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T*he IPT has a 10-year history of working with rural communities, especially in the North and South Coast of KwaZulu-Natal. Experience on the ground has taught us that rural development can only be achieved if all sources of tensions are identified and worked upon constructively by all parties involved.*

The uncertainty about the role of traditional leaders contributes to tensions between government and traditional leaders. The ones who suffer most are residents of rural communities who desperately need to benefit from local economic development. Instead, the tensions delay development.

For this reason, the IPT, through funding from Charles Stewart Mott Foundation, is conducting research to examine ways for both traditional leadership and democratic local government to work together in improving lives in rural communities. Our ultimate goal is to contribute to ways to harmonise the two institutions, both traditional and new, because both are significant and defining elements of our country. We hope to achieve this in three ways:

- *Mapping out points of convergence between traditional leaders and local government*

- *Assisting in improving the level of understanding among key actors in rural development*

- *Suggesting ways to enhance participatory democracy and speeding up rural development.*

In this first "double" issue on traditional leadership we contribute to the current debate around the Discussion Document entitled "Towards A White Paper on Traditional Leadership and Institutions", by offering some preliminary ideas arising out of research that address five of the nine themes established for a series of debates, discussion, and papers. In this issue we also examine the demarcation process for the new municipalities and the effect it is having on the relationship between traditional and democratic governance structures as it impacts upon the composition, role, powers, and functions of traditional authorities in local government.

Part 1: Role of Traditional Leadership

The role of traditional leadership institutions within a democratic country has further complicated South Africa's transformation process. Conflicts arise because many think that the two forms of governance, one traditional and one constitutionally entrenched, are not compatible. Others argue that they can be merged and must be since the constitution of the country recognises traditional leadership.

In an attempt to harmonise the two forms of governance, the national government has embarked on a White Paper programme. This involves research, discussion and debate around nine defined themes. These are:

1. Defining the historical background to traditional leaders in South Africa

2. Gender access to traditional leadership positions

3. The present and the proposed composition, role, powers and functions of traditional authorities in local government

4. The relationship between different kinds of municipalities and traditional systems (administrative, statutory and customary institutions and processes).

5. Needs assessment, training programmes and training institutions for all traditional leadership institutions

6. Accountability of traditional leadership and statutory institutions towards traditional communities and government.

7. Options for the promotion of effective service delivery jointly and separately by traditional leadership and other institutions and local government.

8. The impact of land reform programmes on traditional leadership and communities.

9. The present and future role of headmen (Izinduna) including their relationship to traditional leadership, methods of appointment and remuneration

This issue of *insight@ipt* addresses the first five of the nine themes given above in an effort to bring clarity to some key issues and further stimulate debate and discussion. We selected to highlight these themes that fit within our organisational experience and research. The data employed in the following discussion was captured through personal interviews, analysis of the 1996 constitution, related local government legislation, the White Paper discussion document as well as the national conference on traditional leadership held in the Midrand August 17-18 2000 that the IPT attended.

1. The Error of Historical Justifications

One of the justifications used in support of traditional leadership is that it derives its mandate from history and culture. This makes constructions of history something of a political battleground and therefore theme one is about finding some common definition regarding this history. It seems unlikely that this entire theme will generate anything meaningful, particularly when it comes to practical ways to create co-operative forms of governance that involve the two institutions.

Time and again, traditional leaders have tried, with little concrete gain, to rest their case for legitimacy on their historic and culturally-given roles. This is problematic because despite many histories and perspectives, there is no doubt that colonialism and apartheid policies distorted traditional leadership for political and economical reasons. That fact alone shatters any easy use of history to justify traditional leadership and enmeshes us in a spiral of tales and representations that can promote any and all arguments.

Various perspectives can also be generated to complicate and compose historical accounts. From one perspective, history fuses with culture and provides a manner of defining the legitimacy of traditional leaders. In this case, the Amakhosi are the unifying symbol of an historic nation, defenders of peace and stability, champions of development, as well as leaders of their respective clans. From another perspective, a new nation and political dispensation was born of struggles and ideals that both oppose traditional leadership and yet contribute to our descriptions and understanding of the history of traditional governance. No one entering the historic debate can escape the multiplicity of 'histories' that distort and colour our world views.

It is fairly easy to locate ways in which colonial and apartheid history distorted traditional governance and created new kinds of institutions that we call 'traditional'. For instance, the colonial system changed the hereditary system of succession to traditional leadership since the colonial authorities had a final say in making these decisions. Traditional leaders who resisted minority rule were brutally murdered or else banished to places of insufferable torture. Some were deposed or incorporated into the 'new' traditional system based on chieftaincy, an instrument of the 'Native Administration'. These chiefs were expected to serve colonial government before serving their communities and were rewarded for performing colonial roles.

'Divide and rule' colonial policies also immobilised collective resistance to colonialism. This had a long-term impact on cultures and cultural relations. For instance, it appeared to institutionalise resentment between ethnic groups like Xhosa and Zulu. When the National Party came to power in 1948 it reproduced this colonial legacy of ethnic division and this problem is still to be fully resolved within the cultural politics of South Africa today.

Apartheid's land dispossession policies further fragmented indigenous societies and reconstructed them in new forms that served the state. The Bantu Authorities Act of 1951 was aimed at fostering 'separate development' through homelands with traditional leaders at the helm. This was in line with the system of indirect rule and it gave an illusion that traditional communities were independent under their own traditional leadership. In fact, traditional leaders were given powers to enforce the apartheid policies, such as revenue collection and recruitment of cheap labour. This strategy further alienated many traditional leaders from their communities.

During the mid 1980's the struggle against apartheid policies gained momentum. Indigenous people were vigorously questioning the repressive rule of the National Party. The state apparatus was challenged from all angles, from homeland structures to Black Local Authorities in townships.

Traditional leaders were caught in the middle because their powers were derived from the state which was then under threat, hence they were compelled to take sides.

The involvement of traditional leaders in party politics has made it difficult for them to act as unifying symbols. Some traditional leaders even abdicated their responsibility as unifying symbols to act as political party agencies with immense powers to punish community members who did not adhere to the party platform.

Despite any historical justification for their legitimacy and despite the acknowledgement given in the new constitution, upholding traditional leaders as legitimate requires many practical considerations. This, in our opinion, is the discussion has been too long ignored and delayed rather than the history justifying legitimacy. One example of a very practical issue is the performance of traditional leaders in rural governance. Attempts at historical justifications or even re-writing history cannot rectify problems of poor leadership or the failure to address the immediate needs of rural communities.

Traditional leaders interviewed by the IPT argue that their institutions and forms of governance have not been stagnant and can be adapted to make participation at the rural local government level practical, appropriate and effective. More than 70% of traditional leaders interviewed in KZN suggested that rural development is best negotiated through traditional structures. In some instances, Amakhosi would prefer to appoint the councillors who serve their areas, arguing that this would make them more accountable and known to the people they serve.

This may be the key issues that needs further examination: does contemporary leadership in rural areas work in practical ways? Demonstrating that traditional leadership contributes in very practical ways to development is a far stronger basis for legitimacy than citing history.

Despite all the distortions owing to the historical experience of traditional governance under colonialism and apartheid, the post-apartheid constitutional framework did recognise traditional leadership. The Amakhosi also hope that a democratic order would restore their 'historical' roles. This creates a conundrum: in order to perform their roles adequately, traditional leaders need to be empowered by legislation and this has not been forthcoming because the very practical matters have not been considered. It is ultimately best to abandon the ideologically-loaded versions of history and seek practical ways to build cooperation. This has not been properly debated and discussed.

2. Gender access to traditional leadership positions

The new South African system of democratic governance is founded on the constitution which seeks to address all forms of inequalities. This approach has put to light all forms of discrimination which continue to exist in the country. Traditional leadership is one institution which is vilified on the ground of its overt patriarchal nature. On this basis critics of this institution argue that there is no need to have an institution which is not willing to promote gender representativeness and access to leadership positions.

There are policy dilemmas which arise as a result of the lack of gender sensitivity within

the institution of traditional leadership. One of them is whether the constitution or tradition should prevail on matters of this nature. If one were to use the constitution to clarify this, then undoubtedly the traditional institution will have to undergo a major transformation. This transformation could change institutions of traditional governance. For example, daughters of Inkosi should succeed their fathers in contrast to the male line of succession. The next question is: What happens to a family name after that daughter gets married?

On the other hand, if long-established customs were to prevail in matters of access to traditional leadership positions, then women and youth will once again be victims. This effectively makes the institution of traditional leadership unconstitutional in the new democratic order.

The IPT questions whether one should see traditional leadership as stolid and unchangeable while democracy evolves. The expectation that either traditional leadership or democratic governance must be taken as unchanged could be naive. Cultural and political change can be encouraged and democratisation as a process has already impacted on traditional leadership.

More women are being represented on traditional councils than in the past. An increasing number of Izinduna (the 'headmen') are also being elected. The IPT documented that as early as 1998 and also interviewed female Amakhosi who held the position that change was taking place. Again, traditional leadership does not stand outside of history and can become flexible and on the issue of gender relations we are not afraid to say it should change.

3. Traditional leadership in local government

Democratic governance at the local level is guided by the idea of *Developmental Local Government*. This is spelled out in the Constitution as well as in the March 1998 White Paper on Local Government. Other legislation enacted by national government to concretize development through local government include the Municipal Demarcation Act, Municipal Structures Act 117 of 1998 and the Municipal Systems Bill Notice No. 1776 of 1999.

The central idea behind developmental local government is the acknowledgement that this is the government sphere closest to the people and most capable of negotiating development via representatives who are elected and accountable to the people. Naturally, this usurps the role in which many traditional leaders would see themselves.

Section 151(1) of the South African Constitution also legislates the establishment of municipalities for the entire territory of the Republic. The Municipal Demarcation Act 117 of 1998 was enacted as a legislative framework governing the determination of new municipal boundaries throughout the country. The demarcation board is a statutory body that is tasked with the demarcation process (discussed in detail in part two of this *insight*).

The Municipal Structures Act of 1998 seeks among other things to:

- provide for the establishment of municipalities

- define the types of municipalities that may be established within each category

- to provide for an appropriate division of functions and powers between the categories of municipalities.

All this legislation is mutually reinforcing and completely integrated for the purpose of transforming local government and extending service delivery to the most disadvantaged sectors of the South African community. If the government were serious about the inclusion of traditional leaders in the process, they, too, might have been integrated within these legislative frameworks.

Lacking any policy framework governing traditional institutions in developmental local governance, incremental measures have been taken to deal with those that change from time to time. All traditional leaders in KwaZulu-Natal were assigned ex-officio status with voting powers in the regional council during the interim phase of local government. This interim phase started after the first democratic municipal elections in 1995 and ends with the second municipal elections between November 2000 and January 2001. Then, traditional leaders will be entitled to representation that may not exceed ten percent of the number of seats in district council. For example, if the district council has ten seats traditional leaders would be entitled to one seat[1].

This new formula has created uncertainty for traditional leaders. For instance, it allows for the possibility that not all traditional leaders

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[1]Local Government Municipal Structures Act 117 of 1998

would be part of a district council. The criteria for determining those traditional leaders that are to be part of the council and those that would be left out is not clearly explained in the legislation.

The government is currently seeking to address these problems through the White Paper on traditional institutions presently under discussion. This could possibly shed more light on the on the role, powers and functions of traditional authorities and relationship with local government.

4. Overlapping competencies

The transformation process led to the introduction of elected representatives whose task is also to promote development and service delivery in their respective areas. In rural areas, this task was a domain of traditional leaders who are still more prevalent. This has resulted in a great overlap between roles that were normally performed by Amakhosi and those which have been assigned to councillors such as social upliftment programmes, education, peace and stability.

These overlapping competencies have created some points of friction and there is a need to define the distribution of power between these structures. Previously rural local governance was centred around tribal authorities and now this balance of power is shifting to elected representatives.

Most Amakhosi that we interview argue that a large part of their legitimacy hinges on their capacity to deliver services to their respective communities, yet they are not certain of their role and competencies in new government structures. There is a widespread feeling

among traditional leaders that the transformation process and the subsequent introduction of councillors diminished their roles.

The lack of policy at national level rather than the friction at local level is the principal source of conflict. Since 1994, there has been a clear need to define the place and the roles of traditional leaders in the new democracy and it was debated at length but then left unattended as if the problem would go away if not dealt with. There was no concerted effort on the part of the transitional government or the new one to explain the precise role of traditional leaders in local government.

The long and almost irresponsible delay in addressing traditional governance means that we must now define the role of councillors in relationship to traditional leaders and vice-versa like an after-thought, years into the establishment of local government structures This makes friction and conflict even more likely.

5. Needs Assessment and Training

The IPT's interviews with Amakhosi suggest that the majority of traditional leaders believe that the government should empower them on such issues as policy formulation, the bill of rights and the constitution so that traditional leaders could better understand the national framework and how to fit themselves into it. In this vein, they believe that it is the responsibility of government to conduct training workshops that will benefit Amakhosi. This could be done as a short-term solution.

As a long-term goal, Amakhosi conceded the need for educational empowerment of traditional leaders. The lack of basic education by a majority of Amakhosi in this province does serve to exclude Amakhosi in government. Amakhosi felt that it is the responsibility of every tribal authority to begin to educate royal successors. This would ensure that future traditional leaders are capable of expressing themselves at every level.

Conclusion

South African history is characterized by the systematic exclusion of indigenous governmental structures in decision-making processes. It is this exclusion which South Africans fought against when they waged a war against a minority rule. It is therefore incumbent that national policies address this past and reflect a commitment to substantive participatory democracy.

Traditional leadership and the new government are both victims of colonial and apartheid policies. Instead of looking at traditional leadership as undemocratic and unchangeable perhaps it is more appropriate to look at how a partnership can be fostered between these structures in order to consolidate integrated rural development. One might very well learn from the other in a reciprocity that leads to mutual transformation.

Traditional leadership institutions challenge Western notions of how to democratize African governments. If this is done without eroding the long established indigenous models of governance, Africa will then have created African forms of democracy. In this vein, it is crucial to balance tradition and modernity in a way that does not denigrate one structure over the other.

Part 2: Demarcation and Municipal Boundaries

The 1999-2000 process of municipal demarcations in KZN seemed to come head to head with both party politics and the claims of traditionalists to land and culture. Fear has been rife among KZN traditional leaders, most of whom are also IFP, that the demarcations take no mind of existing leaders and exclude rural customs and traditions. In June 2000, Leader of the Provincial House of Traditional Leaders, Dr Mangosuthu Buthelezi told a joint meeting of the national and provincial houses that the new municipal demarcations put "our way of life and that of our communities and that of our respective national identities under threat".

Thus, understanding the demarcation process reveals much about the relations between traditional leaders in KZN and various spheres of government. It also informs us about how development will proceed in the rural areas. The IPT believes that both constitutionally and practically, the two forms of governance, both traditional and new, must co-operate if rural development is to succeed. Furthermore, rural development is essential if we want to avoid accentuating the acute urban/rural split that can so easily foster conflict here and in all African countries.

The municipal demarcation process included a range of newly constructed boundaries for metropolitan areas, district councils (formerly regional councils), municipalities, and wards. The ward boundaries were an especially delicate process since this can circumscribe voting populations so as to improve or undermine the chances of certain political parties winning local elections.

The finalisation of all these boundaries created conflict between the Demarcation Board and traditional leaders. Some traditional areas were divided between two municipalities, some were split between a region and a metropolitan area, but, whether split or not, rural areas long under the sway of traditional authorities, soon fall under the jurisdiction of newly demarcated local councils. This has left traditional leaders uncertain and fearful regarding their future in local governance.

The whole process of demarcation was resisted from the start. Few Amakhosi participated in the public hearings during the ward delimitation process (some say because they were not given proper notice) and the vast majority argued that the demarcation process should not include rural areas since the role of traditional leaders in future local municipalities had never been legally defined.

While membership in rural communities neither assigns one to the views of traditional leaders nor represents a cohesive group with a shared opinion, there was considerable resistance to demarcation at ground-level. Many rural people associate municipalities with the repressive tax policies of the apartheid regime and worry that they will now have to pay taxes on grazing land, title deeds and other privileges associated with communal life. Many traditional peoples are also horrified by any turn toward crime-ridden and unsanitary township life and see it as the product of destroying one's cultural roots.

One must also be aware that, under apartheid, many rural people suffered owing to separate development tied to racially-based demarcation processes. While the new municipalities are meant to correct that, the very idea of demarcations is politically and

historically charged requiring great sensitivity and much communication and consultation.

Despite the views of the Amakhosi and considerable numbers of rural people, these traditionalists had little voice in the demarcation process. It started in 1999 without any effort to address the tensions between traditional leaders and elected councillors. The Demarcation Board considered its main objective as re-defining municipalities, both in terms of geography and categories, to redress past imbalances and gross inequalities in municipal services promote integrated social and economic development. The Board, in line with the Local Government Municipal Demarcation Act (Act No. 27 of 1998), must have seen defining the relations between government and the Amakhosi as quite peripheral to the process.

The board did have some basic terms of reference including creating manageable, financially-viable municipal areas. These were some of the other terms that affected the Board's thinking and actions, none of which are specific to traditional areas:

- delimiting each municipality with 7 or more councillors, into wards
- basing most wards on the existing voting districts as determined by the IEC
- avoiding the fragmentation of communities
- encouraging participatory democracy
- ensuring accessible and suitable placing for both voting and counting votes.
- ensuring that the number of registered voters in each ward did not vary more than 15% from the norm.

Public hearings were held to take account of public objections but many were dismissed that did not fit within the terms of reference. At a meeting of the Municipal Demarcation Board on 30 May 2000, the Board considered over 700 objections that had been provided in response to ward delimitations. Most of these objections were avoided by the Board since they did not satisfy the criterion that wards must be within 15% of the norm for the number of registered voters.

The most politically charged problem in the process involved traditional leadership who basically objected to the entire process but also to some specific delimitations. After some 'tribal areas' were split into two different municipalities, traditional leaders argued that this would generate tensions within a single community as different parts would experience different kinds of development. The Municipal Demarcations Board nearly always disagreed with this view, either seeing more than one community within an area of traditional governance or arguing that it makes little difference.

One example of this contrasting view over demarcations occurred on the outskirts of Durban's new metropolitan boundaries. Eighty percent of the Qadi traditional authority area was absorbed into Durban while 20% became part of a district to the north. Inkosi Mzunjani Ngcobo argued that this would lead to conflict over development. Dr Mike Sutcliffe, chairperson of the Municipal Demarcations Board, saw no problem as "Qadi is comprised of six different communities". In November, the Qadi area will be split. Of course, the definition of what constitutes a community is quite flexible in the absence of clear definitions regarding traditional communities, leadership, governance and customary law.

Final ward boundaries as determined by the Municipal Demarcation Board
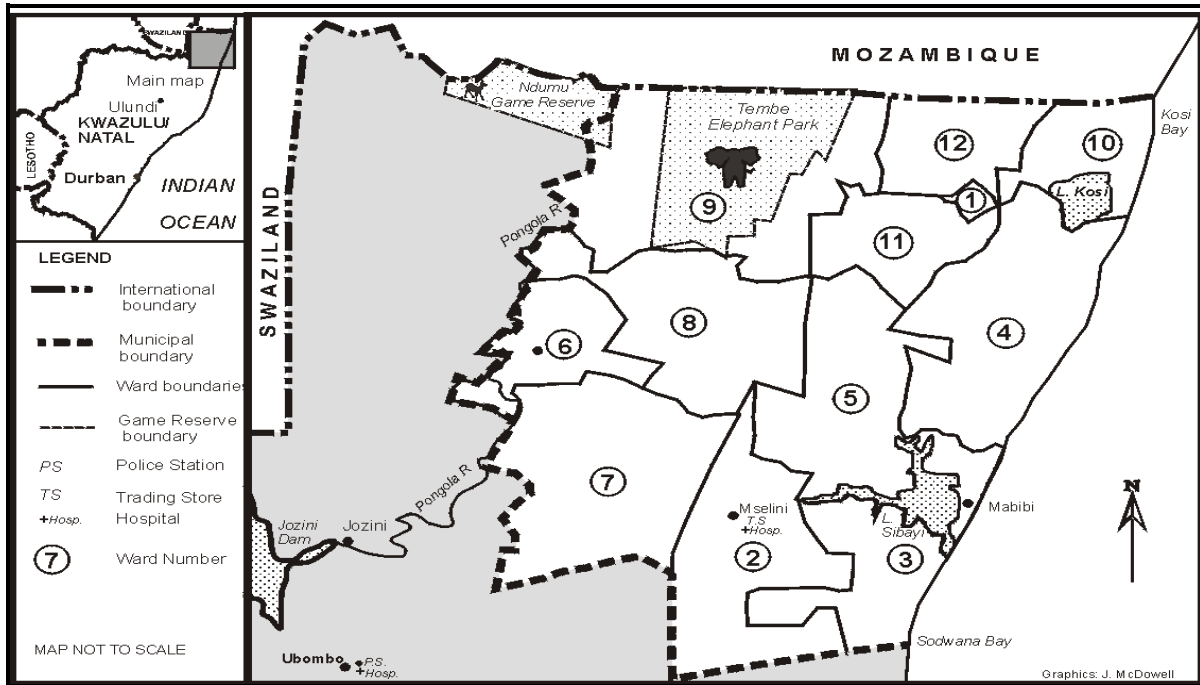
Previous Tribal Authority Boundaries
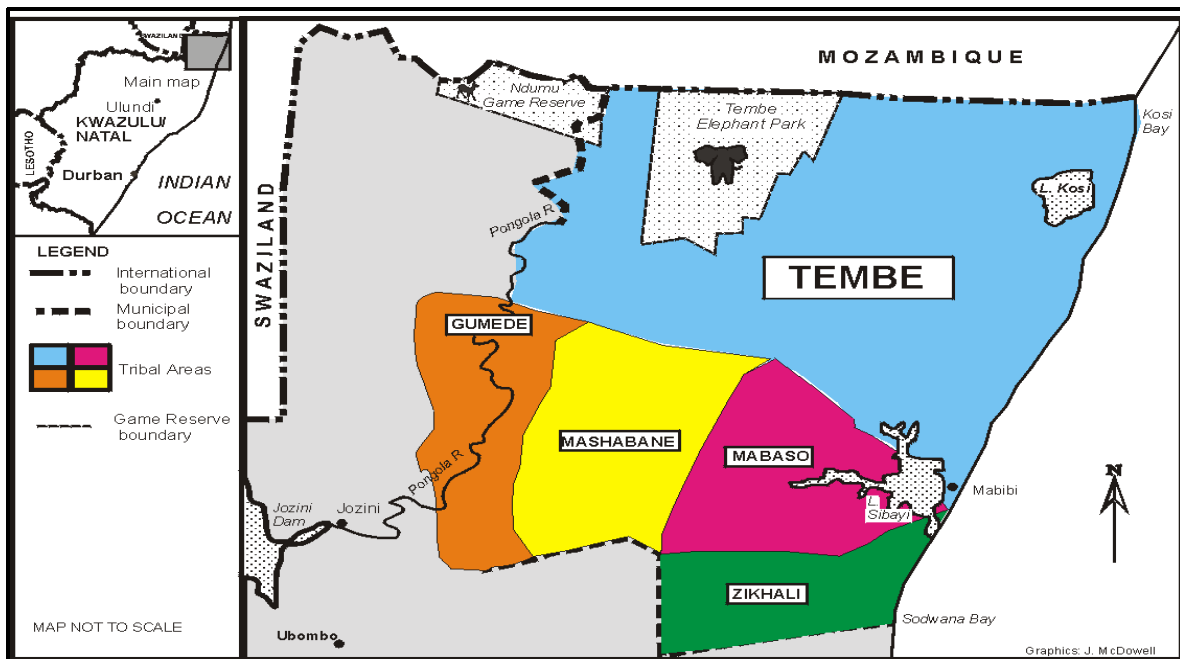
communities". In November, the Qadi area will be split. Of course, the definition of what constitutes a community is quite flexible in the absence of clear definitions regarding traditional communities, leadership, governance and customary law.

Meetings with traditional leaders

Problems relating to both specific demarcation and to the general problem it posed in relationship to the power and role of traditional leaders was not confined to KZN. On May 16, 2000, two national delegations of traditional leaders took up the matter of demarcations with the President of the Republic, Mr Thabo Mbeki, and the Minister for Provincial and Local Government, Mr Sydney Mufamadi. One delegation consisted of representatives from both the national and provincial Houses of Traditional Leaders along with ANC-aligned CONTRALESA and the Bafokeng Royal Nation. The second delegation was made up exclusively of traditional leaders from KwaZulu-Natal.

Both delegations raised concerns about the ongoing demarcation process and its impact on areas under the jurisdiction of traditional leadership as well as their role in local governance. President Mbeki and Minister Mufamadi replied that the demarcations did not weaken traditional leadership in the country and that the on-going White Paper discussion on the subject would soon lead to a clearer definition of the role, functions, powers and authorities of traditional leaders in local government. Traditional leaders felt that this was putting the cart before the ox since this process should have taken place prior to the demarcations.

The May discussions led to two fundamental commitments: (1) the government would speed up the process of consultation on the document; and (2) both the government and traditional leaders would participate fully in the deliberations on the White Paper and ensure that communities within areas of their jurisdictions are also encouraged to make inputs (see part one of *insight* for more on this subject).

Certainly the outcome is commendable but it also represents an anachronism: the time to have debated these issues and taken action on them was during the debates of the Constitutional Assembly some seven years ago. The long-held belief that resolving the tensions between two forms of governance would go away by ignoring the problem has proven itself wrong.

Impact on Development

The effect of the demarcation on rural development in traditional areas could include: (1) division and conflict owing to split allegiances between traditional and local authorities and (2) delays as new systems replace or complicate old ones causing genuine confusion owing to duplicated development structures.

Certainly indigenous rural people are long accustomed to a system of wards, councillors, and development committees. Each traditional area has several wards with a headman or induna and a development committee. In recent years, many of the izinduna have been elected along with the councillors that serve on the 'tribal council'. The new municipal boundaries create a new tier of governance under the jurisdiction of local councils that meet elsewhere, have separate representation and with some councillors from outside the traditional area. Undoubtedly, there will be

allegiance to the traditional system by some and to the new system by others.

Even should the two systems work compatibly (probably a long-shot), representatives in the municipalities who are not from traditional areas will be on a long learning curve that will delay development. The ways of traditional peoples are not the same as those of towns and farming areas. Priorities, protocols, and forms of communication are different and can lead to misunderstandings and conflict. The reverse is also true, rural people, especially traditionalists, do not always share the same values, priorities, beliefs and ways as non-traditionalists.

From November, councillors will have to find legitimacy among traditional peoples but since many are elected from party lists and not wards, this will be difficult. At the same time, the Amakhosi must find ways to maintain their traditional authority within a system that re-assigns power to councillors whose claim to legitimacy is via democratically-held elections. The lack of clear definition from national level has helped to foment this situation in which the conflict potential is high. Inkosi Ngcobo was reported as saying, "The amakhosi are prepared to die rather than sell the people to this thing."[2]

Demarcation Board Chair Mike Sutcliffe has suggested elected amakhosi as the answer to the conflict. In other words, let the rural leadership prove its fitness to lead in terms of the popular vote, leaving hereditary succession behind as an anachronism in a democratic society. Of course, this poses problems since this axiomatically denies any legitimacy to

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[2]Larsen, David (2000) "Traditional chief shuns demarcation process", *Reconstruct,* p.3, 13 August.

traditional systems which are structured more on cultural grounds than political ones.

What is certain is that as long as the role of traditional leadership is debated and subject to various whims and perceptions, development will be delayed, impacting on the poorest and most disadvantaged of South Africans , the rural indigenous people.

Discourse Politics and Demarcation

Demarcations that make new political arrangements across an entire province or country are bound to involve considerable debate and conflict. Accusations can fly and individuals are often blamed for any sign of poor performance and not the constraints under which they operate. Representations are often made that exaggerate circumstances to the benefit of the story-teller. Nonetheless the perceptions around any process, especially those describing whether it was fair or not, impact on the claims to legitimacy that undergird government functions. Simply, put those who feel left out of a political process often do not accept its results or mandates.

With regard to the demarcation process, these were some of the problems identified by the traditional leaders interviewed by the IPT. We neither support nor deny these claims but did find these perceptions to be common among traditional leaders:

- the public hearings were poorly advertised and occurred on short notice leading to poor representation from traditional authorities

- written representations to the municipal demarcation board were generally ignored

- the demarcation came before all the other necessary legislation was in place so that rural people could not evaluate its probable impact (e.g., the role of traditional authorities, rates and tax structure, the Financial Systems bill)

- the demarcation maps lacked detail so that traditional authorities and rural people could not see with any precision how the demarcation affected them on the ground

- most objections at public hearings were ignored and not followed-up

- many traditional areas were incorporated into urban municipalities without broad consultation

Since the Demarcation Board functioned on tight deadlines and a very limited budget, these claims are not surprising. However, political discourse is often more important than the 'final truth' of any situation. If the 'story' of demarcation is pitched in terms of an assault on culture and indigenous peoples, this could enroll the sympathies of many actors, including international organisations concerned with the oppression of traditional peoples. This kind of development should be avoided through concerted, transparent, and inclusive efforts to build co-operative relations between forms of governance, both the traditional leadership and leaders of the 'new' democratic South Africa.

One example of the political discourse shifting toward state vs indigenous nation constructions was given in the Provincial Legislature earlier this year. Prince Gideon Zulu, Provincial Minister of Social Welfare and Population Development, voiced concern about how "the fabric of the culture of the indigenous people of the land, that is the traditional leaders, was being eroded, their

rights being taken away" by the decisions and actions of the Demarcation Board and the legislation that backs it. This kind of discourse construction can lead to tense stand-offs and conflicts.

Mr T D Ntombela (MPP, IFP), speaking before the Provincial Legislature also this year, framed the problem in such a manner that the state and the chair of the Demarcation Board were represented as aggressors: "The honourable Dr Sutcliffe for whom I have respect, nothing is going to remain secret for eternity, today his aims and desires became apparent. He desires to curtail the power of Amakhosi. He wants to change the Amakhosi areas into something which is akin to a town. Whoever wants to build a shack would be able to build it, even in your yard because it is his right to do that. We say down with municipalities".

The discussion document on the role of traditional leaders in South Africa was framed by Provincial and Local Government Minister Sydney Mufamadi and represents government thinking on the issue of the appropriate set of relations. There it was argued that since the government offers remuneration to traditional leaders, this means that the relationship between them is one of "employer and employee". The idea of co-operative governance is not one based on chains of command or top-down leadership. It would be a horizontal construction, a sharing of powers for the welfare of rural citizens. Thus, the rubric through which the relations are viewed by government appears no more co-operative than the view taken by traditional leadership. Both representations have a substantial impact on the language that is used to represent perceptions and strategic aims.

Thus, from government rhetoric and views, traditional leadership should be devoid of political party content since they are public servants who carry out national policies. Therefore the government views municipal demarcations as unproblematic lines that create accountable local structures for development that include amakhosi as paid public servants. On the other hand, the amakhosi see a threat to their way of life including traditional structures of governance. They are not opposed to change but want to be full partners in local governance.

The representation of two systems of governance in collision is a lose-lose situation. It is hard to see the government 'winning' if it is viewed as destroying traditional culture. It is hard to see traditional peoples winning if their leadership is in conflict with the national government.

A win-win situation is co-operative governance. The two discursive formations and world-views must be reconciled through binding agreements on the role and function of traditional leaders. In this sense, the traditional leaders have made a valid point in having seen it as a precursor to demarcation.
However, the demarcation process is complete and now, as an after-thought, traditional leaders must be made to fit into this structure.

The tension-ridden finalisation of the demarcation process makes it harder to work out a precise relationship for co-operative governance. Nonetheless, as we have seen many times in the past, the problem will not go away unless it is addressed in an inclusive and transparent process. This requires consultation, dialogue and formal procedures that are communicated to the country and inclusive of all stakeholders. If it is perceived that there are backroom strategies to undermine traditional leaders in South Africa, everyone will suffer from delays in development or, worse yet, a reversal in development that heightened conflict can bring.

Updates on Traditional Leadership

President Mbeki responded to some of the concerns raised by Amakhosi when they met him on 16th May 2000. These concerns included the representation of amakhosi in district councils as well as their future role in rural local government.

Mbeki indicated that the representation of amakhosi will be increased from ten percent to twenty percent, however he mentioned that amakhosi will not be empowered to play local government functions in rural areas as this mandate falls with the democratically elected municipal government.

Traditional leaders in KwaZulu-Natal under the banner of the provincial House of Traditional Leaders have received the President's response with dismay. They feel that Mbeki did not respond to their concerns. They have warned that the oncoming municipal elections could be disturbed if the government does not address their concerns. They will also not encourage their community to register if the impasse is not resolved.