

## Chapter 2

# A Historical Sketch of Traditional Authority (*Ubukhosi*) in South Africa's Political Economy and Development Sociology From Pre-Colonial Times to the Present

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## Introduction

The institution of traditional leadership is one aspect of the post-1994 dispensation that divides South Africans into those who are supportive, those who are opposed, and those who do not really care. The institution has undergone many changes throughout history in response to changes in governance and the political economy. The changes have had an impact on the institution itself in line with the political and economic system it was serving. The post-1994 dispensation accommodated the institution of traditional authority as it operated under colonialism and apartheid. During the transition to liberal constitutional democracy in the 1990s, the issue of the inclusion and/or accommodation of the institution of traditional authority was as divisive as the land issue. In *Chieftaincy, the State, and Democracy*, historian J Michael Williams (2010) points out that '... for the leaders of the post-apartheid South African state, there is perhaps no political institution that has caused as much contention, and as much angst, as the chieftaincy. Indeed, the more than two thousand mostly hereditary rulers that make up the chieftaincy institution have been a source of *agitation* for the government since the transition period in the early 1990s'. The use of the term agitation (implies tension, anxiety, and nervousness), in the description of the relationship between government and *amakhosi* by Williams (2010) is telling and revealing about the uneasy relationship between the governing party and its discomfort (or lack of a conclusive and firm position) when it comes to *amakhosi*.

## Background

The question of the role of traditional leaders in the social, political, and economic lives of citizens, in general and in the rural areas in particular has been asked many times, especially by those whose views are that the institution has lost its place. *Amakhosi* are part of the rural elite who derive legitimacy from custom, tradition, and spirituality (Cheeseman, 2020). While their claims to authority are local, traditional leaders, or 'chiefs',

are also integrated into the modern state in a variety of ways (Tieleman & Uitermark, 2019). Their location in rural and local governance allows them to function as development intermediaries between the people and the state. They do so by influencing the distribution of national public goods and the representation of citizen demands to the state (Honig, 2019). The existence at the same time in local governance of ward councillors as elected representatives of the people at the local level seems to create confusion and doubt on the role of *amakhosi* as the seat of local governance.

There are three key issues that seem to raise the question of the real role and position of *amakhosi* in the rural community:

- (i) Local councillors are elected to represent the communities and bring to the municipality the people's service delivery requirements, which are articulated into the Local Economic Development (LED) and Integrated Development Plan (IDP) of the municipality. *Amakhosi*, have no structured way of presenting community issues to the government for development.
- (ii) While *Amakhosi* are charged with the allocation of rural land, such land is not owned by *Amakhosi* but held in trust under the Ingonyama Trust while belonging to the national government. Land allocated to community members by *Amakhosi* has no title deeds and is therefore not attractive to the elite who prefer titled land that can be used as collateral in the banks.
- (iii) The administration of justice via the traditional courts remains optional, as individuals can choose to go to other courts as the rulings dished out by *amakhosi* are not always easily enforced.

## **Historical Outline of Traditional Leaders in South Africa's Political Economy**

The political economy and development sociology of traditional authorities in South Africa can be sketched in several phases: pre-colonial, colonial, apartheid and the current post-1994 phase. During the pre-colonial era, traditional leadership was a political and administrative centre of governance for rural communities. Under traditional leadership, governance and decision-making processes were codified, creating the basis of customary law. Under colonial rule, traditional leaders were co-opted and used by colonial powers to maintain control and implement policies that exploited black communities, leading to the undermining and eroding of authenticity and respect given to the institution by the people. During the apartheid era, the abuse of the office of traditional leader, which was started during colonialism, was continued and fine-tuned with *amakhosi* being used to maintain control and implement policies, particularly in rural areas or the homelands. The post-1994 era included *amakhosi* in the governance