya occupy in relation to any initiative taken by women's groups.[75] Chiefs must sanction every action taken by the women's movement. Steven Robins reports that the South African women expressed anger at this situation and encouraged their Kenyan counterparts to break free of these, as they viewed them, oppressive restrictions. Not only women are opposed to the resurrection of chiefly power, so are a variety of urban youth organisations that fear that the re-establishment of councils dominated by elderly males will lead to a disenfranchisement of younger members of the community. While there is, at this point, little threat that the chiefs will be able to gain control over large urban spaces, there can be little doubt that there are large parts of the country where the traditional authorities have the power to establish their will over an unwilling population.[76] The question – do the chiefs rule because people wish them to or because there is significant fear of reprisal if their authority is opposed – appears to be answered, more often than not, by the later.[77]

The institution chief is a socially mediated form, standing between a notion of social life based on direct sociality among agents who are all transitively connected by virtue of their relationship to the chief, and modernist notions of indirect sociality founded on horizontal lines and linkages, such as citizenship and national identity. The issue of accommodating the institution chief in a political democracy based on notions of citizenship and national identity is then a problematic strategy as it implies a move away from indirect linkages to direct linkages and waters down the issue of allegiances to the state and wider community. It fuels the fires of exclusivity and

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[75] Steven Robins, (2002), "Grounding Globalisation from below", paper presented at the Human Sciences Research Council Conference on *"Beyond Solidarity",* Stellenbosch August 20002.

[76] That there are efforts underway to establish an urban foothold in the Western Cape spearheaded by chiefs located in the Eastern Cape emerged from a variety of interviews we conducted with traditional leaders in September and October of 2002.

[77] Interview with Lungisile Ntzebesa, October 7th, 2002.

locality as well as leaving 'citizens' in a state of dependency on legal and other forms of power outside of the constitution and outside of the state.

Section 3: Interview Findings

Profiles of Chiefs Interviewed

In terms of the profiles of the chiefs we interviewed, two quite distinct personae developed. On the one hand, we spoke with local chiefs who were generally elderly individuals (as one would expect) with very limited to no educational background. These individuals saw their roles very much in terms of facilitating community issues, of bringing together disputing parties, of listening to their version of events and suggesting ways of bringing the issue to a close, of sitting under a tree and discussing issues with their 'subjects'. These chiefs were concerned with issues of 'tradition', of families and familial ties, of land usage and of custom. They, in general, expressed their fears concerning the future of their communities, particularly the young in their community and their prospects of success. Several of these chiefs referred to issues of rural unemployment, of migration, of life in the city and how it had a deleterious effect on familial ties. On the whole, these chiefs did not experience the state as a force for positive change but as a potential additional threat to their 'way of life'.

On the other hand, we spoke with several chiefs, princes and regents whose educational backgrounds were considerable having attained university degrees – often through the University of the Transkei or Fort Hare – and who moved easily between the rural hinterlands and the urban areas. Among our respondents were several younger princes or chiefs who saw themselves as mediating between the central government and their 'nations' or communities. Their view of the state was a far

more nuanced one than the one we encountered with 'local chiefs' as they saw the state as a possible medium for development, a source of positive change if harnessed correctly. Their view of state as a developmental agent was embedded in a desire to see their role cemented into the state machinery as an indispensable part of the social order. They wished to see themselves as conduits of development, the agency through which the state could act at the local level without creating further levels of local government. Moreover, they saw themselves as agents rather than opponents of democracy in the sense that they represented the best virtues of direct democracy – in some cases they actually referred to themselves in terms of the Swiss model of consultation and mediation. However, at the very same time, they did not see their main role in terms of mediating disputes among their 'subjects', as that would necessitate their presence. Most of these chiefs saw themselves as engaging in politics at a higher level and viewed the critique that they were not available to their communities as without basis. In this manner they could justify why they might be based in Umtata, Cape Town or Pretoria and having delegated their communal responsibilities to members of the family.

All of the chiefs we spoke to had developed sensitivity on the issue of gender. The widespread critique that chieftaincy was a male preserve was challenged by several of the chiefs who argued that women were able to become chiefs. They cited several examples, but the most common one cited was that of the Rain Queen, Queen Modjadji. While there were certainly several female chiefs we encountered, on closer inspection most of the female chiefs were in that position as placeholders for their eldest son until that person would take over the role of chief. In some cases, female chiefs and regents were placeholders because their eldest sons were still minors or too young to take over the function of chieftaincy. In other cases we found that the eldest

son, while old enough and equipped with the necessary customary skills acquired through the initiation and other processes, was not willing to take on the office. In these cases, the usual reason given was that the son had embarked on a successful career, which took him away from the community. In all cases the argument was made that there was room for female chieftaincy, but the extent to which this is practically possible must be weighed against considerable resistance from both chiefs and their 'subjects'. There is, undoubtedly, a great deal of pressure being exerted by central government on chiefs to accommodate female chiefs and the response by the traditional leaders is one of opening up spaces for such women.[78] For instance, at a meeting in Bisho with several of the highest-ranking traditional leaders in the Eastern Cape, half of our group of interviewees/respondents were female chiefs. However, these female chiefs, even when called upon by us to comment on a particular issue, deferred to the main spokesman of the group and the other male respondents. In fact, during the entire meeting, the five female chiefs did not utter a word.

Similarly, the issue of identity and the questions we posed on that topic show a world in motion and change. On the one hand, chiefs and regents expressed their outrage at the borders drawn by the Demarkation Board when it drew up municipal boundaries. Arguing that the Demarkation Board had not taken into account the various community structures and had split many communities up by allocating them in different municipalities, the chiefs expressed their opposition to the process and

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[78] The emphasis at the press conference introducing the Draft White Paper on Traditional Leaders and Governance by the Minister of Provincial and Local Government, Sydney Mufamadi, was that customs also had to change and that women must be given the same rights as males on issues of traditional leadership. See "Some Customs Must Change", on www.polity.co.za 2.7.2003. The point is also made rather tersely on page 28 of the Draft White Paper where traditional authorities are reminded that South Africa is not just signatory to a variety of international treaties on women's rights, but was a driving force behind these agreements and cannot be seen to be contravening them in local practice.

described it as having been 'non-consultative'.[79] On the other hand, it soon became clear why the Demarkation Board's task was so difficult as it soon emerged that the 'boundaries' and communities they supposedly encompassed were extremely fluid in nature and undefined, at least in geographical terms. On one memorable occasion we were informed that there was, in fact, no Xhosa nation but several nations and groups who shared Xhosa as a language and culture but who referred to themselves as Thembu, Mpondise, Mpondo, or Hlube. Only chieftainess Nqika, it was claimed, could lay title to the term Xhosa being the direct descendant of Chief Hintsa and the rightful heir to the Xhosa kingdom. In some ways reminiscent of the pre-colonial situation where ethnic groups did not exist but kin and clanship groups did, the constitution of a 'group' has more to do with family or clan relationships and less with cultural identity, language or geographical boundaries.

Views of Local Government among the Chiefs

Three strategies emerged from our interviews with traditional leaders on the issue of how to deal with and cope with the new local government structures. One group of chiefs took an oppositional line arguing that local government was not necessary in their locality and that the chiefs should constitute that level of governance. This point of view resonates also with the IFP perspective and constitutes the most radical oppositional stance. In some cases, these chiefs threatened local councillors, particularly those of opposition parties, and expressed open hostility to the, as they viewed it, illegitimate intrusion on their turf by the new dispensation. Such chiefs argued that local councillors did not respect the institution

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[79] We also spoke to Dr. Michael Sutcliffe, the Director of the Demarkation Board at the time, who disputed vehemently that the process had not been consultative. Sutcliffe argued that he had talked with more traditional leaders than anyone else ever had to establish useful boundaries and that the process had been delayed many times over as a result of trying to establish fair solutions to the many disputes that arose from the process.

of traditional leaders and that they 'politicised' what were essentially matters of local development, of cultural and social practice.   A refrain in this camp was that politicians act to build their political power and not for the good of the community. And, indeed, in areas where traditional leaders and elected politicians happened to be in opposite political camps, the level of cooperation between the two appeared to be minimal. Traditional leaders, so their view of themselves, were servants of their community and above party political gains but politicians exploited their control over resources for the ends of their political party to the detriment of the community.

A considerable number of interviewees indicated a 'wait-and-see' attitude. While being, in essence, opposed to the new municipal structures, these chiefs expressed the view that these municipal structures would not disappear and that the traditional leaders were under both pressure from central government and obligation to their communities to work with these new structures.   These chiefs expressed reservations about the ability of local government to fulfil its role as the development agency of the central state, but they also indicated that if the government were to cooperate with them in the quest for local development, they would be willing to cooperate.   Precisely how far such cooperation would go is still an issue for debate. For instance, in October of 2001 the then chairperson of the House of Traditional Leaders in the Eastern Cape and ANC MP, Nkosi Mwelo Nonkonyana, expressed his opposition to the Traditional Circumcision Act of 2001 because it attempted to regulate the practice of circumcision in initiation schools. The Department of Health was given instructions as to how to perform the circumcision and traditional leaders objected to the new health directive because it would allow female doctors to perform what was essentially a male ritual. As Nonkonyana complained, "we cannot allow

women, particularly those who are breastfeeding, to fiddle with our boys genitals".[80]

He went on to vow that he would defy government policies when his son was to undergo the ritual. When pressed for a response, the provincial MEC for Health suggested that Nonkonyana would not be prosecuted for defying the Act as it was meant as a guideline rather than a dictate to the traditional authorities.

The third strategy was expressed by several of the ANC aligned chiefs and regents who expressed the view that it was possible to 'democratise' traditional authority and that there were several avenues open to the traditional leaders to 'modernise' the institution.[81] Several members of CONTRALESA and the Houses of Traditional Leaders argued that the post-colonial African village council, the kgotla, constituted a form of direct democracy in which all citizens could participate, argue their point of view, be heard by the rest of the community and in which decisions were reached through debate and the desire to reach a consensus decision. In response to the Draft White Paper on Traditional Leadership and Governance the Coalition of Traditional Leaders argues that democracy can have a variety of meanings and that the example of direct democracy as practiced in Switzerland is the equivalent to that practiced in African village democracy.[82] Many of the more creative minds suggest that traditional authorities can become an instrument of democratic rule rather than autocratic decision-making and argue that the correct mixture of elected and hereditary power should be established in local government. A comment on the Draft White Paper by the Eastern Cape House of Traditional Leaders argues that the lowest level of local government, the so-called B Category Municipalities, should be turned over to the traditional authorities and dispense with

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[80] See Sam Mkokeli, "Traditional Leaders Vow to Defy Traditional Circumcision Act", **East Cape News**, Grahamstown, 26. October, 2001.

[81] This is, of course, very much in line with the rhetoric in the Draft White Paper of October 2002.

[82] See The Coalition of Traditional Leaders, *Comment on the Draft White Paper on Traditional Leadership and Governance,* 15. November 2002, p. 4.

elected officials altogether. At the municipal level the comment suggests that the current Municipal Structures Act reserves some 20% of the seats for traditional leaders but that this mixture of 20% to 80% may not the traditional authorities the respect, status and dignity they deserve. The comment argues that 100% of all recognised traditional leaders should be included in the municipality with the justification that the number of traditional leaders is not likely to be much greater than the current 20% apportioned to the chiefs. The reason for such an inclusive strategy is that under customary law no chief can represent another chief and if the 20% rule is enforced, it would require some form of exclusion of certain chiefs and headmen. Moreover, although traditional leaders should not exercise a vote, they must be consulted on every issue and have a right to delay any decision for 30 days to ensure widespread consultation and consensus building. The comment points out that such an inclusive strategy would not pose any financial burdens on the councils as 'traditional leaders are already paid'.[83]

Demographic Profile of Local Councillors Interviewed

The profile of the local councillors we interviewed differed significantly from that of the chiefs. Local councillors were often younger than the chiefs interviewed, with almost half being under the age of 35. Of those interviewed, a third had a basic matric education or higher while the rest had not finished school. Only a few of those interviewed had a university degree and for a good proportion being a councillor was the first and only employed position they had held.[84] Most of the councillors we

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[83] Eastern Cape House of Traditional Leaders, *Proposal on the White Paper*, 24.1.2003.
[84] It must be noted that these findings may be episodic and pertain to the two areas studied. In a preliminary study of chiefs and local councillors in Venda, I discovered a somewhat different pattern. In Venda, several councillors were also either prominent businessmen and women or associated with a business person in the region and had obtained high school and university training.

interviewed had a background as activists in civil society groups opposed to the apartheid regime, particularly the older interviewees.

What transpired relatively quickly from the interviews is that the elected councillors were often articulate spokespersons for various community grievances. They had acquired the reputation in their communities for activism and were elected to articulate the community's disgruntlement with the status quo. In the case of the younger councillors, they were often regarded by the traditional leaders as 'troublemakers' and too young to be 'real men'. Several of the local chiefs complained about the behaviour of the 'youth'; in one case a local chief took us to the community hall to show us the damage that the 'youth' had inflicted on the hall. As it turned out, the windows of the hall had been smashed over a decade ago in an anti-apartheid demonstration that had also turned nasty in terms of the chief having been threatened by the youth activists. The windows had not been fixed and the damage not been repaired so that the community hall had been in disuse since the early 1990's. The chief informed us that several of the area's current local councillors had been involved in the destruction of the community hall situated next to the chief's kraal and indicated that he expected them to shoulder the cost of repairing the hall.

The interviews also established a general level of demoralization among the local councillors that related to their generally poor educational background and the tasks they were expected to perform while in local government. Several of the respondents indicated that it was difficult for them to read the legal statutes and government directives. Most of the respondents expressed that they had some or many problems with English and the reading of government texts. Others complained about the lack of resources and their inability to perform the tasks of local government to the satisfaction of their constituencies. In the two areas, none of the councillors could

identity a single success story of rural development that they had undertaken. In general, the councillors expressed concerns about their role, the role of the municipalities, and the lack of economic progress and development in the area. The mantra of problems was the same for both chiefs and councillors – unemployment, lack of jobs and education, lack of facilities and the resulting problems of health, migration, and opportunity.

The Views of Local Councillors on Traditional Authorities

Many of the local councillors expressed the hope that they could cooperate with the traditional authorities but also expressed scepticism about the difference such cooperation might make. Most local councillors agreed on the problems facing their areas – poverty, unemployment, lack of facilities and services. These problems would persist whether there was cooperation with the traditional authorities or not. Most appeared to be despondent about the political role they were playing and the lack of difference they were making to their constituents.

Most of our interviewees exhibited a remarkable lack of initiative when it came to addressing the issue of traditional leadership arguing that it was up to national government to involve the traditional leaders in governmental issues. While they saw no problem in involving the traditional leaders in decision-making, they also viewed the situation as one created by the national instances of government. They were 'waiting' to hear what the state and government planned to do. The levels of demoralisation we witnessed amongst many of our interviewees indicated that they felt that the limits imposed upon the municipalities were such that meaningful political action at that level of governance was not really possible. Most of the

councillors indicated that the problem was a constitutional one and one that the local level could not address adequately. While waiting for the central government to clarify the role traditional leaders would take in local governance, most of the councillors fully expected that chiefs would be given a significant role to play in the decision-making process.

Section 4: Conclusions

The ANC's Tolerance of chiefs – votes, nationalism, and state incapacity in the age of neo-liberal economics

Given that chiefs and their methods of making decisions hardly fits into the western paradigm of elections, or representative democracy, or of open and accountable governance, why does the ANC tolerate, even encourage the re-emergence of chieftaincy? I wish to develop three explanations for this curiosity, all of which reflect on the failures of capitalism to bring wealth to the post-colony. The first explanation focuses on the integration of the rural areas into the nation-state in the era of neo-liberal economic policy.[85] The second explanation focuses on the encompassment of the political leadership of these remote areas into the polity and the political parties. The third explanation draws attention to the politics of culture in the context of capitalist failure.

Modern political leaders, the ANC is no exception, see chiefs as an institution that will allow them to nationally integrate the hinterlands, particularly if the state faces resource shortages and has devolved the implementation of distributive policies

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[85] For an exposition of a broader argument pertaining to the relationship between emerging, post-colonial democracies and the global economy, see Edwad LiPuma and Thomas Koelble, (2003), "Democracy, Freedom and the Vice of Encompassment", **Identities**, Vol. 11, No. 1.

to the local and municipal levels. In the South African case, the adoption of the neo-liberal economic paradigm has brought about a situation in which state expenditure through local government is not sufficient to alleviate the pressing socio-economic problems of underdevelopment and overcrowding.[86] Needs in terms of access to schooling, health facilities, housing, not to mention employment, even the basics such as electricity and clean water supplies, are beyond the scope of many rural municipalities.[87] As local government is unable to satisfy the demands of a restive rural population, the state has turned to the chiefs as allies in the pacification of this constituency. On every major initiative launched by the government – whether it has to do with the spread of AIDS, whether it is to encourage school attendance, or the distribution of pension funds to the elderly in remote places – the chiefs are called upon by the leadership of the ANC to help implement the policy.[88] Jacob Zuma, the current Vice President, appealed to the traditional leaders to become involved in 'bringing good values back into African life' through joining the Moral Regeneration Movement.[89] While there are certainly vocal critics of the accommodation with the chiefs, the ANC appears to take the position that in certain rural areas the chiefs rule and that policy implementation rests largely with the traditional authorities rather than local government structures.

Second, the ceding of power to non-elected 'officials' necessitates some form of incorporation into state structures in order to avoid drainage of power to the periphery. Efforts are then made to encompass the chiefs in the modern state through

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[86] There is now a considerable body of literature which asserts that the economic policies of the government, collectively referred to as GEAR, have failed to achieve their targets on growth, employment, not to speak of redistribution, rather spectacularly. See Patrick Bond, (2000), **Elite Transition: from Apartheid to Neo-liberalism**, London: Pluto Press or Hein Marais, (2000), **South Africa: Limits to Change**, Cape Town: Zed Books.

[87] See Gillian Hart, op.cit. pp. 235-289.

[88] See "Traditional Leaders to help against AIDS", **Cape Times**, 24. October, 2002 reported on Nelson Mandela's appeal to the chiefs to get involved in the anti-AIDS campaign.

[89] Andree Koopman and Quinton Mtyala, "Africans must come back to good values", **Weekend Argus**, July 20, 2002.

the constitution or other institutional means. In the South African case that has been done through the establishment of the national House of Traditional Leaders and its provincial equivalents and through the payment of salaries to various royal houses, chiefs and headmen. The role of traditional authorities is not specified in the constitution and, as a result, leaves open the question as to whether the traditional leaders should play an active role in political debates and policy implementation. The national and provincial Houses of the Traditional Leaders are largely talk-shops, yet their existence begs the question as to their role. Given that the ANC has taken a hard line on its monetary and fiscal policy it is surprising to see the government spend some R 48 million per month on supporting the various royal houses, chiefs and headmen across the country. Moreover, in the North-West, Limpopo Province, and KwaZulu-Natal, traditional leaders are paid a generous stipend for attending sittings in the House of Traditional Leaders.[90] The payment of salaries to the non-elected officials of the state, who have no clear bureaucratic function, was at first opposed by the Inkatha Freedom Party as it viewed the policy as an attempt to coral IFP chiefs into the ANC/government camp. However, since the IFP is still a minor party in the governing coalition, the issue of salaries as a 'bribe' to support the government has largely disappeared from the discourses about traditional leadership. What has not disappeared, however, is the intense struggle among the political parties – ANC, IFP and the United Democratic Movement (UDM) – to persuade chiefs to join their party. In the rural areas it is often the chief who is called upon to express an opinion as to which party subjects should vote for and they therefore come with solid electoral block votes.

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[90] See "Traditional Leaders Cash In", **Mail and Guardian**, 8. November, 1999.

Third, the issue of cultural autonomy is of great importance in a nationalist, Africanist discourse and the role of traditional authority plays a crucial ideological role in the defence of African identity in the face of the overwhelming power of western discourses on economic and political modernity. Traditional leadership becomes a response to western conceptions of good democracy as well as a mechanism for overturning, reversing conceptions of African ungovernability. The *kgotla* system of village councils meeting to discuss issues and 'talk until a consensus is reached' is a powerful trope in arguing that there is an African democratic tradition that precedes colonial rule, that has its roots in African history and that can be resurrected as a uniquely African contribution to the discourses on democracy and consensus.[91] The importance this vision of 'tribal democracy' takes is well expressed in Andrew Nash's analysis of Mandela's vision of democracy as a means of eliciting everyone's opinion, of listening to all sides and of the leader making a decision with a view to obtaining maximum consensus from all that engaged in the debate.[92] The convergence of popular will with the ability of the 'wise leader' to embody unity, dignity, and humanity – in other words *ubuntu* – is an important theme in the political rhetoric of South African and African pan-nationalism. The tradition of chieftaincy, once made compatible with this version of democracy, could provide a vital ingredient in the development of a pan-africanist vision of democracy, arguably more suitable for African conditions than models grounded in liberal (American-European) thought.[93] In other words, the contradictions of the western model of democracy with

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[91] Nelson Mandela, (1965), **No Easy Walk to Freedom**, London: Heinemann.

[92] Andrew Nash, "Mandela's Democracy", in Sean Jacobs and Richard Calland, (eds.), (2002), **Thabo Mbeki's World: the politics and ideology of the South African president**, Pietermaritzburg: University of Natal Press, pp. 243-256.

[93] William Makgoba, (1996), "In Search of the Ideal Democratic Model for South Africa", **Sunday Times**, October 27th.

African notions of what constitutes democratic action go to the very heart of the South African liberation struggle in ways that have not been articulated clearly or precisely.

Moreover, the protection of cultural values and practices such as lobola, of land and cattle ownership, of male and female circumcision, of the rites of passage from child to adulthood, is part of the production of self-worth. Customary forms of rule and decision-making are an integral part of the definition of what constitutes a good, non-western alternative society. Land ownership may be seen as a pre-capitalist rather than capitalist practice and may symbolise a return to African, non-capitalist as opposed to western, capitalist values in an environment where capitalism has promised wealth but has failed to deliver it. True values come not from acquisition or from materialism in the western sense but from cultural rites and rituals.

The return of the chief to the centre of rural politics in Southern Africa is then an indication of the contraction of the state's capacity to affect desired social and economic changes in the rural hinterland. The irony of this circumstance is that it is western influences that have assisted in bringing about democratic changes in Southern Africa at the very same time as they have imposed neo-liberal economic policies of austerity.[94] These economic constraints have spawned profoundly anti-democratic reactions by the peasant populations of Southern Africa. And as political elites in the region grapple with the difficulties of economic stagnation, a cascading health crisis, food shortages and agricultural collapse, conditions for the maintenance of capitalist practices and democratic structures of governance become less and less

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[94] I do not wish to engage here in a debate on whether domestic, local actors or international, global factors were the most important in bringing about democratic change in South Africa. There was, of course, a fierce domestic struggle within South Africa against the regime. Both regime and its opponents could draw upon formidable western allies in their struggle. For an exposition of the confluence of local and global factors in the South African transformation I would like to note the research work I am currently conducting with Edward LiPuma that will produce a book manuscript in the near future.

stable, especially since there are powerful Africanist tendencies within the ruling party that do not share the western conception of democracy whole-heartedly.

While all of Southern Africa's regimes are under similar pressures to maintain democratic procedures and institutions, it is at the edges of the politics of the region – the rural and forgotten spaces – that the fires of an African fundamentalism are being fanned. The wildfires that these reactions to the failures of capitalist practices and democratic institutions are likely to bring are reflected in the collapse of Zimbabwe's economy and polity. What emerges from this research is that the production of democracy in the post-colony, and South Africa furnishes but one case of these dynamics, is dependent upon the existence of an activist central state that is capable of moving resources not only into the urban and 'modern' sections of the economy and polity but that is able to bring significant resources to bear on the improvement of the life-chances of the rural population. The global neo-liberal paradigm is hardly conducive to such a resource mobilization and the upshot of the inability of the state to transform lives in the rural areas has led to a situation where formerly discredited authority structures such as chiefs and headmen are now able to re-invent themselves in all sorts of novel ways to re-assert their claim to power.