

Chapter 13

Best Practices for Effective Traditional Leadership in a Democratic Regime: Lessons for Post-Colonial and Post-Apartheid South Africa

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Introduction

The juxtaposition of scholarly work and parliamentary debates that continue to question the role of traditional leadership in South Africa since the advent of democracy is held in high regard. Customarily, the ambiguity of traditional leaders in a democracy is influenced by the need to justify the budget allocation of public funds to traditional leaders. This establishes the tone and impression that a great deal of work remains to be done to comprehend the necessary steps and practices for incorporating traditional leaders in South Africa's democratic advancement. For thirty years, South Africa has been a democratic nation. Throughout these years, it has been evident that the lack of incorporation of traditional leadership and governance causes traditional leadership to compete with democratically elected leadership or governance – in a sense, they have been viewed as substitutes. There has been a heated discussion in South Africa since the country's independence in 1994 concerning whether indigenous authority is still significant and relevant (Koenane, 2017). Traditional leaders, according to critics, are relics of the past government structure (colonial and apartheid administrations) as well as a vehicle for indirect power.

Consequently, they are manifestly incompatible with modern democratic society (Baldwin, 2016). Traditional leaders, according to scholars such as Mawere, Matshidze, Kugara, and Madzivhandila (2022), Van der Waldt, Venter, Van der Walt, Phutiagae, Khalo and Van Niekerk (2007), and Koenane (2017) should be recognised as a special interest group that must be involved in democratic governance. According to Mawere et al. (2022), traditional leadership was democratic in and of itself, based on what we now term consensus. Van der Waldt et al. (2007) concur that traditional leaders should be recognised as a particular interest group that should be considered and one that actively participates in local government rather than as regular citizens within a standard democratic system.

South Africa's fledgling democracy is becoming more sustainable, and the future of conventional leadership seems doubtful. Over time, it has been suggested that conventional leadership has no place in a democratised society and has a limited place in

the present South African government system. Traditional authorities have objected to this viewpoint, claiming that the present democratic system unjustly jeopardises their fundamental cultural rights and role in rural cultures. Although the government has permitted traditional authority some political participation, traditional leaders claim that they have been excluded from the political arena. Thus, their position in contemporary South Africa has been erased. According to Tshitangoni and Francis (2017:70), Southern African nations gained independence from colonialism and apartheid and established democratic structures in which councillors play an important role in community leadership. Under the expectation that the two institutions will coexist, democratic institutions assumed customary leadership duties (Cheka, 2008; Mngomezulu, 2009; Mathonsi & Sithole, 2017; Mershon, 2017). While this is a great goal, tensions and disputes persist in the connection between the two institutions. This undermines both organisations' ability to advocate for incorporating traditional leaders into democratic institutions and decision-making.

Contextual Background and Rationale

Throughout history, South Africans (pre- and post-1994) have looked to their *Ubukhosi* (in Nguni) or *Bogosi* (in Sotho) for guidance. Despite several violent attempts to eradicate it, it has survived colonialism and apartheid. Having an inherently African make-up and worldview has helped the system of traditional leadership to endure. Foreign pressures and influences have failed to eradicate the African traditional leadership institution because of its distinct nature. The institution of traditional leadership was durable in the face of the myriad tactics, approaches, and strategies deployed by colonialism and apartheid. In a democratic South Africa, with political power in the hands of the African majority and the oldest liberation movement, the African National Congress (ANC), one might assume that the institution is flourishing and has a chance to make up for the lost ground it suffered during the country's colonial and apartheid periods. After all, traditional leaders were instrumental in forming the African National Congress (ANC), which began as the South African Native National Congress (SANNC) in 1912 (ANC today, February 2010).

However, it would be untrue to argue that democratic governance and institutions have not attempted to incorporate traditional leadership into democratic practices. Traditional leaders in South Africa raised concerns about the Interim Constitution of the Republic of South Africa's 1993 acknowledgment of their rights and authority throughout the first decade of democracy (George, 2010). As a result, the new South African Constitution of 1996 (henceforth referred to as the Constitution) has provisions that recognise traditional leaders and highlight the institution of traditional leaders (Khan & Lootvoet, 2001). However, nothing in the Constitution or other policy texts specifies the role that traditional leaders should play in municipal and provincial administrations (Koenane, 2017).

The absence of any mention of this role in modern, democratic South Africa in policy papers, including the Constitution is a significant issue. This is shown by Chapter 12 of the South African Constitution, which relegates traditional leadership to a secondary role in the country's post-apartheid administration (Koenane, 2017). The reduction of conventional leadership to a subordinate position is in accordance with democratic principles of egalitarianism, non-discrimination, and adherence to legal norms. This statement highlights the constitutional dedication to establishing a democratic society founded on the principles of human dignity, freedom, and justice. In this society, all individuals, regardless of their cultural or ethnic heritage, are entitled to equal rights and opportunities. Although traditional leadership may have a subordinate position in formal governance systems, there are continuous endeavours to enhance the authority of traditional leaders and facilitate their significant involvement in decision-making procedures at the municipal, provincial, and national levels. This includes efforts to improve the development of skills and knowledge, promote open communication, and reinforce cooperation between traditional leaders and elected officials.

Some leaders are pining for the 'good old days' of apartheid and even colonialism when traditional leaders claim to have had some meaningful powers, roles, and functions. Consequently, this chapter seeks to provide clarity on the concept and notion of traditional leadership and whether it is a competing or complementing institution to democratic governance in South Africa. However, this is not limited to unravelling best practices to incorporate traditional leadership into democratic South Africa's institutions. This will be undertaken by studying two African country-specific cases (Zimbabwe and Namibia); moreover, a non-African country (Mexico) is also explored. The three countries' cases had the custom of traditional leadership pre-democracy and even during the democratic dispensation. Mexico is included in this chapter to argue further that traditional leadership is not limited to the African context and lawlessness as some authors, such as Logan (2008), Mathonsi and Sithole (2017), and Tshitangoni and Francis (2018) have pointed out that traditional leadership before democracy was introduced in Africa, was viewed as lawless and lacking formal development and structures.

In view of the outlined problem statement and purpose statement, the research questions that were addressed by this study were:

- What arguments support or contrast democratic and traditional leadership in South Africa?
- What is the influence of traditional leadership on leadership in contemporary South Africa?
- What country-specific practices have been effective in incorporating traditional leadership and its practices in democratic governance?