A Fight for the Soul of Local Government in Rural Areas: A Case Study of the Dalindyebo Area in the Eastern Cape, 1995-2001

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Preface

This study documents and analyses the process of rural democratization. Specifically, it offers an insight into: the experience and attitude of rural people towards democratization; the response of chiefs towards the process: and into why the government initiated the process and the strategies it employed to elicit popular consent and compliance from the rural folk and traditional leaders. The study primarily covered the period from 1995 to 2001 using the village of Xhwili, near Umtata in the Eastern Cape Province, as a case study.

The study itself was a response to the polarized public debate that erupted at the onset of the democratic process. One view opposed rural democratization reasoning that rural communities were traditional therefore unsuitable for modern institutions of governance and practices. Another view contended that, on the contrary, traditional people regarded chieftaincy as illegitimate and would welcome their replacement by elected councillors and municipalities. Straddling between the opposing viewpoints was another contention that urged for a combination of both traditional and modern institutions in local government as each had a crucial role to fulfill. Alienating either institution, it was reasoned, would either be unconstitutional or incite political instability in rural communities. Presented in this study, therefore, is an insight into how rural democratization has unfolded and addressed the concerns and anxieties that greeted its introduction in 1995.

Declaration

I declare that this dissertation is my own unaided work. It is being submitted in fulfillment of the requirement for the degree of Doctor of Philosophy in Political Studies at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination at any other university.

.....

Mcebisi Ndletyana

On this ...9... day of ....August.... 2004

Dedication

To my grandmother, Nobesuthu Daisy Ndletyana, for all the various life experiences you led me through and for the many lessons you taught me about life. I couldn't have wished for a better teacher and parent.

Acknowledgements

Countless debts were incurred in the course of this study. My initial and profound gratitude goes to the residents of Xhwili village for welcoming me into their homes and tolerating my constant probing and intrusion into their lives. Special thanks goes to Councillor Mhlonitshwa and Chief Ndaba Mtirara for their eagerness to co-operate with my study and availing themselves for the entire duration of this study; and to the Luke family in Ngcambedlana for their hospitality in hosting me in their home during my constant visits to Umtata.

Without the academic guidance of my supervisor, Prof. Tom Lodge, this study would have of course suffered greatly.

Financial support over the period of three years from Mellon Foundation made what would have otherwise been a torturous study bearable and for that I am grateful.

My dear wife, Dorothy, deserves my deepest appreciation for her unending encouragement and for availing herself as a soundboard to bounce off ideas and arguments presented in this study. Without her love completing this study would certainly be less gratifying.

Table of Contents

Contents	Page
Preface	i
Declaration	ii
Dedication	iii
Acknowledgements	iv
Contents	v
List of Figures	ix
List of Key Informants	xi
List of Abbreviations	xii
Chapter One: Introduction	**1**
Overview	1
Research Questions	5
Importance of the Study	6
Aims of the Study	11
Scope of the Study	12
Limitations of the Study	12
Assumptions of the Study	14
Organisation of the Study	14
Chapter Two: Literature Review	**16**
The Context of the Study	16
Defining the Nature of the Study	17
Political Development Scholarship: Origins and Evolution	19
Modernity vs. Tradition: An Anti-Thesis	26
Economic Development	27
Social Mobilisation	28
Communication	29
Political Parties	30
Civic Culture	31
Education	34
An Illusionary Dichotomy	36
The Implication of this Literature Review	46

Chapter Three: Research Methodology **49**

Overview 49
Purpose of the Chapter 49
Research Approach: Qualitative 49
The Study Sample 50
Data Collection Methods: Interviews, Case Study and Participative Observation 52
Interview Technique 52
Case Study 54
Participative Observation 54
Selection of Research Site 55
Description of the Research Site 55
Field-work Experience: Issues and Solutions 66
Suspicion and Distrust: A Stranger 66
Barrier Full to Disclosure: Insider-Outsider Dynamic 67
Respondents' Unfamiliarity with Research 68
Rural Roads and Infrastructure 69
The Environment: Political Tension and Official Suspicion 69
Other Lessons: How Stereotypes were Exposed 71
Ethical Dilemma 73
Reliability and Validity of Findings 73
Generalisability of Findings 74

Chapter Four: Chieftaincy: A Journey from Tradition to Modernity and Neo-Tradition **76**

Purpose of the Chapter 76
Outline of the Chapter 77
Pre-Colonial Chieftaincy: A Legacy of Flexibility or Stagnation? 77
Political Structure and Ascension to Office 78
Legitimacy of Chiefs 80
Powers and Functions of Chiefs 82
Inter-racial Contact and Co-habitation, 1702-1811 85
Colonial Expansion, Conquest and Re-organisation of Xhosa Society, 1811-1894 88
Missionaries: Double Agents of Conversion and Conquest 88
Colonial Administrators and Settlers: Reluctant Conquerors and Expansionists 92
Climax of the Civilising Mission: Assault Traditional Authority and the Rise Modern Society 98
Civilising Mission Succumbs to Racism and Institutional Segregation, 1894-1954 103
Return to (Neo-) Tradition, 1955-1994 113
Post-1960 Transkei: A Democratic Triumph or Tradition in Disguise 121
Peasant Rebellion 122
Party System and Electoral Politics 125

A Political Watershed: The Dead Resurrects Resistance Politics 131
ANC and Rural Transkei: A Historical Conundrum 132
The Reburial of Sabata Dalindyebo: A Mark of a New Dawn 138

Chapter Five: Democratisation vs. Traditional Power: Post-Apartheid Local Government Reforms 143

Purpose of the Chapter 143
Outline of the Chapter 143
Legislative and Institutional Reforms, 1994-2001 144
Institutional Restructuring 144
Value Re-orientation 151
Institutional Objective 151
Compliance with Continental Trends 153
Traditional Leaders and Government: Fusion-Fission, Confrontation and Stability 157
Comrade Chiefs, 1990-1994 158
Traditional Leaders Fight Back, 1995-1998 159
Government's Response: From Indifference to Appeasement, 1999-2000 167
From Exile to the Transkei Countryside: ANC Mobilises Rural Folk, 1990 180
Bantu Holomisa: An ANC Guide through Rural Transkei 181

Chapter Six: Xhwili Village – Views and Observations from Below 189

Purpose of the Chapter 189
Outline of the Chapter 189
Chiefs vs. Councillors: Dual Power and Struggle for Hegemony 190
Voters at the Cross-road: To the Voting Booth or the Kraal 192
Chiefs: Strategies against Democratisation 193
The Ruling Party: Enticing Villagers to the Polls 196
Xhwili Chieftaincy: Chiefs without Moral Authority 202
Sabata Dalidyebo's Title: Heir vs. Usurper 202
Brother Versus Brother: Zondwa and Ndaba Mtirara 205
Chief Mfundo Mtirara: "A Chief in Name and Title Only" 207
A Persistent Legacy of Greed and Corruption 208
Thembu King: Un-royal Conduct 210
What Enticed Xhwili Voters to the Inaugural Local Polls 212
Inter-Electoral Period, 1995-200: Voters' Scorecard 214
Development! What Development? 215
What Now? Do We Turn Back or Continue Marching Forward?
2000 Local Elections 228
Deciding Factors: Deprivation Versus Promise 229
Is it about Bread Alone? 238

Chapter Seven: Analysis and Conclusion **244**

Purpose of the Chapter 244
Overview of the Purpose of the Study 244
A Brief Review of the Key Research Findings 245
Outline of the Chapter 245
Traditional Discourse: Pretext to Bolster Colonial Rule and Economic Interests 246
Making Sense of the Local Response to the Democratic Project 250
Political History and Apartheid Experience 250
Political Corruption 251
Generational Gap and Value System 252
Socio-Economic Conditioning: Voting for Bread 254
Localisation of the ANC 256
Implication for Existing Scholarship on Rural Democratisation 259
Generalisability of the Research Findings 261

Bibliography 264

Annexures

Annexure A: Municipal Structures Second Amendment Bill, 2000
Annexure B: Municipal Structures Second Amendment Bill, 2000
Annexure C: Traditional Authorities Powers and Functions Bill, 2001
Annexure D: An Extract from Traditional Leadership and Governance Framework Bill, 2003
Annexure E: A Sample of Interview Questions

List of Figures

Captions of Figures — Pages

Map

Map of South Africa — xiii

Photos

Photo: A view of Xhwili Village from a distance, 1999 — 56

Photo: Typical Houses in Xhwili — 56

Photo: Maty'engqina Tribal Authority Office, 1999 — 58

Photo: Paramount Chief Dalindyebo, second from right, with his brother and chief of Xhwili Bambilanga Mtirara, on his right. The other men flanking them are members of the Dalindyebo Royal Council, 1962 — 59

Photo: King Sabata Dalindyebo in the early 1980s just before fleeing to exile — 64

Photo: Paramount Chief of Western Thembuland and former Chief Minister of Transkei, Kaiser "KD" Matanzima in the late 1990s — 65

Photo: Chief Minister of Transkei, Kaiser Matanzima holding the reins of a horse presented to him as a gift by the South African government. Looking on from left to right are: Minister of Defence PW Botha, Chief of Defence Force Gen. Magnus Malan and Col. P. Nortje, 1976 — 128

Photo: An exhumation of a coffin containing Sabata's body for a re-burial, 1989 — 140

Photo: Mourners, some clad in ANC colours and waiving ANC flag, carrying a coffin with Sabata's body to a grave-yard, 1989 — 140

Photo: Holomisa dressed in a modern-cut traditional regalia standing in front of parliament, 1995 — 160

Photo: A wedding ceremony of Chief Pathekile Holomisa, President of Contralesa and ANC MP and his bride. On his right is Chief Gatsha Buthelezi, and to the left of the bride and looking through from behind is Chief Mwelo Nonkonyane, EC chairperson of Contralesa and ANC MP, 1990s 164

Photo: Chief of Xhwili, Mfundo Mtirara, addressing a local gathering, and on his left and seated is an obscured view of MEC Gugile Nkwinti, 2000 178

Photo: Chief Mtirara holding up an umbrella for the MEC Nkwinti, 2000 177

Photo: Nelson Mandela clad in traditional regalia, 1994 197

Photo: Standing in the middle is Paramount Chief of Eastern Thembul and and son of Sabata, Buyelekhaya and his brothers, 1992 205

Photo: Residents doing laundry in a muddy pond, 1999 216

Photo: A spring from which residents get drinking water, 1999 217

Tables

Table 1: A Breakdown of Traditional Leaders' Salaries by Province, Pre-1994, 150

Table 2: Most Important Problems Government Should Address 214

Table 3: Most Positive Things Achieved by Government Since 1994, By Residence 218

Table 4: Local Government Responsiveness to Public Opinion, by Race 218

Table 5: Trust in Local Government, 1995-2000 – By Race 218

Table 6: Type of Contact and Official Meetings Attended, 1999/2000 225

Table 7: Level of Political Activism 225

Table 8: Eagerness to Vote by Residence 235

Table 9: Conceptions of Democracy by Race, 1999/2000 239

Table 10: Responses to Scrapping of Apartheid Legislation by Residence 240

List of Key Informants

Chief Ndaba Mtirara, Ex-UDM MP and currently ANC MPL – Eastern Cape Legislature

Chief Mfundo Mtirara, Chief of Xhwili Village

Chief Pathekile Holomisa, ANC MP and President of Contralesa

Chief Mwelo Nonkonyane, Chairperson – Eastern Cape Region and ANC MP

Chief Anderson Joyi, Member of the Eastern Cape Contralesa Region and Chief of Bhaziya Village

Headman Ntande Mtirara, Xhwili Village

Councillor Gamalaziwa Ngcobozi: 2000 -, Ward 7 – King Sabata Dalindyebo Municipality

Councillor Mhlonitshwa, Chairperson of Umtata Transitional Rural Council: 1995-2000

Mahlubandile Qwase, ANC MPL- Eastern Cape Legislature

Phumulo Masualle, ANC MPL and former MEC of Public Works – Eastern Cape Legislature

Gogo Mabandla, UDM Eastern Cape Regional Spokesperson

Thozamile Botha, Former ANC Expert on Local Government and Director-General of Eastern Cape Provincial Administration

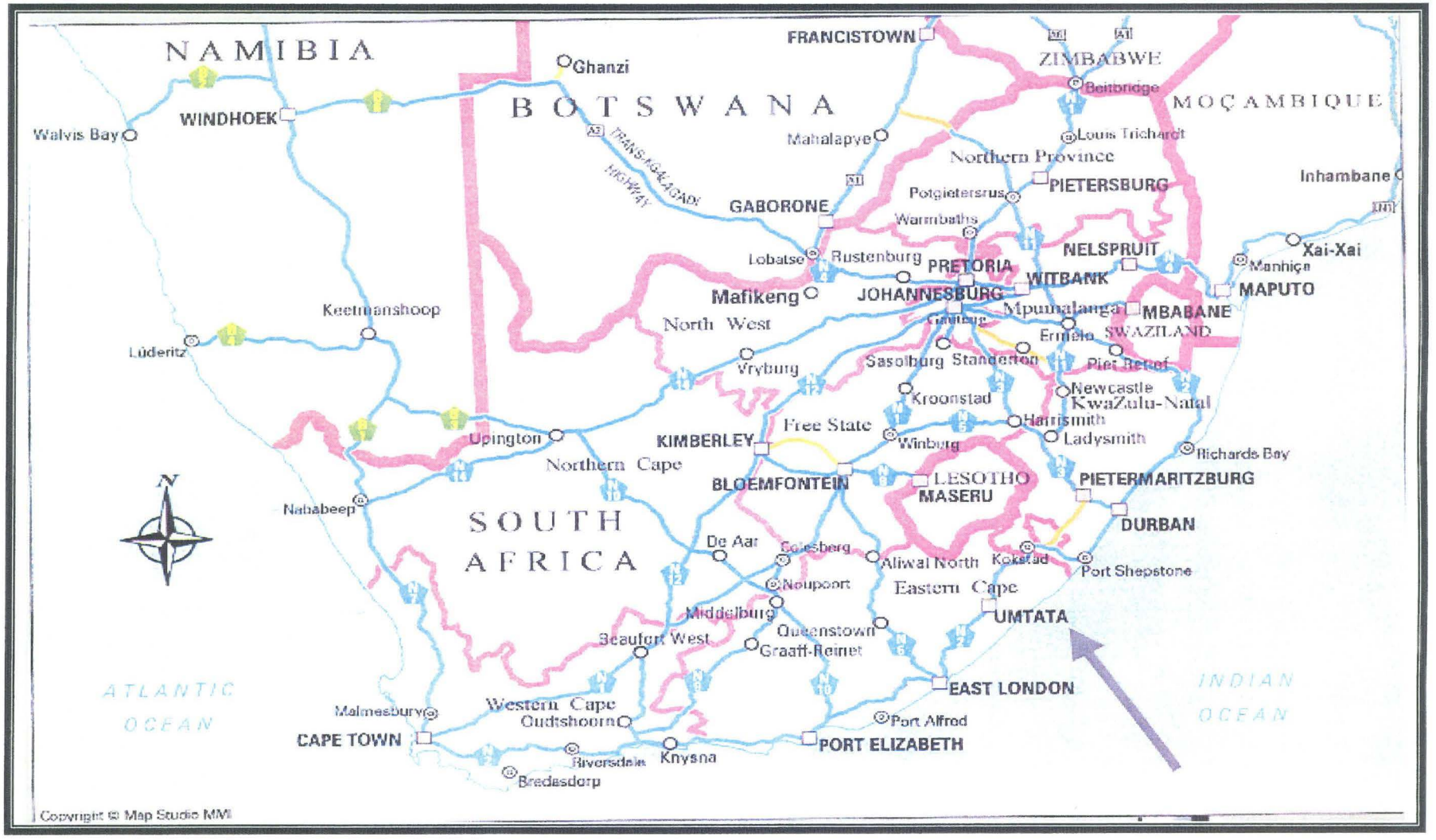
Yunnis Carrim, ANC MP and Chairperson – Portfolio Committee on Local Government and Provincial Affairs

Sthembele Cetywayo, Chairperson – Sanco Transkei Region

Mbongeni Ngobeni, ANC MP and Sanco National Officer Bearer

List of Abbreviations

ACF	Anti-Corruption Forum
ANC	African National Congress
BPC	Black People's Convention
Contralesa	Congress of South African Traditional Leaders
Cosatu	Congress of South African Trade Unions
DC	District Council
DCS	District Council System
DP	Democratic Party
DPP	Democratic Progressive Party
EC	Eastern Cape
IDASA	Institute for Democracy in South Africa
IFP	Inkatha Freedom Party
KZN	Kwa-Zulu Natal
LB	Land Boards
MEC	Member of the Executive Council
MK	Umkhonto We-sizwe
MP	Member of Parliament
NAC	Network Against Corruption
NCOP	National Council of Provinces
NDP	New Democratic Party
NEC	National Executive Committee
NNP	New National Party
NP	National Party
PAC	Pan Africanist Congress
PSAM	Public Service and Accountability Monitor
SA	South Africa
SADF	South African Defence Force
SALGA	South African Local Government Association
SASO	South African Student Organisation
TDF	Transkei Defence Force
TNIP	Transkei National Indepedence Party
TNPP	Transkei National People's Party
TPFP	Transkei People's Freedom Party
TRC	Transitional Rural Council
UDF	United Democratic Front
UDM	United Democratic Movement



Map 1: South Africa – Arrow shows Umtata in relation to the rest of South Africa

Chapter 1
Introduction

Overview

The introduction of new legislation in the post-1994 period has led to dramatic changes in both rural governance and rural life. Tribal authorities and chiefs no longer command exclusive respect from, or exercise authority over, their subjects. Instead they compete with elected municipalities and councillors. Traditional gatherings, convened by chiefs now compete with political rallies called by councillors. The latter derive their authority from the constitution with its modern foundation and the former from historical antecedence, birth and tradition.

Once the sole source of legitimacy for chiefs, tradition is now subject to the constitution. Councillors, who are also subjects, find themselves in an unfamiliar territory as political superiors to their chiefs. They govern in areas formerly under exclusive and unchallenged control of chiefs. Power over allocation of resources has relocated from an open-space kraal dominated by traditional-beer drinking males to an indoor office located in urban surroundings occupied by tea-drinking councillors, some of whom are women. In this new centre of power, birth and gender count for nothing, at least in formal terms.

Ordinary rural folk have been equally affected. They have a twin status of being subjects citizens. As citizens, they are part of civil society with civil liberties, accorded by the constitution, which entitle them to equality under the law, irrespective of their gender, age or race, and franchise to chose their government representatives at all spheres of government. As subjects, however, they are also subjected to the authority of a chief who rules according to customary law that is based on prescriptive values. Chiefs are not elected but anointed on the basis of descent and patriarchy. This institution puts a premium male authority and seniority, which discriminates against women and young members of the community and, despite the supposed checks and balances, is prone to abuse of power by chiefs to the detriment of the community[1].

[1] Mamdani, M, (1996) Citizen and Subject, pg. 16-23.

This double status means that, on the one hand and as subjects, they attend *imbizo* where they sing praises of their chiefs and confess endless respect and loyalty to them, and observe customary law. On other hand, they attend political rallies raising their clenched fists and scream at the top of their voices: 'equality to all and forward with transformation'. Twice already in 1995 and in 2000 rural people re-asserted their citizenry by casting votes in local government elections. In doing so, they affirmed their civil right to choose their rulers in rural areas. Rural life and governance is no longer what it used to be prior to 1994.

The process, however, has not been a seamless one. It has been fraught with confrontation and tension between chiefs and government. The tension arose from lack of clarity and ambiguity over a specific role and functions for chiefs within rural local government. Both the interim and permanent constitutions recognised chiefs as a valuable institution in South Africa, but did not spell out what purpose their retention would serve.

Oftentimes the tension threatened to break into political instability. The first local government elections in 1995 were held under a cloud of fear and threats of violence. Chiefs forbade their subjects from voting. The threat of political violence in KwaZulu-Natal (KZN) forced the postponement of elections twice. When they were finally held in June 1996, it was more out of constitutional obligation than a consequence of political normalisation. The 2000 local government elections faced a similar situation. Threats of political violence and boycotts preceded the poll. It seemed that elections would not be held in rural areas. Three times the government was forced to postpone setting the election date as chiefs insisted on immediate promulgation of legislation that spelt out their municipal role. It was only after a presidential promise to effect a constitutional change that chiefs finally relented.

Conflict did not only play out publicly, but within the judiciary as well. In the period between the two elections chiefs launched a constitutional challenge against the 1996 permanent constitution. Whilst most South Africans celebrated the dawn of the new constitution that had been written through a widely consultative process, chiefs protested. Still unclear about their role and functions, chiefs saw the new constitution as an impetus to their marginalisation. To the KZN chiefs, however, the issue was not

just about denying chiefs a municipal role. Through the Inkatha Freedom Party (IFP), they resisted constitutional stipulations that usurped control over payment of chiefs and land from the provincial government to the national government.

The KZN government was the only provincial government with chiefs that wanted to retain the power to pay chiefs and to secure their control over land. Other provinces – i.e. Eastern Cape, Northwest, Mpumalanga and the Northern Province – wanted centralisation. To the IFP the issue of chieftaincy carried profound political implications, for chiefs were largely members of the IFP and used their control of patronage to garner political support for the party. Loosening the grip of chiefs over local resources, therefore, threatened the party's ability to mobilise support.

Whilst these events played themselves out in the open, a debate also raged on the side. Opposing views about chiefs in local government were either grounded in ideology – i.e. tradition and modernity – or practical requirements of governance.

Traditionalists[2] based their support for the retention of chieftaincy on a mixture of history and tradition. Rural communities, they argued, have historically been under traditional leaders and thus became an intrinsic part of African tradition. Chief Mhinga, a prominent member of the Congress of Traditional Leaders of South Africa (Contralesa), put it thus:

> ... the institution of traditional leadership is rooted in the soil of Africa, of which South Africa is part, as well as in the hearts and minds of all ordinary South Africans who still take pride in their history, culture, origin and identity ... These are things which are and will always be part of us ... The Chinese culture is to the people of China what African culture – such as the institution of traditional leadership - is to the Africans[3].

Tradition and democracy, traditionalists counselled, are inimical. A democratic form of local government in rural communities would be dysfunctional, as it is founded on a completely different value system and principles which constitute the exact opposite of traditional values. Rural folks, traditionalists maintained, believe that leaders are

[2] The researcher used this term to denote a loose group of individuals who symphathise with chieftaincy on the basis of tradition. Its members come from as diverse a background as chieftaincy and academia.
[3] Contralesa (1998), Submission to the Constitutional Assembly.

born, not elected. Only a selected group of males born from a particular clan are qualified to rule. However, traditionalists qualified, this does not make chieftaincy undemocratic. Though different from western democracy, it is nonetheless built on democratic foundations. Deliberations and decision-making in an *imbizo* is inclusive and consensus-based. A chief does not have arbitrary powers and even abstains from deliberations. A chief merely sums up and announces a majority decision with the guidance of his councillors.

Moreover, traditionalists noted, it would be paradoxical for the ruling party to marginalise chiefs. For, they are the embodiment and custodians of the same culture that government uses as the bedrock for the new nation. Traditional leadership provides continuity between the current democratic project and traditional values. At the centre of customary law, for instance, are principles of rehabilitation, reconciliation and compensation, which are the founding values of traditional law. A verdict under traditional law, for instance, is not aimed to foster retribution, punishment or revenge, but reconciliation between the defendant and the complainant. Similarly, the current government has repeatedly rejected calls to reinstate the death penalty on the basis that the justice system should foster the above noted principles. Thus the abolition of the institution of traditional leadership, traditionalist conclude, would constitute a negation of the very same values the new government purports to promote[4].

Modernists[5] held the opposite view. Tradition, they argued, is exactly what makes chieftaincy anachronistic. Consensual decision-making is undemocratic, as it encourages conformity to the detriment of individual expression[6]. A further indication of chieftaincy's obsoleteness, modernists elaborate, is that its customary law oppresses women. According to this law, women are inhibited from inheriting property and/or entering into contract without the permission of her husband or male relatives. Thus traditional leadership, modernists contended, promotes the same sexism of which the South African society seeks to rid itself[7].

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[4] Contralesa, op cit.
[5] This is a loose grouping of human rights organizations, women lobby groups and political activists.
[6] Sindane, J, "The Future of Traditional Leadership, *Ubuntu* and Nation-building" Paper delivered at a conference on Traditional Leadership in Southern Africa, hosted by Konrad-Adenauer-Stiftung, Holiday Inn Garden Court, Umtata, 16-18 April 1997.

Nor can tradition, modernists added, be advanced as justification for the retention of chieftaincy. Chiefs lack traditional legitimacy. Some chiefs were appointed by colonial administrations, with which they then collaborated against the wishes of their own people[8]. In the process, subjects lost the power and authority to hold their chiefs accountable, as decision-making structures such as an *imbizo*, 'rubber-stamped' top-down decisions[9]. As a consequence, modernists conclude, traditional leaders lost legitimacy as evidenced by the spate of uprisings that engulfed parts of rural SA in the late 1950s to early 1960s.

In between the two ideological-laden view points, was a pragmatist view that urged a compromise. Pragmatists viewed chieftaincy from the perspective of governance. Whilst refuting traditionalist's claim to possessing a natural right to govern rural communities, pragmatists nonetheless recognise that chiefs still command enough support to cause political instability, if they were to be abolished[10]. Therefore, they must be retained to ensure political stability. However, chiefs should adapt to the democratic order. Tradition, concluded pragmatists, is not static, but receptive to change[11].

In the main, therefore, the debate on rural democratisation was dominated by polarised viewpoints with one extreme positing tradition and other modernity as the basis of their arguments. The third viewpoint, whilst closer to the modernists, pleaded for a compromise between the two extremes in order to avert political instability.

Research Questions

Against the background of the above-sketched context of political events and public debate, this research study thus seeks to answer the following main questions:

- Are supporters of traditional institutions and society hostile to change?
- Under what conditions and circumstances are people likely to support either elected councillors or chiefs?

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[7] *Sunday Times*, 27.04.'97.
[8] Mare, G, (1987), Appetite for Power, p.18-19.
[9] Beinert, W, (1995), "Chiefaincy and the Concept of Articulation" in Beinert and Dubow (eds.), Segregation and Apartheid in the 20th Century, p.95.
[10] *Sowetan,* 10.12.'97.
[11] The Constitution of the Republic of South Africa, 1996.

- What is the government rationale for instituting democratic changes in rural areas and what strategies has it adopted to implement them and promote their popular acceptance?
- How have chiefs responded to rural democratisation?

Importance of the Study

The importance of this study lies in that it charts new ground in the understanding of intricacies pertaining to democratization of traditional communities in the post-apartheid SA. This study is based on a two-pronged premise. Firstly, that tradition is not inimical to modernity. Chieftaincy has not remained static, but has changed over the decades in response to the changing socio-political environment in rural areas. Thus rural communities will be receptive to democratisation. Secondly, and apart from the local conditions, the extent to which both chieftaincy and democracy are fused into one also depends on the ruling party. Specifically, it depends on the historical relationship with chiefs and its perception and evaluation of the utility of chieftaincy and tradition for its nation building project. Both these focal points have received scant attention in the existing body of scholarship on rural studies. This study is significant because it addresses theses issues in a comprehensive manner. Most existing literature focuses on developmental issues. Scholarship that focuses on democratization of rural areas ranges from an uncritical and romantic treatment of chieftaincy to an incomplete, though highly instructive critical account.

An epitome of developmental orientated scholarship is found in the works of scholars such as, *inter alia*, Alistair McIntosh[12]. The latter, for instance, draws attention to the institutional and structural pitfalls of rural local government that impede its capacity to function as a developmental agent. Specifically, McIntosh points out that rural local government suffers from a lack of both sufficient human resources and revenue base, and explores the utility of the different forms of land tenure in promoting rural development.

[12] McIntosh, A, "Towards A New Rural Local Government System in South Africa: ..." **Transformation**, 23, 1994. See also, McIntosh, A, et al, "Traditional Authorities and Land Reform in South Africa: ..." **Developmental Southern Africa,** 13, 3, June 1996.

An uncritical and romantic treatment of chieftaincy is offered by Vilakazi and Zungu[13]. They present democracy as an imposition on rural people by urbanites driven by both ignorance of the complexities of rural life and by their patronizing and condescending attitude that they know better than rural people. Vilakazi and Zungu state:

> Who said that educated city people know best what democracy is? We are not talking here about solving problems in calculus, or aviation engineering, but about how to treat human beings decently, and humanely. The record of urban people in this regard, in modern history, has not been an enviable one compared to that of rural people[14].

Vilakazi and Zungu argue that democratic institutions such as elections, are suitable for urban areas as they arose out of the specific situations that pertain only to urban areas. It is appropriate for urban areas due to anonymity and their impersonal nature, which has led to the death of communities in urban areas. It is acceptable and appropriate in the city, due to lack of kinship, for politicians to engage in "haggling and slinging" as they compete for office. But in rural areas, this behaviour is considered "vulgar and unbecoming", for "the community has not been shattered. Village people are still coterminous with kinship"[15].

Contrary to conventional opinion, Zungu and Vilakazi continue, a democratic principle does apply in traditional government. It is of different character in which age, sex, proven leadership talents and royal lineage plays a part and a leader is elected through sufficient consensus. This is different from the urban-biased elective principle, as it does not involve "haggling and belittling of one another in public"[16]. Rather than assuming a know-it-better attitude in relation rural people, urban people can learn a lot from the former. The elective principle, for instance: "...subjects the politicians ... to the momentary passions of constituencies: such politicians find it difficult to be guided all the time by the power of their convictions on each issue"[17].

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[13] Vilakazi, H and Zungu, S, "On traditional Leaders and the New Constitution" no date.
[14] Vilakazi, H and Zungu, S, op cit, p.6.
[15] Ibid.
[16] Ibid.
[17] Ibid, p.4.

According to Zungu and Vilakazi, the non-elective principle dissuades these ills. It "enables a fair number of members to view matters with greater objectivity"[18]. Therefore, chiefs should be made an important component of South Africa's governing structures. They should be given the same position as enjoyed by hereditary peers in the British political system, with representation in all three tiers of government: local, provincial and national. Instead of being confined to dealing with legislation relating tradition and limited to an advisory capacity, chiefs should be made full members of parliament and be given powers to discuss, propose and, unlike their British peers, amend all government policies. If democratization of rural areas persist, Vilakazi and Zungu warn, democratic institutions will be neglected by rural people: "Peasants have been known to abandon brand new tractors to rust and dust, given to them by city-bred development agents, and resorting to age-old technology and methods of tilling the soil"[19].

The literature on chieftaincy that can be considered critical and insightful ranges from a sympathetic to a dismissive treatment of chieftaincy. Exemplifying the former view, Jeff Peires, despite acknowledging fundamental institutional and legislative changes in rural communities, concludes that chiefs still enjoy popular legitimacy. Peires's[20] central point is that chiefs have been thrown into "a kind of purgatory – awaiting their fate in a transitional limbo between heaven and hell". Their power and authority has been eroded by two factors: a lack of policing powers and control over allocation of patronage. The Bantu Authorities Act 1965, for instance, empowered chiefs to arrest people, to search and seize, to disperse unauthorized gatherings and to prohibit carrying of unlawful weapons and the shouting of war cries.

But the administrative changes that followed 1994, Peires further states, have made it difficult for chiefs to fulfil their pre-1994 role. The replacement of the magisterial office by the Department of Local Government as the administrative body is particularly responsible for this. Unlike the former, the latter does not have coercive powers to back chiefs up. Instead the Local Government Department focuses purely

[18] Ibid.
[19] Vilakazi, H and Zungu, S, op cit, p.7.
[20] Peires, J, "Traditional Leaders in Purgatory Local Government in Tsolo, Qumbu and Port St Johns, 1990-2000", **African Studies,** 59, 1, 2000. Lungisa Ntsebeza also offers an insight along the same lines as Peires see, for example, "Land Allocation in South Africa's Bantustans..." Conference Paper,

on governing issues, whilst the Department of Justice has divested itself of any responsibilities related to chiefs and their governance. The linkage between the state and chiefs thus no longer exists. Chiefs have no one to report to nor are they backed by state's coercive power which is necessary to act an as effective law enforcement agency.

Control over distribution of patronage and provision of administrative services, Peires informs us, has now been taken over by elected councillors. The latter allocate land and assists people in applying for pension and identity documents and have powers to act as Commissioners of Oath. Even those chiefs who are still consulted by their subjects to perform these duties find it difficult to do so due to a lack of transportation funds. Previously, chiefs were given *amanqina* (transportation funds), which they no longer receive. Elected councillors have thus emerged as new leaders with legitimacy. For, in addition to control of land allocation, they control developmental funds for roads improvement, water supply, electrification and channelling of poverty relief funds. This has become a new source of legitimacy, as Peires puts it: "it is important to understand that wealth and power in rural Eastern Cape no longer derives from control of land but rather from control of government funds"[21].

Though in an obvious position of power, Peires nonetheless cautions, councillors are not entirely popular. They also become the target of popular frustration arising from failure to honour promises of social delivery. Discontent with chiefs also emanates from the fact that councillors, due to the electoral system of proportional representation, are not known by people whom they supposedly represent. Also their number is inadequate to attend to the number of locations that exist, thus making them inaccessible to the people, while chiefs live among their people.

After making these instructive observations, then Peires makes a rather problematic and too general a conclusion. Despite erosion of their sources of authority in rural areas, chiefs, according to Peires, remain popular. Moreover, Peires does not say why chiefs remain popular when they lack patronage. Jason Myers[22] holds a similar view

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University of Durban-Westville, September 2000.

[21] Peires, J, op cit, p.106.

[22] Myers, J, "The Spontaneous Ideology of Tradition in Post-Apartheid South Africa", Paper delivered

to Peires. But, unlike Peires, Myers ascribes the popularity of chiefs to their spiritual importance among their subjects. For an ancestral worshiping community, Myers contends, chiefs are held up as a spirit medium that communicates with the ancestral spirits on behalf of the living. Not only that, but their rule is ordained by ancestral spirits whose wishes the community feels obliged to follow lest it faces a calamity.

This study shows that people's relationship towards chiefs is much more complex than simple reverence for religious reasons and is determined by more than just religion. In contrast to Peires and Myers, Eddie Maloka[23] is dismissive of the influence and legitimacy of chiefs in rural areas. Maloka holds that chiefs have long been rejected by rural people as manifested in the Pondo and Sekhukhuneland revolts of 1956 and 1960 respectively. This stemmed from their abuse of tradition and collaboration with colonial powers. Their prominence in South Africa's public debate, Maloka continues owes to populism, rather than reality. The specific objective is to retain income that comes with a chiefly title.

Whilst credible, Maloka's argument is flawed in some respects. The uprising does not qualify as a general registration of the unpopularity of chieftaincy in its entirety, for it occurred only in two provinces namely Eastern Cape and Mpumalanga and even there it was confined in few communities. Where the uprising occurred, particularly in Pondoland, though particular chiefs were the target of the revolt, the objective of the uprising, as illustrated in Chapter 4, was not to overhaul the entire chieftaincy and replace with a democratically elected authority. Rather, it was intended to restore chieftaincy to its pre-Bantu Authorities Act form where subjects were able to hold their chiefs accountable.

Moreover, if chiefs completely lacked popular support as Maloka asserts, they would not be courted by the ruling elite with the view to using them as party agents, as shown by Barbara Oomen[24] in her instructive study. However, though highly

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at the Annual Meeting of the American Political Science Association, Boston Marriot Copley Place and Sheraton Boston Hotel and Towers, September 3-6, 1996.

[23] Maloka, E, "Traditional Leaders and the Current Transition", **African Communist**, No. 141, 1995, pp35-43.

[24] Oomen, B, "We must now go back to our history": Retraditionalisation in a Northern Province Chieftaincy". Paper delivered at a history workshop held at the University of the Witwatersrand, October, 1999.

insightful, Oomen's study presents ANC's relationship with chiefs as flawless. On the contrary, as shown in this study, the relationship is fraught with tension and conflict. Furthermore, the ANC's need for chiefs goes beyond electioneering. The ruling elite needs chiefs for its own ideological validation.

The impact of the ruling party's nationalist ideology receives a more focused treatment from Greg Houston[25]. He attributes the differential treatment of chiefs in the five provinces that have chiefs to the political culture and objective of the ruling IFP and ANC provincial governments. However, Houston's viewpoint suffers from short-sightedness. In focusing exclusively on local dynamics, it fails to recognise that the latter is as much a product of external as it is of internal influences.

The focus of this study, unlike the existing literature, is comprehensive. It shows that democratization of rural areas does not only hinge on local intricacies. Rather, the ruling party has a significant role in the outcome of this process. Its stance towards chiefs, however, is fraught with tension arising from the contradictory nature of the nationalist movement and is partly determined by realities of governance and political expediency. In other words, the study welds together different aspects and processes to shed light on the complexity of democratising traditional communities.

Aims of the Study

This study has four main aims. The first aim is to show how tradition and modernity have interacted over the years leading to the formation of rural local government comprising a hybrid of tradition and modernity. The second aim is to establish how rural people have experienced the democratisation process and their response thereto. The third aim is to cast attention on how the ruling party has packaged the democratic project and the strategies it has employed in selling this "democratic package" to the rural folk. The fourth aim is to make a modest but telling contribution to the existing literature on rural democratisation in SA.

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[25] Houston, G, "Traditional Leadership and the Restructuring of Rural Local Government" Conference Paper, 16-18 April 1997, at the Holiday Inn Garden Court, Umtata, organized by Konrad-Adenauer-Stiftung.

Scope of the Study

The study focuses on a rural village of Xhwili in the Eastern Cape Province, roughly 25 kilometers outside of Umtata. Xhwili is part of the prominent Thembu Chiefdom and fell under the Umtata Magisterial District from 1896 to 1994. Now Xhwili falls under the jurisdiction of the Sabata Dalindyebo (Umtata) Municipality and the chiefly authority of Chief Mfundo Mtirara of the Matyenqgina Tribal Authority. Typically of most rural communities, Xhwili has also been a site of tension, political contestation and conflict that arose as a consequence of the various and drastic changes it underwent from British colonial rule, apartheid rule, self-rule and the post-apartheid era. It thus serves as a perfect case for this research study.

In sketching out the complexities of Xhwili, the researcher draws from both primary and secondary sources. The former consists of interviews with residents of Xhwili, chiefs and politicians; historical documents; newspapers, opinion polls and socio-economic surveys and legislation.

Limitations of the Study

The study was limited by the following factors: the generalisability of the research findings; the terrain of rural areas; researcher's urban bias; use and translation of language; and the reliability of respondents' views. In each case, however, the researcher overcame the limitations as elaborated in Chapter Three, which outlines the research methodology employed in this research study.

Suffice it though to briefly mention each limitation and how it was overcome. Gaining access to a rural community was not easy due to the close and suspicious nature of the people. But after a while, with some perseverance and patience, rural folk opened up. However, language and the researcher's urban bias and his ignorance of rural areas presented some difficulty. The researcher's use of a syncretic Xhosa language was not always understood by the respondents. With time, however, the researcher learnt to avoid using words borrowed from the English language (or Anglicised Xhosa words) and refined his language to suit the local Xhosa dialect, which is purer than an urban Xhosa dialect. That interviews were conducted in Xhosa then translated into English

meant that some meaning got lost in the process of translation. For, not all Xhosa words have English equivalents. This is an unavoidable problem given the diverse nature of the two languages. But, the researcher was able to minimise the extent of this problem by capturing the essence of the meaning as intended by the respondents.

The rural terrain does not lend itself easily to the employment of research conventions. Bad roads, particularly during a rainy season, are almost impassable by car. As a result the researcher had to cancel number of trips to the village. And because trips were cancelled without even informing the respondents, due to their lack of access to phones, it made it difficult, particularly in the early stage of the fieldwork, for the researcher to establish rapport with the respondents. The researcher had to make repeated trips to the village and plead with respondents for co-operation and understanding. Rural people's preference for group meetings meant that the researcher had to settle for less one-on-one interviews. However, the number of individual interviews was sufficient to provide depth to the breadth of views that emanated from group interviews.

Also, the researcher was cognisant of the possibility that people's perception of the present may be influenced by how they think it compares with the past. They may romanticise the past and thus think negatively of the status quo particularly if their current experiences are unpleasant. The researcher was thus sensitive to this possible discrepancy and sought to balance interview data with accounts from the literature, reports of public hearings and newspapers and from his own observations and interaction in the village with people. Thus the researcher was sufficiently equipped to establish the validity of the respondent's views.

Finally, limited generalisability of findings drawn from case study research presented a potential problem for this research study. By definition a case study confines a researcher to a particular area which has a peculiar history and experience different to other rural parts of SA. Oftentimes findings drawn from one area do not lend themselves to easy application in other areas. But, notwithstanding its peculiar history, Xhwili village bears strong similarities to, and shared some experiences as other villages (especially in the KZN province) with regard to rural democratisation.

Thus some findings of this study can be generalised to villages that had similar experiences as Xhwili.

Assumptions of the Study

My main assumption of this study was that institutions are oftentimes a reflection of societal values in which they are located. They are tangible manifestation of intangible values. Institutional form thus changes as values change. Institutions do not remain stagnant whilst values have changed. This creates tension that eventually breaks into an institutional change.

Rural governance thus cannot be restored to its pre-colonial form. Rural areas have drastically changed. Chiefs no longer hold the same symbolical value and provide patronage as in the past. Consequently they do not command the same level of respect and allegiance. Nevertheless, chiefs still commanded loyalty from their subjects as they are held as an embodiment of tradition, which some people still hold dearly. Moreover, the researcher assumed that the response of people to democracy will also depend on how it is presented. That is, respondents will weigh democracy according to how it resonates with their own value system and whether or not it carries any tangible benefits for them. Lastly, the position and status accorded to chiefs within rural local government depends on their political and ideological utility for the nationalist ruling party.

Organisation of the Study

This study is organised into seven chapters. Following this introductory chapter is chapter two which provides the context of this study as well as a review of literature on the intricacies of political modernisation. The literature review provides the context of the study. It also provides tentative answers to the study's research questions, whilst also assisting the researcher to build up the theoretical framework for the study.

Chapter three outlines the research methodology employed in the study and provides a description of our case study - i.e. Xhwili village - including an account of how its

chieftaincy evolved from the early twentieth century. This chapter also provides a detailed account of the researcher's field-work experience, including the issues he encountered and how he dealt with them. This narrative is intended to address the validity and reliability of the data.

Chapter four is the first of three chapters on research findings. It provides an historical account intended to: test the validity of the alleged dichotomy between tradition and modernity within the context of Transkei; probe the authenticity of tradition and establish conditions under which tradition was heralded over change or subjected to change; show how the Xhwili chieftaincy was impacted by the apartheid's Bantu Authorities Act; and finally demonstrate the historical inter-connectedness of chieftaincy and the political party system. This chapter relied heavily on official archival documentation, key secondary literature and, to a lesser extent, interviews.

Chapter five reports research findings on the institutional and legislative changes in local government, and the resultant tension and confrontation between chiefs and the government. It draws on interviews with rural folk, politicians and civil servants, and from official documents including government reports and legislation.

Chapter six focuses on the case study of Xhwili village. It contains findings on residents' perception and relationship towards chiefs and elected leaders; the relationship between chiefs and councillors; the strategies employed by the government to elicit local acceptance of democratic councillors and participation in rural elections and elected councils. The chapter draws on interviews with key respondents, official documentation, legislation and newspaper clippings.

Chapter seven analyses the findings and concludes the study. Attention is also drawn to the implications of these findings to the existing scholarship and suggestions are made on further issues to study in order to shed more light on the subject at hand.

Chapter 2
Literature Review

The Context of this Study

This research study was initiated in reaction to, and in the midst of, a heated public debate over an ongoing process of democratization of rural local government. The debate was sparked by the fact that this process stood to marginalize 11 and 775 of South Africa's kings and chiefs respectively in the rural parts of KwaZulu-Natal, Eastern Cape, Free State, North-west, Limpompo and Mpumalanga provinces[25].

Although intending to subject tradition to constitutional rule, the constitution remained vague and paradoxical. For, as extensively illustrated in Chapter 4, it recognised chieftaincy and encouraged the practice and protection of the cultures on which this institution is founded. The subsequent Local Government Act of 1998 prolonged the ambiguity stating that chiefs would be retained, but did not provide clarify on what exactly their role would be. Rather, it reaffirmed the elective principle in rural government and specified municipal functions for councillors. To chiefs, this seemed an usurpation of their traditional roles and steered them onto a confrontational path with government.

Critics of chieftaincy (herein referred to as modernists) were not pleased either. But their discontentment stemmed from a different source. By granting constitutional protection to tradition and retaining chieftaincy, reasoned modernists, the constitution would perpetuate the discriminatory and sexist practices inherent in chieftaincy. For, according to the common interpretation of tradition, women and commoners could not assume chieftaincy, but only men of a particular clan were eligible.

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[25] Department of Local Government and Provincial Affairs, (1999), A Draft Discussion Document Towards A White Paper On Traditional Leadership and Institution.

This constitutional and legislative ambiguity set the ground for a debate and confrontation that was to dominate the public for the subsequent years. Chiefs clamoured for restoration of their pre-1994 status. They based this claim on custom, whose practice the constitution protects and encourages. Modernists, on the contrary, demanded the abolition of chieftaincy because it contravened the basic principles of the constitution – i.e. equality and non-sexism. Retaining a traditional institution, they argued, was an anomaly in a modern society such as SA. Doing so would only halt the ongoing march to modernity.

The debate thus brought up two crucial questions such as: Are rural people really opposed to democratization? And if so why? How would the modernizing elite construct the new democratic institutions and ensure popular political participation?

Defining the Nature of the Study

It is crucial to define the specific nature of the research problem for two reasons. Firstly, it provides clear guidelines, scope, and sets parameters for the study. Secondly, and more importantly for this chapter, it helps the researcher to identify and select literature that bears specific relevance to the research problem posed in this study.

Moreover, defining the research problem provides the specificity that is not present either in the introduction or the study-context. Both the latter sections merely give a broad definition of the study. Left undefined in specific terms, the reader is likely to conclude that this research study probes the compatibility of modernity and tradition. But, whilst understandable, such a conclusion would be erroneous. For, it presupposes that the modern and traditional worlds in SA have been kept completely apart and that the democratization process represents a historical moment of first contact between the two worlds. This is of course historically untrue. Modernity and tradition, particularly in Transkei, co-existed as far back as the early nineteenth century. One of the first and prominent examples of a Xhosa person to have straddled both worlds that early on was Ntsikana. The latter converted to Christianity and founded his own church before 1820. Another example of Xhosas embracing modernity was their writing and publication in newspapers. One of the foremost African literature writers, A, C, Jordan, for instance,

notes that the first piece of writing by a Xhosa person was published "about the end of the first quarter of the nineteenth century"[26].

It would, therefore, be misleading to limit our research inquiry to the question of compatibility of modernity and tradition as if there was a complete separation and that the two worlds are only converging recently welded together by the democratization process. Nor is this research study simply about democracy. Democracy is too general a topic to capture the specific complexities and essence of this research study. For instance, it does not tell us of the level - i.e. national or local - at which democracy is to be implemented, nor does it say why the democratic suitability of local rural areas should even be contested, as noted earlier in the introductory chapter.

To be precise, this research study examines the rural democratization process that has been underway since 1995 to 2000. In particular it looks at the process to uncover how the democratic institutions and practices were constructed; the response of both the rural populace and traditional elite thereto; and what the impact has been. In doing so, the study asks the following questions: Is tradition salient in Transkei? If so, how was this possible when it co-existed in such close proximity with modernity under fluid boundaries for so long a period? What preserved it and for what purpose? What determines the receptiveness of the traditional folk to modernizing cálls to jettison their traditional institutions and participate in the new democratic institutions and processes? What strategies do the modernizing elite use to win over the rural populace to participate in the modernizing project?

In light of these questions, therefore, the literature that will be reviewed in this chapter falls into three categories: Firstly, it reviews the literature on political development within an already democratic society, where democracy has spread throughout the country into communities that were untouched by the initial democratic wave. In other words, local democracy is our focus here. Thus our interest is on the local rural populace, the traditional elite and the nationalist modernizing elite. This means consulting literature on

[26] Jordan, A, C, (1973), Towards an African Literature: The Emergence of Literature Form in Xhosa, p.38

prerequisites for democratization (i.e. education, communication, civic culture, political parties); on mobilization strategies and ideologies of nationalist movements and leaders; and on the reaction and role of the traditional elite in the democratization process. In other words, this category of literature deals with the complexities involved at that very moment of democratization.

To weigh the authenticity of contemporary debate and fully understand the present political configuration of Transkei, however, requires that we locate Transkei within her historical context. The second category of literature helps us understand this historical context as it is Africa-specific and focuses on the purpose of the colonial mission, the nature of its penetration and the mode and strategies of colonial rule.

The third category of literature will be the local South African specific literature on homeland politics, particularly Transkei. Attention will be focused on the nature, role and purpose of chieftaincy not only within the homeland system, but in relation to the apartheid system as a whole. Together with the immediate preceding literature, this literature will help us fathom how, in the first place, it came to be that tradition co-existed with modernity within the same national boundaries. This is crucial, for, in informing us of what went into constructing Transkei's traditional institutions and subjects, it also alerts us to what would be required to deconstruct them to make way for the construction of democratic institutions and a rural citizenry.

Political Development Scholarship: Origins and Evolution

Social science did not address itself to the question of political development in non-Western countries until the 1940s. However, the study of developing countries, is in many ways, according to Richard Higgot, "'the cutting edge' of the post-World War II social and political theory"[27]. This late development is partly a reflection of the historic (inward-) European orientation of social science. From its origin in the medieval period

[27] Higgot, Richard, (1983), Political Development Theory, p. xi.

right through to the modern epoch, social science, Samuel Eisenstadt[28] explains, was dominated by Greek philosophers whose focus was exclusively on Western societies, particularly Greece, concerned with establishing a morally based polity. This was followed closely, but less prominently, by the writing of treaties, which were concerned with the practical side of politics. Treaties served as a blue-print or a manual to guide rulers on how to conduct the affairs of the state, treat their subjects and to maintain the cohesion of the political system. Comparative analysis, of which political development studies was an offspring, was a distant and miniscule third in the order of prominence within early social science.

Whilst the tradition of moral-philosophy passed on from generation to generation unhindered into the eighteenth century as political-philosophy, captured in the works of scholars like Aristotle, Rousseau and Nicolli Machiavelli[29], comparative historical analysis did not experience a similar steady growth. Rather, Einsenstadt further explains, comparative analysis was plagued by a relative lull through the late medieval to early modern period only to resurface in the eighteenth century in the works of, *inter alia*, Edward Gibbon's *Decline and Fall of Roman Empire* and Charles Montesqieu's *The Spirit of the Laws*[30].

But it was not until Max Weber's entry into social science that comparative (or developmental) studies became a crucial part of social science. Weber's work registered a lasting impact and formed the base for a number of subsequent works on developmental studies, as we will see below. A co-founder of sociology and himself interested in the social requisites for the development of capitalism, Weber's interest in non-Western countries arose out of curiosity to discover why these countries were still "trapped in pre-industrial times" and what it would take them to break into the age of industrialisation.

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[28] Eisenstadt, S, (ed.) (1971), "General Introduction: The Scope and Development of Political Sociology" in Einsenstadt, S, Political Sociology.

[29] Rousseau's and Aristotle's theories of social contract and the ideal state and Machiavelli's *The Prince* are just some of the varying examples of the intellectual tradition that dominated the period between the fifteenth and eighteenth centuries.

[30] Cited in Eisenstadt, S, (ed.), op cit, 1971.

Weber's ground-breaking writing on the various forms of legitimacy and authority prevalent in Western and non-Western countries is one such example of comparative work (which effectively set as a base for modernisation theory that emerged decades later[31]). In that comparative analysis, Weber offered a dichotomous presentation of traditional authority, on the one side, and rational-legal authority, on the other. Traditional authority, wrote Weber, derived its legitimacy from beliefs in mystical powers. A chief, noted Weber, was a typical example of a traditional authority. He owed his position to beliefs, prevalent within an ancestral worshipping populace, that he possessed mystical powers that sets him apart from ordinary beings. A chief was believed to communicate with ancestral spirits to either break a spell of drought or bring good fortune to the living[32]. Imbued with such powers, chiefs were thus regarded as the only individuals capable of occupying positions of authority. Not just anyone possessed such powers, but only certain individuals within a particular royal clan. A commoner could not rise to royalty, nor could royalty descend to commoner status. If that were to happen, people believed they would incur the wrath of the ancestors.

In addition to beliefs in mysticism, Weber elaborated, a traditional authority and order was legitimated by precedence. Precedence was the source of validation (or refutation) for any new social action or institution. Nothing without precedent could be effected. Existing institutions or practices were preserved and continued because they have origins in the past. Continuity from the past was taken as an indication of effectiveness or appropriateness of a given social behaviour or institution. Since nothing new was allowed, the status quo persisted through time. The past was continued into the future and the present resembled the past. Things stayed the same simply because that was how they have always been. Deviance from accepted social conduct invited sanction and even stigmatization[33]. Thus tradition, Weber observed, was synonymous with stagnation.

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[31] See Weber, M, (1947),The Theory of Social and Economic Organisation, (translated by A.M. Henderson and Talcott Parsons).

[32] For a detailed account on Africans beliefs in sorcery and magic see Monica Wilson, Reaction to Conquest.

[33] Black, C, E, (1967), The Dynamics of Modernisation.

Patronage further buttressed chiefly rule. Recognised by tradition as the custodians of land on behalf of their subjects, chiefs were responsible for providing land to their people. But, whilst subjects had the right to use land, they could not gain individual ownership over it, nor use it to pursue private profit. Such economic relations, argued Weber, served to sustain the traditional society.

In contrast, modern society, argued Weber, was the hallmark of instrumental rationality and hence developed. One example of its rationality, according to Weber, was its regulation by a legal-rational authority encapsulated in its administrative machinery, a bureaucracy. The latter, explained Weber, is based on impersonal rules and manned by persons chosen solely on the basis of their competency. A bureaucracy is guided by law that treats all individuals fairly and equally without any regard to one's background. It is, emphasised Weber, the hallmark of the knowledge-orientation and competency of the Western world.

From Weber's pioneering work in the late nineteenth century, the study of developing countries experienced a phenomenal growth post-World War II and quickly became a separate area of study within social science. This proliferation was natural, for democracy then was a novelty in the newly freed Third World countries. Nor could these countries revert back to their historical traditional rule. Reversion to the latter had fierce opponents in nationalist leaders and the (withdrawing) colonial rulers. Nationalist leaders thought themselves capable of mastering the requirements and conventions of a democratic system. Colonial rulers were determined that their former colonies followed a democratic route, even though their colonial rule was not exemplary of a democratic government. So the march to democracy was irreversible.

But the socio-economic profile of these emerging states illuminated a gulf between the democratic will and capacity. These countries had not developed to the same level as Western world when she first underwent her democratic breakthrough. For African societies, democracy was akin to an imposition from outside, not an outcome of a natural endogenous process induced by internal socio-economic dynamics. Africa's readiness for

democracy, therefore, was in doubt. How these countries would cope with democracy, was the question posed. What was needed of them to become a successful democracy? was another question that pre-occupied social science scholarship in subsequent years. The aim of developmental studies, as Colin Leys[34] puts it, was thus to provide a blue-print, in the form of modernisation theory, which leaders of the new states were encouraged to follow if they were to emulate the achievements of the Western World.

Thus the process by which Third World Countries would emulate the achievements of Europe (and North America) was variably called Westernisation and/or Europeanisation. These were not just derivative terms, but prescriptions which demanded that Africa mimics all the processes and adopt the same measures in a similar sequence as Europe in order to achieve what the latter had achieved. As for Europe, her development was marked by and was an outcome of three inter-connected processes: enlightenment, industrialisation and democracy. To fully appreciate modernisation theory and its critics, as discussed below, it is necessary here to provide a brief background of the process of Western development, on which the theory was later formulated.

Rationality, originating in the twelfth century, was the catalyst that buoyed Western Europe beyond its traditional confines. Human beings had finally developed capacity to control their physical environment around them and harness it to meet their needs. Society consequently underwent revolutionary changes bringing forth what came to be known as a modern society.

In the economic activity, the new knowledge changed the nature of production drastically from the fifteenth century onwards. The newly invented machines shifted production from home to industry. More people were employed and gross domestic products multiplied increasing the capacity of developed countries to save and invest. Industrialisation was itself a result of savings that had accrued from agricultural activity.

[34] Leys, C, (1996), The Rise and Fall of Developmental Studies.

Some of the savings were invested in the supporting infrastructure such as roads, communication and railway[35].

These fundamental economic changes had a revolutionary impact on the configuration of society. Towns rapidly grew as people began to settle there because of employment opportunities and also because they were pushed off rural areas by loss of land. Landlords abolished land rights that had been enjoyed by peasants in order to acquire more land to engage in the emerging commercial agriculture. The growing trade in wool necessitated bigger plots of land to breed more sheep and thus maximize profits[36].

Urban areas, with their promise of employment in the emerging industries, became a natural destination for masses of unproductive former peasants. In addition to employment, towns also offered the illiterate the opportunity to become literate. Literacy spread throughout society and newspapers were established to promote communication among the populace. Economic development and the consequent urbanization, the communicative ability of urban people and the preceding intellectual revolution inevitably accelerated political modernisation. The latter process entailed replacing the absolute rule of monarch based on the so-called divine right with an elected leadership founded on the principle of equality, and the consolidation of government bureaucracy entrenching the practice of equal treatment to all its citizens and developing its capacity to fulfil their social needs. Removal of the *ancien regime* was fuelled by discontent over its arbitrary and patrimonial rule, which disadvantaged everyone of non-aristocratic origins – the bourgeoisie, workers and the middle-class. The bourgeoisie were bottlenecked in their pursuit of economic interests by the arbitrary rule of the monarchy; educated men could not break into the civil service, for which they felt duly qualified; and the promise of removing the corrupt lot of the nobility and having rights and legal protection lured the marginalized and down-trodden workers into the revolution.

[35] Rustow, W, (1960), The Stages of Economic Growth: A Non-Communist Manifesto.
[36] Moore, B, (1966), Social Origins of Dictatorship and Democracy, p.8.

None epitomized the political revolution than the 1789 French's "Declaration of the Rights of Man and Citizen" - the constitutional foundation of the modern state - when, amongst others, it proclaimed the following:

1. Men are born equal and remain free and equal in rights ....
2. The aim of every political association is the preservation of the natural inalienable rights of man; these rights are liberty, property, security, and resistance to oppression.
3. The source of all sovereignty resides essentially in the nation; no group, no individual may exercise authority not emanating expressly therefrom ...
4. Free communication of ideas and opinions is the most of the most precious of the rights of man. Consequently, every citizen may speak, write and print freely...[37]

The significance of these political developments was that it annulled the hitherto dominant assertion that the monarch was a God ordained representative on earth to rule over people, arbitrarily without their consent or regard. It asserted that none had an *a priori* or natural right to rule over others. Anyone could form a government and must do so with the consent of the people. It was indeed a political revolution by the standards of the time. Needless to say universal franchise evolved gradually with men of property being the first to exercise it in the 18th century, then in the 19th century it was extended to all men regardless of class and lastly to women as well in the 20th century.

But the introduction of franchise and a new form of government, though in themselves revolutionary, were only one part of political modernisation. Another equally crucial aspect of political modernisation had already taken place before the extension of rights under kingly rule, namely the formation of nation-states. This entailed centralisation of authority and homogenisation of culture among fellow subjects. It was a nation state at its incipient stage, which constitutionalism inherited and improved upon. The constitutional nation-state improved administration into a bureaucracy in order to deal with the problem presented by administering a larger populace and the complexity of executing multiple functions. The state was now called upon to provide more social services to its rising urban population than was the case previously. Arbitrary administration characteristic of kingly rule was thus replaced by a fair and impassioned administration of a bureaucracy

[37] The French "Declaration of the Rights of Man and Citizen," August 27, 1789 cited in Eisenstadt, S, (ed.)(1971) Political Sociology: A Reader, p.341.

according to an objective legal system. By virtue of being a citizen, any person had the right to access state services and was treated equally. This epitomised a legal-rational authority that Weber thought typical of a modern society.

In short, therefore, modernisation was a process that spanned across centuries. It started in the twelfth century when people realized their intellectual capacity not only to explain their physical and cosmic world, but also to harness it to meet their ends. This sparked a ripple effect that saw the introduction of new innovations in the political and economic fields and reconfigured the nature of society. Modernisation of the Western Europe was thus an evolutionary process characterised by: rational thinking, new technology such as machines and industries; urbanization, literacy and media; and centralization of power, a bureaucracy and a representative government. It was exactly these processes, characteristics, and sequence that modernisation theory prescribed for Africa to follow if she also wished for similar success.

Modernity vs. Tradition: An Anti-thesis

Influenced by the Weberian conception of development as an evolutionary process away from tradition to modernity, immediate post-1940s thinking on political development held a dichotomous view of tradition and modernity. A number of the modernisation scholars ranging from David Apter[38], Clifford Geertz[39], Marion Levy[40] to Lloyd Fallers[41] contended that a break-away from tradition, with its restraining effect on progress was necessary for modernity to break through. Failure to do so, it was concluded, would forever confine non-developed countries to a perpetual state of pre-modernity[42].

This was closely followed by a proliferation of modernisation literature that tabulated a number of factors it considered solvents that dissolve tradition and free-up society for the

[38] Apter, D,(1955), Ghana in Transition,.
[39] Geertz, C, (eds)(1967), " The Integrative Revolution: Primordial Sentiments and Civil Politics in the New States" Old Societies and New States: ….
[40] Levy, M, "Patterns of Modernisation in Political Development", **Annals of the American Academy of Political and Social Sciences**, March 1966.
[41] Fallers, "The Predicament of the Modern African Chief:…" **American Anthropologist**, 57, 1955.
[42] Eisenstadt, S, op cit.

historic march to modernity. Chief among these pre-requisites for modernisation was economic development then followed by education, communication and political parties and leaders.

Economic Development

Economic development was the first characteristic identified as a solvent or pushing force towards a take off or (political) development. Dankwart Rostow argued that in Third World countries economic development came as a result of colonialism, which entailed "the supply of social overheads capital which moved the colonial society along the transitional path"[43]. Colonialism planted the seeds of economic take-off by making investments in roads, ports, docks, railway and imposing a centralized tax system.

Economic development, in turn, engendered the growth of a modernising elite. It had a demonstrative effect on some of the local merchants showing them the potential to maximize their profit. But the local merchants were hindered from pursuing profit-making by the *ancien regime* through its self-indulgence engaging in consumption and not saving and investing their income to stimulate the entire economy. So an indigenous merchant saw "in modernisation not only the removal of obstacles to enlarged markets and profits, but also the high status denied him – despite his wealth – in the traditional society"[44].

Cognisant of the profit-maximisation potential in modernisation, Rostow further explained that, the emerging bourgeoisie clubbed together with the intellectuals, who sought to harness the benefits of modernisation to improve the dignity and value of human life. This transitional coalition embarked on a nationalist campaign, which eventually toppled the traditional ruling elite or the colonial power and continued on the path of modernisation. Therefore, concluded Rostow, economic development was both

[43] Rostow, W, W, (1960), The Stages of Economic Growth, p.27.
[44] Ibid, p.28.

the stimuli and objective of the nationalist movement, which was itself a manifestation of political development.

Elaborating on Rostow's economic theory, Seymour Lipset emphasised that economic development unlocks a myriad of social of factors – i.e. urbanisation, education and communicative system – that are themselves crucial for the consolidating of democracy[45].

Social Mobilisation

The importance of the social aspects in the process of modernisation was emphasised forcefully by Karl Deutch in his theory of social mobilisation. Deutch defined social mobilisation "as the process in which major clusters of old social, economic and psychological commitments are eroded or broken and people become available for new patterns of socializations and behaviour"[46]. Economic development provided the initial stimulation for process, conceded Deutsch, but this built up into a cycle that assumed a life of its own sustained by other factors.

For Deutsch, therefore, political modernisation was an outcome of a multi-faceted and inter-connected social process. The establishment of commercial agriculture and industrialisation, as noted earlier, engendered urbanisation. The latter, in turn, impelled new interests in the form of housing provision, education and employment, "social security against illness and old age, or medical care against the health hazards of their crowded new dwellings and places of work and the risk of accidents with unfamiliar machinery"[47]. This brought forth the necessity of a new political leadership and forms of organisations through which the new interests could be articulated. Hence there was an emergence of political parties, which, in addition to material interests, also made demands for political representation.

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[45] Lipset, Seymour, "Some Social Requisites of democracy: economic development and political legitimacy" **American Political Science Review**, 53, 1959.
[46] Deutsch, K, "Social Mobilisation and Political Development" in Eisenstadt, S, (ed.)(1971) Political Sociology: A Reader., p.388.
[47] Deutsch, K, p.389.

To mobilize the urban masses into an effective democratic force, however, the new democratic elite needed new forms of communication. Word-of-mouth communication, which was pre- dominant in small local communities, proved ill-equipped to facilitate communication within a dispersed and big urban population. This put a premium on the creation of the mass media, which enabled the national leaders to communicate with their far-flung membership and local leaders. This democratic impulse eventually culminated into a democratic triumph. But this was not the end of the process.

To realise the promise of democracy – i.e. delivery of social services – it demanded the improvement of the efficiency of the state administrative machinery, particularly its tax collection capacity, and further economic growth[48]. Political modernisation, therefore, was an outcome of multiple and inter-connected factors. This elicited a proliferation of scholarship that focused on specific social aspects and their importance and role in political modernisation.

Communication

Communication medium – i.e. electronic or print - plays a crucial role in rallying the populace behind a modernising project. It allows the modernizing elite to convey their messages to the outlaying and isolated communities who are otherwise unreachable by other means. Communication condenses geographic space and distance.

However, Lucien Pye argues that political education itself does not evoke active political participation. For, people "... resist that which is either too novel and unfamiliar or too manifestly designed to be manipulative"[49]. In order to be effective, therefore, political education has to be couched in a local language. In other words, the new message has to be legitimated through local culture for it to be understood by ordinary people who have never heard of concepts such as voting or about 'commoners who milk cows' becoming

[48] Ibid, p.390.
[49] Pye, L, "Communication and Civic Training in Transitional Societies" in Pye, L, (eds.) (1963), Communication and Political Development,p.127.

leaders. It has to be related to old symbols with which people are familiar. In short, the message has to be 'packaged' or 'wrapped up' appropriately.

According to Pool, appropriate packaging implies that the message conveyed through mass media should be accompanied by 'word-of-mouth communication'. Words alone carry less meaning. Pool puts it thus:

> It takes a combination of the media and direct personal contact to move people to action. It is only through participation in actions that deeply held attitudes are changed. By action, however, these can be changed, even down to changing the basic personality of man[50].

'Word-of-mouth communication' is particularly important as, in developing countries, the validity and credibility of an argument is not tested independently based on its own merits, but on the status of the carrier of the message. This brings us to the importance of political parties vis-à-vis 'word-of-mouth communication' in the modernising process.

Political Parties

Political Parties, argue Myron Weiner and Lapalombara, play a central role particularly in developing nations in political education. They serve as complementary or, in the absence of other agents such as education and communication, as sole agents of political socialisation. Difficulties inherent in the process of democratisation, Weiner and Lapalombara conclude, demand that political parties in developing nations become mobilist in nature. Whilst they seek to win political support, they also tend to be involved in building a democratic culture[51].

For Ruth Morgenthau[52], however, the educational role that the party assumes hinges on the form of the party itself. Not all political parties fulfil the role of (political) socialisation agents. Political parties in Africa tend to be either patron or massed based in form. And of the two forms, it is the mass-based parties that fulfil an educational role.

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[50] Pool, D, "The Mass Media and Politics in the Modernising Process" op cit, p.240.
[51] Lapalambora, J, and Myron Weiner, (eds.) (1966) Political Parties and Political Development,.
[52] Morgenthau, R, (1964), Political Parties in French Speaking West Africa.

This happens because such parties are built around a particular ideology and rest on a widespread network of grass-roots organisations. For a party formed to achieve the objective of democracy, such as most nationalist African parties were, democratic practises become infused into the working of an organisation. Because the ideology of the party is more important than, say, individual leaders, the political party itself becomes a laboratory for the values it seeks to imbue into society. David Apter[53], stressing the socialisation role of such parties, underscores that this form of parties mould a permissible political behaviour among its membership. Because parties are massive and organised at different levels of society ranging from local, regional and national and involved deliberations across these levels between leadership and the membership, they nurture qualities such as representation, compromise and peaceful succession – qualities that are crucial for a democracy.

In contrast, patron parties do not have an elaborate organisational network nor are members recruited based on the organisation's values and policies. Rather, the patron party is built around an influential and charismatic person, who is held in high esteem within the community. Members are attracted to this kind of party by their affection and loyalty to the leader. The values and operational principles of the party are thus personalised. Hardly any discussion or consultation takes place between the leadership and the members. Needless to say, this form of party does not nurture a democratic party, but promotes the cult of leadership, which is an anti-thesis to democracy.

Civic Culture

Civic culture, in short, refers to active participation of citizens in public affairs. This, however, does not mean that citizens are entirely altruistic. Although citizens pursue self-interests, these interests are such that they are congruent with the public needs. Further, it is underpinned by the principle of equality. All citizens regard each other as equals[54] and interact on that basis.

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[53] Apter, D, (1967), Politics of Modernisation, p.189.
[54] Putnam, R, (1993), Making Democracy Work, p.86-88.

Civic culture, however, also comprises traditional political orientation which tends to dissuade citizens from participation in political processes. In fact the success of democracy, according to James Coleman[55], depends on the balance reached between traditional and participant political orientations. Although a democratic government is elected by and must be responsive to the people, its effectiveness depends on it being able to take decisive decisions with limited interference from the electorate. The political elite requires that the ordinary citizen be:

> ... relatively passive, uninvolved and deferential to elites. Thus the democratic citizen is called on to pursue contradictory goals, he must be active and yet passive; involved, yet not too involved; influential, yet deferential[56].

In the main, therefore, a citizen in a civic community is constantly conversant with day to day issues, participates in political organisations and engages in political discussions. However, civic culture does not automatically translate to active political participation. It merely creates an environment within which that participation is possible because it creates a healthy balance between instrumental and affective orientation to politics. If political participation was solely driven by instrumental considerations, the political system is likely to be unstable. Disappointed at the failure of the political system to eke out material benefits, electorates may be prone to seek its overhaul. For a political system to remain stable, therefore, people also need to have affective orientation towards it. In the event it fails to meet their expectations, people would not necessarily demand its replacement as they would be emotionally attached to it. A too intense affective commitment to a political system, however, also disturbs the balance between activity and passivity. It might lead to the proliferation of messianic movements whose mere existence poses a threat to political stability. Civic culture, therefore, strikes a balance between participative and affective orientations[57].

In the absence of a civic culture in developing countries, therefore, it may be difficult to build and indeed consolidate democratic institutions. The development of a civic culture and even the stability of democracy itself, argues Coleman, may be stifled by social and

[55] Coleman, J, op cit.
[56] Ibid.
[57] Ibid.

economic problems with which these nations are faced. Confronted with dire economic and social problems, people with non-civic culture may question the legitimacy of democracy. That aside the importance of civic culture for our purpose here is that it produces a very important prerequisite for democracy - trust.

Social trust is prevalent among people resident in a society characterised by a vibrant associational life. In his theory of social capital, Robert Putman explains that members of the same associations develop reciprocal relationships that are sustained by trust. Members of the same credit associations, for instance, make financial contributions for the benefit of other members of the associations, on the basis of trust that when his/her turn comes those members will reciprocate. Fulfilment of such expectations, in turn, increases one's trust in other people whom he/she came to know through membership in various associations. So members of the same associations, even though not personally familiar to each other, trust one another because each knows that all members abide by the rules of the association. Also, a new member is admitted into an association on the basis of his/her reputation based on the recommendation of those who have worked with that member in the past. Networks, formed out of membership in a particular association at some point in time, thus serve a channel for the flow of information. Without these networks deriving from the existence of a multiplicity of associations, co-operation among strangers would thus be difficult. A shared value – i.e. trust – which is transmitted through membership in an association makes it possible for complete strangers to co-operate with each other. Kin-relation is thus not a prerequisite for trust.

Therefore, social trust, which is a result of associational life, facilitates democratisation. Although certain members of the community may not be familiar with political candidates, they are likely to know of their reputation owing to their networks with members familiar with the candidates. That political leaders within a society characterised of associational life are drawn from the same associational life is a guarantee that they hold similar norms (i.e. trust, honesty and reciprocity) as the rest of society.

In traditional societies, however, social trust is not diffused. People of the same locality or clan keep to each other and are prone to trust their kin than a stranger. Personal relations are therefore key to trust and co-operation. This presents an impediment for a transition from traditional to democratic rule. Political modernisation involves shifting trust and allegiance away from a personal and immediate to an impersonal and distant authority. Popular participation in, and indeed the general acceptance of, a democratic political system, is thus determined by trusting an impersonal and detached institution of government. For traditional people, this would mean trusting leaders with whom, in some cases, they have never had any contact and whose reliability they question[58].

Education

A possible substitute for civic culture in developing nations, suggests James Coleman, is education. Through education, people can be taught about the importance of governmental and political institutions, skills for political participation and democratic citizenship generally. Education, Seymour Lipset elaborated, "... broadens men's outlook, enables them to understand the need for norms of tolerance, restrains them from adhering to extremist and monistic doctrines, and increases their capacity to make rational electoral choices"[59]. So, education encourages popular participation.

Lande explained that education is also crucial in reducing the resolve of the traditional elite to resist democratisation. Furthermore, uneducated traditional leaders, tend to resist change because, after democratisation, they are left with no other source of income since they lack skills. Conversely, educated leaders are less resistant to the democratic process because, since they are skilled, they can move on and find employment elsewhere[60].

In short, modernisation theory perceived colonialism as a progressive force for colonies – an agent of change. It unleashed both economic and political energies that drove

[58] Putnam, R, op cit.
[59] Lipset, S, op cit, p.79.
[60] Lande, C, "The Philippine" in Coleman, J, (eds.) (1964), Education and Political Development,, p.329-342.

colonised societies forward into modernisation. The economic potential of colonies was unlocked by the colonial transfer of capital from Europe to the non-Western World (in pursuit of raw material and a market for manufactured goods). That capital was then invested in primary and (small-scale) secondary industries, infra-structural development such as the creation of a transportation system and a state bureaucracy with its laws and tax-collection capacity. Therefore, the logic holds, though the North-South relationship begins on an exploitative note in favour of the North, as indeed is the nature of capitalism, colonies do benefit and can utilise the latter as a launching-pad for an indigenous national bourgeoisie that will spearhead the growth of large-scale industry and the national economy[61].

Once economic development has materialised and spurred on the emergence of an indigenous capitalist class, political revolution would inevitably follow. Together with the intellectuals and workers, the indigenous capitalists become modernisers seeking to wrestle the state from the clutches of foreign rule and establish an independent nation-state. The local bourgeoisie does so hoping that an independent state would act as its "committee" introducing legislation and measures that would facilitate their expansion as was the case in advanced capitalist countries. Intellectuals, trained either locally at institutions built by the colonial administration and/or missionaries or abroad on scholarships or financed by wealthy families, seek to transform their societies into their visions of an industrial, independent nation-state just as developed as the western world. Exploited by foreign capitalists, workers join the fray too calling for self-independence in the hope that a nationalist government would introduce laws that would alleviate their misery at the hands of business.

Thus modernisation, sparked by foreign capital transferred through colonialism, assumes a life of its own that would see the dissolution of traditional society. This suggested the existence of a mechanical relationship with modernisation possessing a destructive effect which it naturally unleashes on tradition as it evolves.

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[61] Kautsky, J, (1972), The Political Consequences of Modernisation.

An Illusionary Dichotomy

Weberian influence on political modernisation was short-lived. The 1960s saw an emergence of a new scholarship that deviated from the dichotomous to the complementary and continuum conception of tradition and modernity. Samuel Einsenstadt - one of the leading proponents of this scholarship – argued that traditional societies had not remained static, but constantly underwent a series of changes. Over a considerable period of time, however, what was initially a new innovation, came to be accepted as tradition.

Moreover, added Coleman, there existed no clear line of demarcation between tradition and modernity. Societies might, in the main, be considered traditional when in fact they exhibited modern features and vice-versa. Coleman thus concluded that "...the historical and contemporaneous - are mixed; the degree of their modernity is determined by whichever tendency predominates within the mix"[62]. This mixture, explained Eisenstadt, existed because for anything new to gain public acceptance it had to be mediated through tradition. This created a sense of continuity with the past, which, in turn, elicited acceptance because of its predictability[63]. So there existed no clear delineating line between modernity and tradition, but one built on the other[64].

Susan and Lloyd Rudolph[65] stressed that contrary to being foes of modernity, traditional elites and institutions could themselves be instigators of modernity. But, they cautioned, traditional elites were reluctant modernizers and often do so under duress. Conviction in the virtue of modernisation was not their motivation, but preservation of power and privileges. These enlightened despots realized that opposition to modernisation carried the peril of loss of privileges should the process succeed despite their opposition. But, since theirs was an interest-based support, a traditional elite driven modernisation process

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[62] Coleman, J, "Modernisation: Political Aspects" **International Encyclopaedia of the Social Sciences**, 10, p.396.

[63] Eisentadt, S, op cit, p.160.
[64] Coleman, J, op cit.
[65] See Lloyd and Sussane Rudolph, (1967), The Modernity of Tradition.

was bound to be incomplete. It did not go the entire way, for they realized that doing so entailed modernizing themselves out of power and privilege. Hence John Kautsy counselled that a distinction should be drawn between a modernising aristocracy and modernisers: "the former seeks modernisation to preserve and strengthen the aristocracy, the latter seek modernisation to weaken and destroy the aristocracy"[66]. But, regardless of royal intentions, the process does ultimately lead to full-scale modernisation. Though the modernising aristocracy institutes half-hearted measures, the process eventually builds up its own momentum which the modernising aristocracy cannot reverse.

Other scholars went farther challenging the authenticity of tradition itself. Rather than being a natural phenomenon, as the modernisation theorists suggested, argued Eric Hobsbawm and Terence Ranger[67], tradition is invented and manipulated by political elites to grant legitimacy to their projects. What is referred to as tradition, they argue, oftentimes does not have an ancient origin and could even be fictitious. It is used primarily as a legitimating tool to either retain oneself in political office or to mobilise the masses behind opposition leaders in order wrestle political power from incumbents.

But a more vociferous critique of modernisation theory was yet to come. And it came from Dependency theorists and specialists in African studies. Of particular discontent to these scholars was modernisation theory's premise that colonialism was a progressive force for colonies. In response, these critics questioned not only the intensity of the capitalist penetration into colonies, but also the colonisers' will to launch its colonies onto a sustainable developmental path. This criticism was informed by reflections on the nature of the international capitalist economy and Africa's position there-in and on the manner in which colonial rule shored itself up to achieve hegemony over its oppressed indigenous population.

Paul Baran, a pioneer of the school of underdevelopment, contended that rather than being a developmental force in the third world, capitalist penetration was "destructive

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[66] Kautsky, J, op cit.
[67] Howbawm, E, and Terence Ranger, (1983), The Invention of Tradition.

and predatory" and "immeasurably distorted their development"[68]. While modernisation theorists saw the social and administrative infrastructure that was built in the wake of capitalist penetration as a launch-pad for future development, Baran saw it as instruments that facilitated "plunder" and underdevelopment. Dispossession of land from the indigenous people and their subsequent coercion into wage labour robbed the colonised of resources from which they could have generated surplus capital to invest other economic activities. This loss of surplus capital to the local populace, according to Baran, marked the moment of regression for colonies. Once foreign capital had seized control of the local productive forces creating a primary economy, they repatriated profits to the mother country. This "unilateral transfer" of wealth denied colonies of investment capital that is crucial to kick-start industrialisation. Only a small-scale manufacturing sector tied to the primary sector managed to surface. But, an indigenous and vibrant industry was suppressed in order to create a monopoly for imported goods.

Almost a decade later in the 1960s and influenced by Baran, Gunder Frank[69], focusing on Latin America, magnified and popularised underdevelopment theory in his conceptualisation of the international capitalist economy as structured into metropole-centre and satellite-periphery. By this Frank was merely emphasising Baran's point about the extraction of profit from colonies to mother-countries. But Frank also went further to stress a point that bears extreme importance for understanding the working and rationale of the apartheid state and which was to be concretised by South African Marxist scholars as we will see below. That is, the unequal centre-periphery relations do not only exist at the international level, but also within the colonies themselves. They are reproduced locally within the national boundaries of the satellites in order for capitalist production to thrive. Thus we would find centres of relative prosperity and relative depravation and backwardness within the same country. Phillip Ehrensaft, elaborated: Rather than eliminating tribal, village, and extended family structures in many parts of Black Africa, for example, the European powers utilised them ... Older social units were not shattered by the capitalist system but rather amalgamated into it"[70]. Traditional society was thus

[68] Baran, P, (1957), Political Economy of Growth, p.162.
[69] Frank, A, G, (1967), Capitalism and Underdevelopment: Latin America.
[70] Ehrensaft, P, "Semi-Industrial Capitalism in the Third World" **Africa Today**, 1971, 18, p.53.

intentionally retained as a necessary condition for the realisation of capitalist accumulation.

A host of other scholars followed in the 1970s, notably Walter Rodney[71] and Samir Amin[72], extending the scrutiny of the impact of international capitalism to Africa. The conclusion was the same as Frank's and Baran's – capitalist penetration into Africa leads to underdevelopment. The implication of the dependency and underdevelopment theory, therefore, to highlight the importance of this literature to this study, was that capitalist penetration does not set colonial societies free from traditional relations and institutions into a path towards modernity. Conversely, foreign capital retains traditional society in order to thrive. In other words, traditional relations and institutions become a life-blood to the capitalist economy, without which the latter would not thrive.

Liberal and Marxist's scholars naturally disagreed with the afore-mentioned conclusion. For, they both saw capitalism as a positive force that would benefit colonies. Marx had earlier even pronounced: "The country that is more developed only shows to the less developed the image of its own self future"[73]. Bill Warren – one of the Marxist scholars to lead the counter-argument - stated: ... 'stagnation' in the Third World is largely a myth. There has been a very substantial growth of the capitalist social relations of production ... where they were previously non-existent or in a very primitive state[74]. Warren stressed that the mistake made by the dependency theorists was to club third world countries into a homogenous entity and thus generalise observations made in one country to all other countries.

Whilst their colonial experience and position in the international economy may largely be similar, Warren elaborated, Third World countries exhibit different levels of industrialisation. Some are more industrialised than others and this developed mostly after World War Two and strengthened after independence. Warren ascribed this

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[71] Rodney, W, (1974), How Europe Underdeveloped Africa.
[72] Amin, S, (1973), Neo-colonialism in West Africa.
[73] Cited in Higgott, R, op cit, p.51.
[74] Warren, B, "Imperialism and Capitalist Industrialisation" **New Left Review**, 1977, 18, p.12.

development to an increasing number of industrial powers which led to competition for markets in the third world. Coupled with this was the emergence of the Cold War, which put third world governments in a bargaining position using one super-power against the other to elicit favourable economic packages or conditions. Industrialisation was also prioritised by post-colonial governments as an expression of economic nationalism. Governments used their control of state resources to kick-start industrialisation. Colin Leys, after years of advocating the view that African state was an agent of foreign capital incapable of promoting an indigenous capitalist growth, also recanted his views in relation to Kenya in particular[75].

But Warren's crucial intervention did not erase the point that, despite development in some countries, capitalism did not dissolve pre-capitalist relations. In his crucial intervention, Geoffrey Kay attributed these disparities to the unequal penetration of capitalism. Kay noted that "capital created underdevelopment not because it exploited the underdeveloped world, but because it did not exploit them enough"[76]. Land-locked countries particularly, as Samir Amin also observed[77], were hardly penetrated by capitalism.

Other African scholars, particularly Mahmood Mamdani[78], argued that the existence (or non-existence) of traditional society had less to do with the mode of production, but more to do with the mode of control. The colonial state retained traditional institutions not so much because of their economic futility, but because this allowed it to establish colonial hegemony over the colonised natives. Subjecting Africans to the so-called customary law enabled the colonial state to define natives as subjects with rights within, and subject to, the traditional authority. This allowed the colonial state to deny the natives citizenship and thus rights that come with citizenry such as, and most importantly, franchise within the civil society. Only settlers and a few native elites, who had climbed up to civilised status, exercised citizenship within the colonial state.

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[75] Leys, C, op cit.
[76] cited in Higgot, R, op cit, p.57.
[77] Amir, S, op cit.
[78] Mamdani, M, (1996), Subject and Citizen.

Civilised natives were tolerated because they were a minority and thus did not threaten colonial power. The colonial state had managed to define the African majority outside of civil rights into a traditional authority and minimise their impact within the colonial civil society. The grip of the colonial state over the native population was further strengthened by the despotic powers that the traditional authority was granted over subjects. So, the intention was not to grant subjects franchise and thus freedom within their natural domain of traditional authority, but to subject them to a despotic control of chiefs. The latter was thus an agent of colonial domination enabling the colonial state to achieve colonial hegemony, whilst at the same claiming self-righteousness and respect for the indigenous way of life.

Indeed South African-specific studies showed that continuation of traditional relations and institutions owed to its utility both to capitalism and as a form of colonial/apartheid rule. Harold Wolpe[79], showing a metropole-satellite relationship that Gunder Frank had earlier noted, eloquently argued that the mining industry in SA grew on the back of black labour supplied by the traditional black homelands. Urbanisation and proletarianisation of African workers was intentionally stunted to benefit the mining industry. Black workers were denied permanent residence in urban areas, for acquiring this status would have minimised the profit margins of the mining capitalist. As permanent urban residents, black workers would have qualified for permanent employee status with all its benefits of pension, medical aid, education and housing. Working on contracts, ranging from six to twelve months, African workers did not qualify for workers' benefits, which saved the mining industry a significant expenditure on its wage bill. So capitalist development (in urban centres) intentionally froze what could have otherwise been a natural process of urbanization.

Colonial administrations retained and re-invented tribes and customary law for the purpose of controlling the indigenous population. This colonial meddling, argued Mahmood Mamdani, was intended to solve the problem of how to subjugate the populous

[79] Wolpe, H, "Capitalism and Cheap Labour in South Africa: From Segregation to Apartheid" **Economy and Society**, 1, 1972.

indigenous population to the much hated colonial rule. Colonial administration, particularly in Natal, bestowed chiefs with despotic powers replacing the consensual rule that had hitherto characterised chiefly rule. Sir Henry Main, a reputed legal scholar of the Victorian age, according to Anthony Costa[80], was to justify this despotism defining chiefly rule as essentially a patriarchal government. Under the new despotic system, as a patriarchal father would do to his offspring, chiefs commanded and subjects obeyed without any question. David Hammond-Tooke[81] demonstrated that this despotism was extended to apartheid rule under the guise of the Bantu Authorities Act. The effect of chiefs' oppressive powers, as Hammond-Tooke discovered, was summarised by Transkeian subjects as follows: "The chiefs are killing us". In short, the purpose of colonial imposition and distortion was to establish order and bolster colonial rule.

Iona and Phillip Mayer[82] further argued that the homeland system reinforced conservatism among its inhabitants, particularly migrant workers. Though shuttling between rural and urban worlds, migrant workers still held strongly to their traditional beliefs and institutions. Migrant workers reproduced their traditional organizations and way of life within the urban setting. They retained the same close-knit circle of friends from their villages, performed their rituals and paid homage to their ancestral spirits, and maintained close links with their rural countryside by sending money back home and resisted all activities associated with urban life – *uburhumsha* – including Christianity and smart clothes.

Persistence of traditionalism, despite the freedom offered by the independence of being in an urban area where none of the traditional ascriptions and sanctions existed, owed partly to self-agency arising from socialisation. Of the values the Red Xhosa upheld were caring for one's parents back home and saving money to buy cattle and agricultural tools to maximize agricultural productivity and rural comfort. Disobeying this moral code, particularly abandoning parents, they believed, invited the wrath of the ancestral spirits.

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[80] Costa, A, "Chieftaincy and Civilisation" **African Studies**, 59,1, 2000, p.19-22.
[81] Hammond-Tooke, D, "Chieftainship in Transkeian Development" **The Journal of Modern African Studies**, 2, 4, 1964, p.520.
[82] Mayer, P, (1971), Townsmen or Tribesmen,.

Fear of misfortune thus reinforced adherence to a traditional way of life despite their freedom from traditional regulations and the availability of a choice to choose between the two worlds. Coercion emanated from apartheid laws, which inhibited permanent residence of Blacks in urban areas. It was thus futile to invest resources and emotions into a life that only lasted as long as their irregular working contracts. Mafeje and Wilson[83] observed similar networks and behavioural patterns among Africans in Langa township, Cape Town. Uneducated migrants, *amagoduka* (those who retained contact with village home) kept to themselves among their fellow *makhaya* (home-boys), just as the urbanites - *oo-Mac* and *osscuse-me* – did within their own associations and social circles each distinguished by language, mannerism and dress code.

Red Xhosa's culture is one that Coleman[84] would describe as a conservative political culture, an anti-thesis to democracy. Political culture refers to people's values, attitudes and beliefs, sentiments and evaluations of their political system and their role within it. Political culture itself is a sub-culture, predetermined by the underlying and predominant culture within any society. For instance, in a culture where man's predisposition towards nature is that of fatalism and resignation, such as that of Red Xhosas, people's predisposition to political institutions is likely to be similar.

But inhabitants of the same traditional residential area, may not necessarily hold the same cultural beliefs. The content of political culture differs from one person to another owing to status and background. This difference can be ascribed to generational differences and socialization. This is what explained, according to the Mayers, the educated Xhosa's (or School Xhosa as Mayer referred to them) distinct world-view and cultural content, which predisposed them towards alternative life-styles. Though living in the same area under the same chief, the School Xhosa valued education and perpetual improvement of oneself. They were 'black Englishmen', who wore 'white clothes' and worshipped 'a white man's religion'. This difference derived from their openness to and influence by missionaries and colonialists dating back to the early nineteenth century. They were

[83] Wilson, M and Archie Mafeje, (1963), A Study of Social Groups in an African Township: Langa
[84] Coleman, J, (1963), Civic Culture, p.3.

among the first African intellectuals who founded African nationalism. They believed in taking control and determining their own lives and circumstances, as opposed to resigning one's fate to the will of ancestral spirits.

Thus a consensus crystalised by the 1970s that capitalism was less of a force in eroding traditional society than modernisation theory had earlier envisaged. Higgot put it thus:

> An acceptance, or rather recognition, of the existence of a group of peripheral states causes us to begin to distinguish between that group of states where some kind of national system of economic power was being built and those states where capitalist penetration and consequent industrialisation had been less influential[85].

The implication was that traditional relations and institutions persisted either because they were functional to capitalist growth or simply because they never came into contact with capitalism. Even within the most developed of the third world countries, the rate of economic growth was not substantive enough to dissolve traditional society in a much more significant manner. So it was prefigured that the post-colonial state and its ruling elite would inherit a bifurcated state marked by a parallel co-existence of modernity and tradition. The fate of the latter was thus left to be resolved by the post-colonial state and its ruling elite. In particular, it was determined by: the ideology of the ruling elite; the configuration of the post-colonial state; the imperatives governance and its utility (or futility) in the electoral politics of the post-colonial state.

Ideologically, the post-colonial ruling elite turned out to be ambivalent towards tradition. By their very nature, argues Mary Mattossian[86], nationalists are characterised by a contrast of archaism and futurism. To mobilise the masses behind their nationalist cause, nationalists have to find common basis with the masses from whom, as products of westernisation, they are otherwise culturally alienated. To resonate with the masses and thus elicit a following, nationalist calls, states Basil Davidson, had to be couched "in the

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[85] Higgot, R, op cit, p.56.

[86] Matossian, M, "Ideologies of Delayed Development" in Hutchinson, J, and Anthony Smith, (ed.) Nationalism, 1994, 218-9. L.P. Mair observed similar developments in the 1950s in West Africa as nationalists began to ponder about the place of traditional institutions in post-colonial states, see "African Chiefs Today: The Lugard Memorial Lecture for 1958" **Africa**, 28, 1958.

terms and language of foundation myths and beliefs that everyone had learned to respect at their mothers knees"[87]. References to tradition and history, as Terence Ranger demonstrated in the case of Zimbabwean nationalists and spirit mediums[88], thus create a sense of common belonging and continuity with the past. In associating their nationalist cause with resistance battles of the past, for instance, the nationalist legitimise their actions and leadership of colonial resistance. Yet, at the same time, they are men of progress and seek to move their societies away from the very past they eulogise into a modern society along the same lines as the West. In dealing with tradition, therefore, the nationalist approach is inherently contradictory, for in order to go forward, they have to look into the past.

This paradox endured into the post-colony, punctuated by confrontation but fell short of an outright assault on traditional institutions and its holders. Rather, argues Adriaan van Rouveroy van Nieuwaal[89], it stabilises into an uneasy alliance necessitated by the legitimacy each derives from the association. It is mutual-dependence. The nationalist government, as was the case during colonial resistance, suffers from a crisis of legitimacy. This "crisis of the nation-state", as Basil Davidson calls it, stems from the nature of African nationalism, which was essentially based on rights and material well-being. It was not a cultural movement that sprung up as an assertion of a national identity of a people welded together by a common language and culture.

The new ruling elite and the post-colonial state symbolise an alien authority and also suffered from a credibility problem as it was the same institution used by former colonial rulers to oppress and exploit the rural folk. Nationalists thus need intermediaries and tools of legitimation. This need, Mahmood Mamdani[90] pointed out, becomes greater if colonial resistance was located in urban areas, as opposed to rural areas. Where it was located in rural areas, in which nationalists de-ethnicised (or democratised) rural governance in

[87]Davidson, B, (1992), The Black Man's Burden, p.111.
[88] Ranger, T, "Tradition and Travesty:..." **Africa**, 52, 1982.
[89] Rouveroy van Nieuwaal, E, A, "Chieftaincy in Africa: Three Facets of a Hybrid Role" in Rouveroy van Nieuwaal, E, A, and Rijk van Dijk, (1999), African Chieftaincy in a New Socio-Political Landscape.
[90] Mahmood, M, op cit.

order to forge inter-tribal unity, post-colonial democratic reforms were implemented with relative ease without the medium of traditional authority.

But, even where traditional leaders where required as conveyers of legitimacy, Filip De Boeck[91] explained, their legitimacy within their populace was not necessarily absolute. They too suffered from a credibility problem. Their collaboration with the colonial state and consequent distortion and abuse of tradition tarnished their integrity among their subjects. Though not totally rejected by their subjects, but preferred over the central authority, the position of traditional leaders is shaky and needs an external force to shore it up.

For the nationalists, therefore, tradition becomes the tool of legitimation. Nationalists appropriate traditional symbols and associate with traditional leaders. In return for co-operating, traditional leaders receive patronage and constitutional protection. Thus the crisis of legitimacy suffered by the post-colonial state bred patrimonialism[92]. Chiefs become clients that act as power-brokers and authenticate the ruling elites. The ruling elite, in turn, provides patronage. But, Rouveroy van Nieuwaal emphasises the relationship is never seamless or stable for long. Traditional leaders know that they are resented by the nationalist, but tolerated because of their intermediary role. Thus they guard their traditional territory preventing any nationalist attempts to by-pass them and encroach into the traditional domain. Indeed nationalists resent being at the mercy of traditional leaders and are always looking at ways of undermining their influence and establishing direct access into the rural communities. But, the unpredictability of the outcome of its manoeuvres and fear of possible backlash, and its need for African tradition to affirm its African credentials, the nationalist are forced into an uneasy alliance or co-habitation with the so-called guardians of tradition.

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[91] De Boeck, F, "Post-colonialism, power and identity:..." in Ranger, T and R. Werbner, (1996), Post-colonial Identities in Africa, 1996. For a similar argument also see Vaughan, O, (2000), Nigerian Chiefs: Traditional Power in Modern Politics, 1890s-1990s.

[92] For further reading on the post-colonial state and politics see Bayart, Jean-Francois, (993), State in Africa: The Politics of the Belly

The Implication of this Literature Review

The literature reviewed in this chapter added value to this study in two major ways. Firstly, and generally, it provided an insight into the variables, processes and logic that govern and determine the relationship between modernity and tradition, and into the circumstances under which tradition is eroded or resilient co-existing in a complementary relationship with modernity.

Secondly, and specifically, it provided theoretical basis for the hypothesis for this research study: Each group of stake-holders – i.e. modernizing elite, traditional leadership and the rural populace – will respond differently to rural democratization due to varying factors. Traditional leaders will oppose democratization because it threatens their livelihood and status in local government. Yet their precarious position will constrain them from launching a full-scale opposition to government policies. Their volatility owes to their crisis of legitimacy due to collaboration with the British and apartheid government in the oppression of their own people and to the fact that some were illegitimately appointed by government in violation of traditional practice.

The ruling elite will forge ahead with democratization despite opposition from traditional leaders. But, the process will not lead to complete obliteration of the institution of traditional leadership. Chiefs are symbolically crucial for the nationalist and Afro-centric ideology of the ruling African National Congress. The latter will want to retain traditional institutions as symbols that validate their Afro-centrism which has gained considerable sway under the current presidency of the cerebral Thabo Mbeki. In return for retaining chiefs as symbolical figures and providing financial gains, the government will, at the least, expect chiefs to be supportive of the democratic project. Despite rumblings over loss of status and power in local government, chiefs will be supportive or not openly disrupt the process, in part as a show of gratitude for the favourable accommodation in the post-apartheid settlement despite a less honourable colonial and apartheid history. Fear that the ruling elite might act on their resentment of traditional leaders for their past betrayal if they are seen as a hindrance, will also prompt chiefs to grant reluctant support

for democratization. This support of course will not emanate from conviction but as a political strategy to redeem themselves in the eyes of the ruling elite. In short, chiefs and the ruling elite will eventually settle into an uneasy, but mutually beneficial alliance.

Fought over for influence by the modernists and traditionalists, the rural citizenry/subjects will respond to democratic participation for material reasons, whilst some will remain loyal to the traditional institution. Loyalty to the traditional institution will mostly emanate from familiarity with customary law, as opposed to the novelty of the democratic system. The personal nature of chieftaincy and the obligation it imposes on chiefs towards their citizens under customary law are preferable to the impersonal and distant nature of government-citizen relations with which subjects have no prior experience and thus treat cautiously. Others will embrace democratization openly because it resonates with their world-view. Ultimately, therefore, the reaction of the populace will be determined by one's value-system and the promise of life under the democratic local government.

Chapter Three
An Urbanite in a Village

Overview

As mentioned earlier, this study seeks to illustrate how tradition and modernity interact resulting in the formation of rural local government that comprises a hybrid of tradition and modernity. The study also aims to explore rural people's experience of democratisation as well as their response to it. Strategies employed by the ruling party in rural democratization will also be explored in this research. To achieve these research purposes a qualitative research design has been selected.

Purpose of the Chapter

This chapter provides an account of and a rationale for the research approach and methods that were employed to complete this study. Recounted in the chapter are the researcher's experience in the field, particularly the issues he encountered and how he addressed them. Throughout out this account the researcher will provide insight into the intricacies of doing research in rural areas. It is hoped that such insight will be useful to researchers who wish to undertake field-work in a rural setting.

Research Approach: Qualitative

This research was pursued through a qualitative research approach. For, this study sought to uncover the experiences, attitudes and beliefs of individuals – ordinary people, chiefs and, to some extent, politicians – towards the process of rural democratisation which began in 1995. This required that the researcher seek to understand the meaning that rural people, in particular, attach to the said process, how they view and compare elected and traditional leaders and why they hold such views. These three elements – i.e. the value-system, experience and meaning making - ultimately determine people's relationship and attitude towards rural democratisation.

Given the study's purposes and the nature of the research questions a qualitative research approach was deemed the most suitable. A qualitative research approach

offers the researcher an opportunity to fully explore the experiences and views of rural folk. To understand the outward behaviour a researcher needs to understand the belief system and experience that informs it. A researcher can get such understanding by interviewing respondents in their own natural setting (or social context), which influences their experiences and belief-system. By locating one-self in the social context of the respondents, researchers get more insight into the socio-economic dynamics that shaped respondents' reality. The researcher uses a rich descriptive narrative to capture the essence and wholeness of the rural community's experience of rural democratisation[89].

The researcher thus selected a qualitative research approach, over a quantitative approach, because its philosophy accords with the researcher's and its research techniques were best suited to enable the researcher to achieve the objectives of this study. The closed questionnaire survey method, for instance, which is prescribed by the quantitative approach, does not allow for the expression of views and opinions, but is more appropriate for establishing a pattern and establish a cause and effect relationship. On the contrary, the purpose of the study is to probe deeper to uncover the motivation for people's actions or why they hold the beliefs they do. But, the researcher will make references to survey studies in order to compare how the findings in Xhwili measure up with findings drawn from typical communities in other parts of the country

The Study Sample

The researcher interviewed approximately 400 respondents both individually and in groups. The interviews were undertaken over a period of three months spread over several visits in 1999, 2000 and 2001. The researcher used a combination of quota sampling and snow-ball sampling in selecting respondents. That is, the researcher went into Xhwili with pre-determined categories of respondents according to age, gender and educational level. These selection criteria were borne out of the recognition that these variables have a bearing on people's views and attitudes towards chiefs and elected councillors. To ensure that the researcher interviewed respondents of different educational levels, however, he had to rely on snow-ball

[89] Creswell, J, (1998), Qualitative Inquiry and Research Design, p.16-18.

sampling. Evidently, with the exception of students, teachers and the elderly, the researcher could not easily determine the educational status of other respondents within the community. For this, the researcher relied on a referral system (or snow-ball) among residents.

Some respondents were selected randomly (within a specific category) whilst others were a 'captive' audience such as those found at public gatherings that had assembled to discuss community issues and, in some cases, called to meet the researcher specifically. Another 'captive' audience were students and teachers at the local school.

Public meetings enabled the researcher to establish the general attitude and range of issues that influenced respondents' perceptions of chiefs and elected leaders. However, in such situations respondents tended to be inhibited to express something contrary to the popular feeling for fear of reprisal. The researcher overcame this limitation through individual interviews where he encouraged participants speak openly. He noticed that in individual interviews respondents were critical of chiefs, but in public meetings they were critical of elected leadership and less so of chiefs.

Overall the sample represented a cross-section of the population in the village. Though unable to strike a perfect balance, since the researcher had to depend on the availability of respondents, a conscious effort was made to select respondents in terms of gender, generation, educational level and occupational status. Of the approximately 400 respondents, 70 were women; more than half were young people between ages of 18 - 32 years old; 1 was a headman and 4 were chiefs; 10 were clerks and 5 teachers and roughly 30 were former migrant workers; and more than 80 were recipients of pension and were engaged in some measure of subsistence farming.

Data Collection Methods: Interviews, Participative Observation and Case Study

Consistent with a qualitative research approach, the researcher used interview, participative observation and case study techniques to answer the research questions. Combined, these techniques enabled the researcher to grasp the social reality of the respondents and the world within which that social reality is shaped.

Interview technique

The researcher employed a semi-structured interviewing technique[90]. This involves asking respondents specific open-ended questions. Respondents are able to respond without being directed towards a particular answer. So, the researcher has a set of main questions he/she wants answered, but wants the answers from the perspective of the respondents. The purpose of open-ended interview is to enable the researcher to record the reality of the respondent, not impose his/her own or to direct their answers to validate his/her own reality.

To get the full perspective of the respondent, a researcher thus allows for the interview to flow in a conversational manner. The respondent speaks freely without a researcher interrupting or directing the response of the interview. After listening the researcher probes the respondent to expand on a particular issue that the researcher found unclear or interesting. So, whilst allowing the respondents to narrate their own experience, feelings and views uninterrupted, researchers also ask probing questions in a way that provides detailed answers to specific research questions.

A researcher can interview one or more (i.e. through a focus group) respondents at a time. Each setting has its advantages and disadvantages. A focus group interview allows the researcher to get a breath of views on a particular issue, whilst one-on-one interviews offer depth. It is easier for a researcher to follow-up on comments when interviewing one person, but is constrained in doing so in a group interviews[91].

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[90] Neuman, W, (1997), Social Research Methods: Qaulitative and Quantitative Approaches, p.371-3.
[91] Marshall, C, and Rossman, G, (1999), Designing Qualitative Research, 3rd Edition, p.108-115.

Most interviews were conducted in Xhwili village. This researcher had hoped to employ one-on-one interviews for the advantage of depth it offers, but had to settle for a combination of individual and group interviews once in the field. Oftentimes interviews would start-off with one individual, but then other people would join in since interviews mostly took place outdoors. The researcher approached residents on the streets or while they sat outdoors in their yards. And at those odd occasions when the researcher found people seated indoors, they would suggest that we move outside. Rural people have an intrinsic disdain for private meetings particularly when the issue in question affects the public. As indication of this, private meetings or even whispering is disparagingly referred to as *ukugqugula*, which denotes a conspiracy. So, the inclination is to have an open and public discussion, hence the insistence on an outdoor meeting where others would join us.

And passers-by would join the conversation out of curiosity to find out what the stranger (*umtu wase mzini*) wants or has brought them. In an impoverished area such as Xhwili, residents were always on the look-out for visitors from government or non-government organisations with something materialistic to offer. One group even accused the other of monopolising my time and not wanting me to see their area because they wanted to have all the benefits of my visits.

Whilst group interviews offered the breadth of input, they also tended to be dominated by few individuals whilst the rest simply kept quiet. The silent members of the group believed that they were not fit to talk about certain issues. They would often say: "No, we're not educated. So we don't know these things", then defer to those they thought were articulate and knowledgeable. The "spokes-persons" tended to be male and relatively young who had has some travelling experience and a level of education. But as they realised that the conservations were simply about their daily life and perceptions, and not a test of their intellect or an expose of their "ignorance", the "silent group" gradually started participating in the conversation. By keeping the conversation based on their daily lives, the researcher encouraged respondents to participate in the conversation. The researcher avoided asking direct questions, which required a respondent to take a stance. Respondents tended to be intimidated by direct questions (e.g, what do you think of chiefs?) because this was a sensitive, and potentially dangerous subject, as narrated below. Respondents also held back due to

fear that their answers might sound "stupid". In such cases, the researcher assured respondents that there were no right or wrong answers, but that their experience and views were relevant.

Group interviews were also prone to disruptions. There were spoilers or recognised "community comedians" who would make jokes out of what others were saying. Whilst the resultant laughter helped to create a relaxed atmosphere, the jokes threw the conversation out of focus. In such instances, the researcher would go along with the joke, but quickly refocus the conversation to the subject at hand. Overall, the researcher interviewed 70 respondents one-on-one and the rest in groups.

Case Study

The researcher opted for a case study technique because if allows for an exploration of research questions with respondents located in their own natural setting. The researcher selected an instrumental case study, as opposed to an intrinsic or collective case study. An intrinsic case study technique is chosen to shed light on the specificity of the case itself, whilst a collective case study technique involves multiple cases intended to provide insight into how a particular phenomenon obtains in multiple different settings[92].

An instrumental case study only involves one case that is chosen because of its specificity and generalisability. It is specific in that it contains the research issues that are of interest to a researcher and thus allows for an intense study of the research questions. At the same time, the case exhibits features that are similar to other cases thus allowing for the generalisability of the findings drawn there-from to other cases.

Participative Observation

To learn further about the social context of the respondents, the researcher spent three months at the village observing and participating in some community activities – i.e. ceremonies for allocation of land plots, community meetings and electoral campaign

[92] Stake, R, "Case Studies" in Denzin, N, and Yvonna Lincoln, (1998), Strategies of Qualitative Inquiry, p.86-97.

meetings. Such participation allowed the researcher to observe respondents interacting in activities that were relevant to the study as well as their lives. It also provided a context for the information gathered from interviews. Observing the physical environment and living conditions of people also gave the researcher an insight into their life experience and quality of life especially since the latter factors also have a direct impact on how they relate to either traditional authority or elected councillors.

Selection of Research Site

Given that the interest of the study was democratisation of rural areas, the setting naturally had to be rural. The preponderant use of vernacular in rural areas also meant the researcher had to select a rural community whose language and custom he knew. As a Xhosa speaker, a Xhosa speaking rural community was thus convenient.

But, the selection of the Xhwili community was purely accidental. It was suggested to the researcher by Chief Pathekile Holomisa, president of the Congress of Traditional Leaders of South Africa (CONTRALESA) and an ANC member of parliament, in a conversation at a workshop in 1998. Chief Holomisa thought Chief Ndaba, then Chief of Xhwili and an unofficial spokesperson on Thembu Royal affairs, would appreciate the importance of research and be helpful to the study. Though it met the broad criteria of rural and vernacular language, Xhwili community was thus selected through a snow-ball technique.

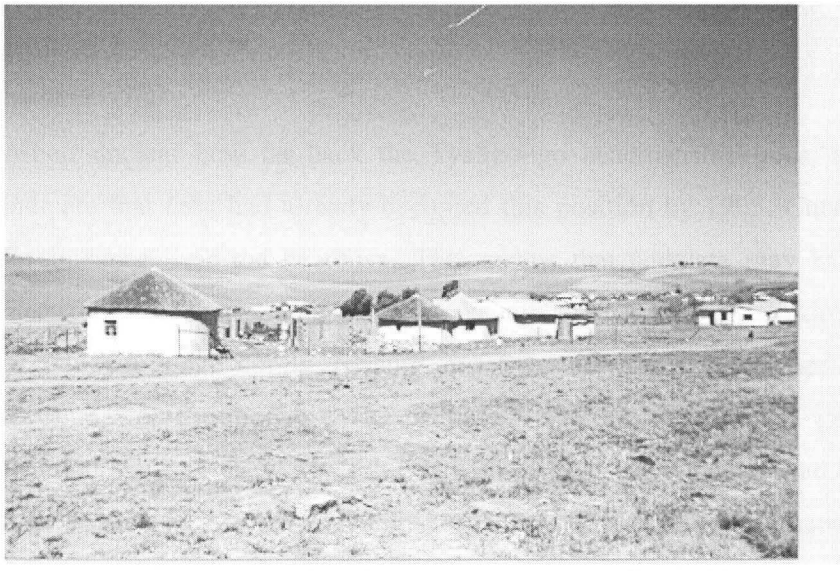
Description of the Research Site

Xhwili is a village situated in the Eastern Cape Province, in the area formerly known as Transkei. It is located about 28 kilometers outside of the Umtata city centre alongside the N2 road in the direction of East London. The village has a population of 16 114[93] inhabitants with 4,322 registered homesteads. However, the actual number of homesteads in Xhwili exceeds this official number[94]. The reason for this discrepancy is that chiefs often grant people plots of land without official consent in return for bribes.

[93] Census 2001, www.statssa.gov.za
[94] Interview with an official from Department of Agriculture, 2-10-2000



A View of Xhwili Village from a distance, 1999. Source: Taken by the Researcher



Typical housing in Xhwili, 1999. Source: Taken by the Researcher

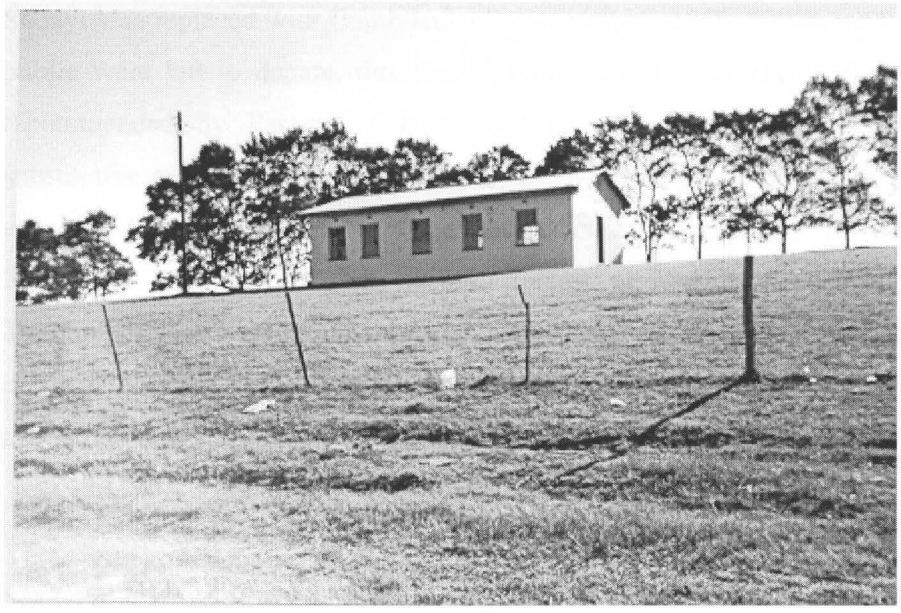
Xhwili forms part of Ward 7, together with Lower Xhongora and Mqekezo villages, and is under the jurisdiction of the King Sabata Dalindyebo (formerly Umtata) Municipality. In 2001 roughly 55% of the population in Ward 7 was female, with the under 14 year-olds forming the largest age-group, then followed by the 15 to 34 years old age-group. Senior citizens (over 64 years old) constituted the smallest age-group. Most of the adult population - i.e. 38% - is illiterate, only 9.4% matriculated and a tiny 3.5% went beyond matric. Characteristic of a largely uneducated population,

situated in a province that suffers from an unemployment rate of more than 47%, 72% of the labour-force in Ward 7 is unemployed. As a result, 28% of the households had no income, 41% earned less than R9600 per annum and a mere 18% earned between R9601 and R19200 annually. Similarly, Ward 7 is largely undeveloped as more than 70% of the households are without modern amenities such as electricity, tap water and a sewerage system[95].

Xhwili falls under the jurisdiction of the Maty' engqina tribal authority, whose present chief is Chief Mfundo Mtirara. The latter is the grandson of Chief Bambilanga Mtirara who was Sabata Dalindyebo's brother and successor after the latter was hounded into exile in 1980. Chief Bambilanga was the first of the Mtirara to assume Xhwili chieftaincy in 1959 when it was still a headmanship. Prior to Chief Bambilanga's appointment, the Xhwili headmanship belonged to the Tyalibongo family who had initially earned it by merit, but later converted into a hereditary position.

Albeit unclear how far back the Tyalibongo headmanship goes, available records indicate that they had already occupied this position by 1905. Cutaleta Tyalibongo, for instance, was the headman. This means that Cutaleta may have assumed this position in the second half of the nineteenth century. Xhwili Headmanship remained in the Tyalibongo family, passing on from one brother to another until 1946 when Swelindawo Tyalibongo was dismissed after he was found guilty of assault. Swelindawo's nephew, Myalule, on whose behalf Swelindawo had been acting, was then appointed headman. During Jeremia Tyalibongo's headmanship, just before Swelindawo's, the headmanship seemed to have been made hereditary. For, Swelindawo was appointed regent whilst Jeremia's son, Myalule, was still a minor[96].

[95] Statistics South Africa, Census 2001, www.statssa.za.org
[96] Letter from the Chief Magistrate of Transkeian Territories to the Magistrate of Umtata district, dated 7th November, 1946.



Maty'engqina Tribal Authority Office, 1999: Source: Taken by the Researcher

Myalule's succession, however, was not seam-less. He was challenged by Nxeko Bambilanga Mtirara. Supporting Mtirara's claim, Dabulamanzi Dalindyebo, then acting Paramount Chief of the Thembu, argued that the headmanship of Xwili belonged to the descendants of the left-hand house of the Great House. A descendant of that house, concluded the Paramount Chief, Bambilanga was thus an heir to the Xhwili headmanship[97]. The magistrate of Umtata, who was an administrator of native affairs, was not convinced by this arguement and actually found that "in November 1931 the then Chief Regent David Dalindyebo, supported the appointment of Swelindawo Tyalibongo"[98].

However, Bambilanga was allowed to contest Myalule in an election held in January 24, 1947. Myalule, then 33 years old, won the elections overwhelmingly by a landslide margin of 160 to nothing. Myalule was also considered duly qualified for this position because he had passed standard IV and thus could read and write. He remained headman of Xhwili until his death in 1958 due to cancer. Thereupon Myalule was succeeded by his son, Sodayi Tyalibongo. But Sodayi's tenure did not last long.

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[97] Letter from Regent Dabulamanzi Dalindyebo to the Magistrate of Umtata, no specific date provided, Umtata Archive, Umtata.

[98] Letter from Umtata Magistrate to the Chief Magistrate of Transkeian Territories, 3rd February 1947, Umtata Archive, Umtata.

Sodayi was replaced with Bambilanga in Febraury 1, 1959. Unlike earlier, when the public were left to decide, this time it was decreed from above. Bambilanga was recommended by Paramount Chief Sabata Dalindyebo without providing any substantive argument, but simply stated that he so wished[99]. The magistrate simply accepted: "The appointment of Bambilanga Nxeko Dalindyebo with effect from 1st February, 1959, ..."[100]. This marked a shift of Xhwili headmanship from the Tyalibongo family, who had ruled on the basis of a mixture of genealogy and meritocracy, to the Mtirara by virtue of genealogy alone. As for the Tyalibongos, the magistrate noted:

> ... the Tyalibongo family have enjoyed the headmanship of Xwili Location for a considerable time and, it is hoped, that if Bambilanga Nxeko Dalindyebo should be promoted to position of chief of a number of locations, then it might be necessary to relieve him of the headmanship of Xwili Location. The Tyalibongo family would then have the preference when the headmanship of Xwili Location is considered[101].



Paramount Chief Dalindyebo, second from right, with his brother and chief of Xhwili Bambilanga Mtirara, on his right. The other men flanking them are members of the Dalindyebo Royal Council, 1962. Source: Daily Dispatch

[99] Letter from Magistrate of Umtata to the Chief Magistrate of Umata Territories, 28th January, 1959, Umtata Archive, Umtata.
[100] Ibid.

King Sabata is said to have been prompted to replace the Tyalibongo with his brother to quell instability that had subsequently gripped the Xhwili headmanship under Myalule. Refusing to accept his dismissal and to recognise Myalule, Swelindawo had apparently launched a campaign to undermine his nephew's headmanship. This disrupted Myalule's ability to execute his responsibilities which eventually forced Sabata to strip the Tyhalibongo's of their claim to the headmanship as a way of restoring stability and dignity to the office.

However, without challenging the sincerity of the afore-mentioned argument, it does also appear that the Thembu royal house was already predisposed to stripping the Tyalibongo's of the headmanship even before this incident. As noted above, about ten years earlier King Dabulamanzi Dalindyebo wanted to replace Myalule Tyalibongo with Nxeko only to be stopped by the Umtata Magistrate and the electoral will of the Xhwili residents. From that moment onwards it seems that the Thembu royalty was simply looking for an excuse and a consenting official authority to appoint one of their own to the Xhwili headmaniship. Indeed in 1959 they were able to find both the excuse and a compliant official authority.

In June 23, 1963, the Xhwili headmanship was elevated to a chiefship when Bambilanga was promoted to chief. His jurisdiction was extended beyond Xhwili to include Qunu, Mpunzana and Cacadu villages as well. This took place despite King Dalindyebo's disapproval, which he registered by constantly failing to attend meetings to ratify Bambilanga's promotion. The Chief of Bantu Affairs noted on one occasion:

> The Paramount Chief was due to discuss the matter once more with the Supervisory Officer and had agreed to come in on the 26th June, 1963, but failed without any notification. The Paramount Chief has a number of such broken engagements with the Bantu Affairs Commissioner and me as well. It appears that the is deliberately delaying matters – as is his wont – and I consider that everything has been done to try to have him adopt a constructive attitude towards this matter[102].

The headmanship was never restored to the Tyalibongo's as per undertaking in 1959. It remained within the Mtirara's. The current headman is Ntande Mtirara,

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[101] Letter from Bantu Affairs Commissioner of Umtata to the Chief Bantu Affairs of the Transkiean Territories, 29th May, 1959, Umtata Archive, Umtata.
[102] Ibid.

Bambilanga's son and uncle to the current chief, Mfundo Mtirara. Below the headman is another position, *i-bodi* (derived from board). This position is elective, but the length of tenure is limitless. Elections seem to be called only if the incumbent fails to fulfil his duties or exhibits conduct unbecoming of the position. *Bodi* is also not paid, but merely assists the headman to attend to community affairs. He chairs community meetings in the absence of the headman and presides over minor cases such as theft and squabbles among community members.

Xhwili falls within the Eastern Thembu Chiefdom, which covers the districts of Umtata, Mqanduli, Xhora (Elliotdale) and Engcobo and is under King Buyelekhaya Dalindyebo. The latter is the son of Sabata Dalidyebo who rose to prominence for his opposition to the homeland system, for which he was persecuted, stripped of his paramountcy and eventually hounded to exile in Zambia by Kaiser Matanzima. In exile, Sabata joined the African National Congress, which hosted him until his death in 1986. Buyelekhaya's Great Palace is situated at Bumbane village, 45 kilometers outside of Umtata on the way to East London. The palace is surrounded by hills and thus not visible from a distance. It is said that the decision to locate the palace at the foot of a hill was strategic to enable the King, in case of an attack, to see his enemies from a far as they come down the hills. Sabata's grave lay just opposite the main door of the house[103].

The Thembu's are commonly referred to as Xhosa's, however this is technically untrue. Xhosa historically refers to a particular ethnic grouping, just as the Thembu, Mpondo, Mpondomise, Bomvana, Bhaca, etc. constitute an ethnic group with slight cultural and dialectical variations. But all the ethnic groups were later referred to collectively as Xhosa. The collective application of Xhosa spurned from the British's familiarity with the Xhosa language, which they had recorded, due to their sustained contact and relationship with Xhosas, compared to other ethnic groupings. But, these ethnic groups, particularly the Thembu and Xhosas, historically shared close relations. The Thembu, for instance, provided brides to Xhosa royalty. Their arrival in the Cape dates back to 1620. Survivors of the Spanish shipwrecks in the early seventeenth century mention the 'Temboes' as the first group of people they

[103] Researcher observations and from interviews with assistants at the Palace.

encountered on their southward journey to the Cape. Before their arrival in the Cape, Thembus lived in Natal around the Ntsele and Qudeni Mountains. But, they were never part of the Zulu nation[104].

The Paramountcy of the Thembu chiefdom is limited to the male descendants of Dlomo clan only. Customarily though the Dlomos were never in line for succession. Their ancestor, Dlomo, usurped the title from his brother Hlanga in the 1600s. Dlomo was the favourite among the people because he exhibited leadership qualities – i.e. courage, military prowess, wisdom and open-handedness – which his elder brother lacked. But, their father, Nxego, was determined to have succession rules followed. To this end, Nxego sent Dlomo away to look after his cattle hoping that, because he was out of sight, he would be forgotten by the people and Hlanga would eventually ascend to the throne uncontested.

But, Dlomo used his banishment to build a power-base. Younger men, who admired Dlomo - followed him to exile whereupon he built an army. To undercut Dlomo's burgeoning military base, Nxego summoned him home. Dlomo refused to return, nor send the cattle back home. Nxego then sent an army, led by Hlanga, after Dlomo to exact punishment for his defiance. Dlomo's army fought back and defeated his intended punishers. Hlanga's defeat effectively ended his prospects to succession and Dlomo eventually succeeded Nxego around 1850[105]. Thus the paramountcy of the Thembu's was switched over to Dlomo's descendants.

Sabata Dalindyebo's reign saw a bifurcation of the Thembu monarchy in 1958 to Eastern and Western paramountcies. The Thembu had been geographically split in 1827 as one section fled westwards towards Queenstown from an invasion by Matiwane's Ngwane. Whilst the invasion was repelled with the help of the British and

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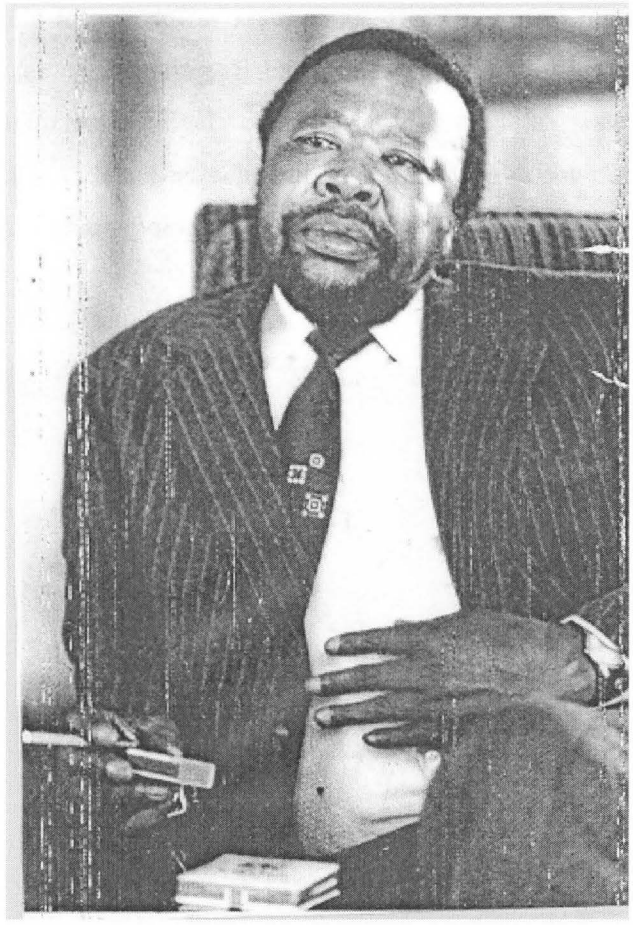
[104] The Thembus were marginally involved in the frontier wars. They remained largely across the Kei river and thus had limited contact with the eastward-moving colonists. The Pondo were even more secluded from all the wars by their remote settlement on border of Natal and Cape Provinces. This area was inaccessible by both sea and land. The coast near the area was rough and the landscape was wild, which discouraged road and rail connections. The remoteness of this area was such that as late as the 1930s, there were still only two roads, almost impassable, that connected it to the rest of the country. Soga, J, H, (1930), The Southern Eastern Bantu, , p.469-70. For the early history of the Thembu also see Cingo, W, D, Ibali laba-Tembu, n.d.

[105] Jackson, A, O, (1975), The Ethnic Composition of the Ciskei and Transkei, Ethnological Publications No.53, Department of Bantu Administration and Development, p.11

the Gcaleka, the fleeing Thembu never returned settling around St. Marks and Xalanga areas. This group came to be known as the Emigrant (or Western) Thembu. Though distanced from the main Thembu, the Emigrant Thembu continued to pay allegiance to the (Eastern) Paramount Chief as the sole paramount of all the Thembus regardless of geographical location. This changed with the appointment of Kaiser Matanzima as Paramount Chief of the Western Thembu, to which, in addition to the districts of Xhalanga and St. Marks, the district of Lady Frere was added. This effectively curtailed Sabata Dalindyebo's jurisdiction to four districts out of the seven that make up the entire Thembuland[106]. Matanzima eventually toppled Dalindyebo in 1980 and installed Bambilanga in his stead. Like him, Bambilanga was a recognised supporter of the homeland system and enjoyed official protection against Dalindyebo who had demanded his dismissal for repeated transgressions, as demonstrated in the following chapter.

It was not until 1989 that the travesty done to Sabata Dalindyebo, who had died earlier in 1986, was partially redressed. The Paramountcy of the Eastern Thembuland was bestowed to his son, Buyelekhaya, upon his return from exile, after a protracted legal battle and with the support of the new military government under General Bantu Holomisa. Bambilanga's son, Zondwa Mtirara, who had succeeded Bambilanga in the mid-1980s, would only relent to relinquishing the paramountcy under legal force.

[106] Ibid.



King Sabata Dalindyebo in the early 1980s. Source: Daily Dispatch

But, that legal redress did not apply to Matanzima's paramountcy of the Western Thembuland, which he held until his recent death, in June 2003, at the age of 88. Buyelekhaya strongly disapproved of Matanzima's paramountcy. In 1999, he boycotted Chief Phathekile Holomisa's inauguration as chief of ama-Gebe in protest against Matanzima's invitation to the inauguration as his equal. Buyelekhaya lamented:

> The Matanzima's are supposed to pay allegiance to me. But instead of owing allegiance to me, they upgraded their chieftainship through the help of the apartheid government. Now, Matanzima has elevated himself to an independent chieftainship[107].

Nelson Mandela too holds a similar sentiment, which he once expressed rather forcefully and unexpectedly at Matanzima's 85th birthday celebration in 2000 to which Mandela was also invited to make a celebratory speech. Instead of complying with the celebratory spirit of the occasion, and to the complete surprise of the

attendants, Mandela lashed out at Matanzima. He denounced his paramountcy and lambasted him for persecuting Sabata and collaborating with the apartheid government. Matanzima's royal council later issued a statement expressing disappointment at Mandela's speech, but said they would not pursue any punitive actions nor ask him for an apology[108].



Paramount Chief of Western Thembuland and former Chief Minister of Transkei, Kaiser "KD" Matanzima in old age. Source: Daily Dispatch

[107] http://archive.iol.co.za/
[108] www.dispatch.co.za

Field-work Experience: Issues and Solutions

Suspicion and Distrust: A Stranger

Xhwili residents were untrusting of the researcher on his first visit to the area. This lack of trust partly stemmed from the fact that the researcher was a stranger and thus no-one could validate his identity and the purpose of the study. Xhwili residents found it difficult to believe that a young, urbanite and educated man, from Johannesburg of all places, could drive downward across the country almost a thousand kilometers only to find out how rural people lived. Urban people, they believed, had no interest in rural life and were contemptuous of rural people. So, they thought the researcher was insincere about his intentions. The researcher had heard of the suspicious nature of rural folk and experienced it his previous short visits to rural areas. To counter this problem, the researcher visited the headman to introduce himself and also to arrange for the headman to introduce him to the community at the earliest public meeting held to discuss community issues.

However, when the public meeting was eventually convened, the headman was not present to introduce the researcher nor had he informed the gathering of the researcher's impending visit. Without the headman's word to vouch for his identity, the researcher was declined an audience. People felt uncomfortable talking about local government issues, which they regard as controversial and sensitive and may set them on a confrontational path with the headman. Even the researchers suggestion to call the headman's wife to verify his meeting with the headman was not accepted. They insisted that the headman come personally to confirm the meeting and verify the researcher's story.

The stalemate proved temporary. After the researcher had informed the headman of the incident, he was not surprised and added that rural people are renowned for their rigidity. The headman then took me to the *Bodi* where once the purpose for the researcher's visit was explained, the *Bodi* consented to talk to him and that they agreed to pass on the word to community members that they were allowed to talk to the researcher.

Chiefly approval is thus central to getting co-operation from rural respondents. Receiving permission from the chief means a researcher has been screened and found credible. Because they had seen the researcher at the meeting or heard of his presence, residents subsequently became responsive to the researcher. And to emphasise that the researcher had the approval of the headman, he took a royal escort along in his rounds within the community. Whilst a royal escort provided easy access, the researcher sensed that it restrained respondents in their responses. They felt uncomfortable saying anything unfavourable about the chief and headman in the presence of the royal escort for fear that he may report that back to the headman, whom might, in turn, exact some punishment. With his credentials now confirmed, the researcher then decided to discard of the royal escort. Consequently, the respondents were more open.

Barrier to Full Discloser: Insider-Outsider Dynamic

Though the researcher was allowed into the community, he was still kept at bay and treated as an outsider. That the researcher spoke the dominant language in the community – that is Xhosa - opened the way towards becoming an insider. But, whilst opening the way, speaking Xhosa also exposed him to being an outsider, since his Xhosa is 'less pure' when compared to theirs. Born and raised in Zwide Township of Port Elizabeth, the researcher's Xhosa is mixed with words borrowed from the English language. In short, it is slightly Anglicised, whilst the rural version remains pure – 'Xhosa A' as urban Xhosas would sometimes refer to rural Xhosa.

This slight linguistic variation made for temporary lapses in communication because sometimes the researcher would simply not be understood. And rural people, picking up on his Anglicised Xhosa would poke fun at his expense reminding him that they are not educated and that the researcher should therefore speak proper Xhosa to them. They relished issuing these reminders as a way of showing how "un-Xhosa" the researcher was, implying that he had betrayed his traditional roots. Ironically, the researcher was caught up in that long-standing rivalry between the uneducated (also known as Reds or *amaqaba*) and the educated (also known as *amagqoboka*) Xhosas he often heard of growing up in Port Elizabeth from ex-Transkeian residents or migrant workers. *Amaqaba* would charge *amagqoboka* of being traitors who betrayed

their roots and culture for the ways of the white man. In response, *amagqoboka* would dismiss *amaqaba* as primitive and ignorant.

To break through the insider/outsider barrier, the researcher resolved to win some of the insiders over his side. These allies would then convince others that the researcher was one of them. To win allies, the researcher used his clan-name, *Gaba*. The researcher knew that rural folk, and some urban areas like Port Elizabeth for instance, place a high value on kin-relations and consider fellow clan-people relatives. And it turned out that there were people in the village who either shared the researcher's clan-name or were related to the *Gaba* clan. They accepted him as their relative and introduced him to other villagers as their relative. So, once the researcher had some insiders on his side it became easier for other insiders to open up to him. In addition to gaining new relatives, the researcher was also told that, since one of his clan-praises is *Umt' omlambo* – a person who's one with a river – he should not have any difficulty catching fish. The researcher is yet to put this prophecy to the test.

Respondents' Unfamiliarity with Research

Though respondents had become less suspicious of the researcher, getting them to agree to an interview depended on them understanding what the purpose of the interview was. This was no easy task to accomplish. Most respondents did not know what academic research was. Respondents simply found it hard to believe that the research was a knowledge-seeking exercise on the basis of which the researcher would be assessed at university. That there would be no immediate spin-offs from the research for their community was particularly disappointing to them. To carry any credibility in their eyes, respondents believed that a research study had to have practical relevance, particularly material benefits, for their lives and community.

Expectation of material benefits from the study and from the researcher himself was reinforced during the first introductory public meeting recounted earlier. Though the researcher was eventually denied an audience at that meeting, there were some dissenting views who wanted him to stay. When they realised that the majority view was against his stay, they invited the researcher to their homes for a meeting. They ridiculed their follow-villagers for being rigid and ignorant. But, it later turned out

that this group did not invite the researcher because they were the "enlightened ones" in the village. Instead, they were driven by self-interest. Like most in the village, "the enlightened ones" did not really believe that the researcher was simply looking for information. Whilst showing knowledge of what research is, they thought the researcher was possibly linked to government or a developmental non-governmental organisation that would give them some material benefits. So, by inviting the researcher ahead of everyone else, they thought they were securing themselves the first spot in the queue for benefits that would follow the researcher's visit.

The "enlightened ones" were disappointed to learn that there would be no immediate material benefits from this research study for them. The researcher explained that whilst this research would not lead to immediate material benefits, the researcher stressed, it would generate information that could be used by government people to draw up policies for rural communities and people. They found this explanation worthwhile to co-operate with the researcher.

Rural Roads and Infrastructure

The state of the roads determined the type of access the researcher had. On rainy days and for a few days thereafter, rural roads simply become unusable by car. Since the surface of roads was made of clay, it would be muddy and slippery. Because the researcher drove a small sedan, the researcher could not honour appointments in rural areas during and immediately after a rainy period. This was compounded by the fact that most of the respondents did not have access to telephones, which meant cancelling trips without informing them. This added a further complication and even soured the relationship to some extent. For, people had gathered and waited only for the researcher not to turn up. It meant the researcher had to request another public gathering, which took longer to organise because of the earlier disappointment.

The Environment: Political Tension and Official Suspicion

The community was also gripped by tension emanating from an ongoing stand-off between chiefs and the government (provincial and national) over democratisation of rural governance. Chiefs opposed democratisation and urged their subjects to do likewise. So, respondents were initially apprehensive about answering questions

relating to their opinions and feelings towards chiefs and councillors. They wondered if the researcher had been sent by either the government or the chiefs to establish the allegiance of each individual. The researcher reassured respondents of the confidentiality of the interviews. To ease their apprehension, the researcher made a point of not using a tape-recorder and told respondents not to disclose their identity. Therefore, in most instances, names of sources cited here are pseudonym.

The complicating effect of a suspicion-laden atmosphere was also highlighted in interviews with officials of the Transkei District Council. One senior official (hereafter referred to as the senior official) was reluctant to talk to the researcher. Instead the senior official referred me to councillors, whose names he said he could not recall. But, these were senior councillors who worked with him in the Council. It was at this point that it became clear that the official was in fact refusing to grant me an interview, but was reluctant to say so openly. He preferred to appear co-operative, whilst in fact being evasive and dismissive.

The researcher later learnt from his guide, a government employee himself, that the senior official was suspicious of him. The senior official was apparently a suspect in a corruption probe. And there were rumours at the time that the provincial administration had sent covert investigators to snoop around in the offices. The senior official may have suspected that the researcher was a covert investigator and thus held back fearing that he might say something that would implicate him in acts of impropriety. Therefore, the researcher was inadvertently caught up in a climate of suspicion.

The general official climate in the Kei District Council was laden with mistrust. Oftentimes the initial reaction from officials was evasion since they were reluctant to talk. This could have been incited by a sense of job insecurity that pervaded the Umtata civil service as evident in their common use of "supernumeraries" - a term commonly used in the civil service to refer to redundant staff – when referring to themselves. For all they know, the researcher may have been there to assess who the supernumeraries were then file a report for their retrenchment. This thus carries potential implication about the reliability or validity of their views – an issue we look at below.

Other Lessons: How Stereotypes Were Exposed

The researcher is normally reluctant to use a tape-recorder during interviews and was more so during this study because respondents are generally uncomfortable 'talking into' a tape-recorder particularly if the issues involved are contentious and carry potential reprisals. In addition to this general discomfort, the researcher thought rural respondents would naturally be intimidated by a tape-recorder because of its novelty to them. So the researcher never asked them for permission to use a tape recorder, as he would "sophisticated" respondents, but simply concluded that they would be bothered and thus scribbled down notes.

But, the researcher was soon proven wrong because not all rural people were unfamiliar with, or intimidated by, a tape recorder. This realisation came during an interview Chief Anderson Joyi. Whilst the researcher was busy scribbling down notes, Chief Joyi, thinking that the researcher did not have one, suggested that the researcher get himself a tape-recorder. Chief Joyi went on to counsel the researcher of the advantages of a tape-recorder over notes-taking saying that it would make for a much more fluid interview, without the occasional interruptions of stopping to take down notes. Chief Joyi was evidently accustomed to interviews and tape-recorder wielding researchers. A recognised oral historian of the Thembu, the researcher later discovered, Chief Joyi was often interviewed on Thembu history and affairs. But, the researcher had left the recorder behind at his residence because he did not think a chief of Joyi's age (late 70s) and background would know anything about tape-recorders.

The tape-recorder issue was not the last surprise that Chief Joyi was to spring on the researcher. Realising during one of our interviews that we would not have enough time to exhaust all the issues, the researcher suggested another meeting to complete the interview. Just as the researcher was about to ask for directions so that he could later drive to his village of Bhaziya, located about 45 kilometers outside of Umtata towards Engcobo, Chief Joyi suggested that the researcher call him first before coming over. Whilst the researcher was surprised by this, since none of his rural respondents had insisted on prior telephonic confirmation, Chief Joyi proceeded to point the researcher to his assistant, who then provided the Chief's mobile-phone

numbers. Old-age had weakened his memory to cram the numbers for his mobile-phone, but Chief Joyi was certainly attuned to the convenience of modern technology even though his residence seemed far removed from modern life.

The experience with Chief Joyi reinforced what the researcher had learnt in his first meeting with Chief Ndaba Mtirara, one of his primary respondents. Before the meeting and based on the widely held beliefs that chiefs are custodians of tradition, the researcher thought Chief Ndaba was a man with a conservative demeanour, however this was not the case. He came across like any other man the researcher would meet on the township streets of Johannesburg, with a stylish hair-cut, smartly dressed and definitely street-smart as his speech indicated. The researcher was astounded and, thinking that the formal title of Chief Zwelodumo would be an affront to this seemingly sophisticated and suave man, confessed to being unsure of how to address the chief. We settled on simply "Chief", which is partly informal, whilst acknowledging the chiefly status. The use of the title "Chief" is part of popular language nowadays. Ordinary people commonly address each other as chief. It was thus clear that Chief Ndaba preferred this informality as well, quite the opposite of what the researcher had expected.

The experiences related immediately above indicate some degree of shared experiences and world-view between the rural and urban world. These worlds are not totally insulated from each other to a point where we can caricature one traditional and other modern. Even though the traditional may exist, to the extent that it is different from the urban, it certainly does not point to an inherent inclination to stagnation. The fact that the above noted rural experiences resonated with urban experiences thus indicates a degree of susceptibility to change and outside influences. This theme and others are explored further in the subsequent chapters.

Ethical Dilemma

Respondents showed readiness to co-operate because they initially believed that the researcher was linked to government or a non-governmental organisation and thus would bring material benefits to the community. More than ignorance of research, respondents' material expectation indicated the depth of poverty in their community.

Xhwili villagers are looking up the road for someone to bring relief. Confirming this expectation would have guaranteed the researcher easy access and enthusiastic co-operation. But, doing so would have been highly unethical and cruel. It would have amounted to preying on the respondent's misery for selfish ends. So, the researcher remained honest about the purpose and intention of his research study.

Reliability and Validity of Findings

Validity and reliability applies to the credibility of the description, conclusion and interpretation of research findings. Credibility, however, is not measured by comparing the findings to an already established objective truth. There is no objective truth. For a study to be considered credible, the researcher must acknowledge the existence of credibility of threats to the study. These threats relate to the description of what the researcher observed or recorded. The researcher may provide an incomplete account only selecting data that that confirms his/her preconceived notions. This also relates the manner in which a researcher interprets findings influenced by a theoretical bias[109]. To counter the threats, the researcher must acknowledge and deal with them as honestly as possible.

Credibility threats for this study emanated from the quality of interviews conducted in a group setting, in the presence of a chief or his representative and with government officials. As noted earlier, rural respondents felt reluctant saying anything disapproving in the presence of a chief or his representatives for fear of reprisals. Officials, already gripped by fear of job-loss, held back due to suspicion that the researcher was on an assignment for government to determine what they were doing or not doing in order to fire them. To counter these threats, the researcher also made a point of approaching respondents individually away from the scrutiny of others. For officials, this meant meeting them outside the office away from the tense and formal atmosphere of an office.

To further bolster the quality of interviews, the researcher posed open-ended, unthreatening and understandable questions that respondents could answer with

[109] Maxwell, J, (1996), Qualitative Research Design, p.86-95.

relative ease. By interviewing a diverse sample of respondents and from other sources – primary documents - the researcher was also be ensure the richness and diversity of the data.

Generalisability of Findings

Findings derived from this Eastern Cape-based village are applicable to other villages elsewhere in the country. Such generalisability, however, is limited. This limitation owes to the province's peculiar history and, as a result, hybrid nature.

Unlike in other villages, local democracy is not a new phenomenon in the Eastern Cape villages. Because the Eastern Cape was the first point of colonial contact and its "natives" the first subjects of the "civilising mission", democratic local government dates back to the late twentieth century. Electoral practice and democratic culture, therefore, has a much longer history in that province than elsewhere, which would possibly make its residents favourably predisposed to the post-apartheid democratisation process than other rural-folk elsewhere.

At the same time, whilst the process has gone largely unchallenged by chiefs in most rural provinces, it has met with stiff and organised chiefly resistance in both the Eastern Cape and the KZN. Chieftaincy in both these provinces, in contrast to others, is highly organised and has an institutional power, which has enabled traditional leaders to bargain for a better accommodation within the post-apartheid local government frame-work and fostered a different relationship than exists in other provinces where chieftaincy is relatively weak. Moreover, the relative strength of chieftaincy in the Eastern Cape (as in the KZN) had implications for the manner in which the ruling African National Congress established itself and mobilised political support in rural areas. Due to the relative community influence of local notables such as chiefs, the party relied on a patron-client network of mobilisation, but utilised its mass-based structures and activists where local notables where non-existence or simply too weak to mount any resistance campaign[110].

[110] In a research study on the ANC's electoral strategies and forms of mobilization , Tom Lodge also made similar findings: the ANC employs different methods of mobilization from region to region depending on the political (or civic) character and profile of communities. See Lodge, T, "The ANC

In all, Xhwili village is different in one respect, whilst similar in many others. Its lengthy history of local government and electoral politics sets it apart from other villages elsewhere in the country and suggests a readily acceptance of the post-apartheid local democratisation. It is similar, however, to the KZN villages in terms of its highly organised and politically influential chieftaincy. The demographic and socio-economic profile of the Xhwili – i.e. mostly adolescent, female, illiterate, and undeveloped with high unemployment - stretches the similarities even further to other villages throughout the South African countryside.

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and the Development of Party Politics in Modern South Africa" **Journal of Modern African Studies**, 42, 2, 2004.

Chapter 4

Chieftaincy - A Journey from Tradition to Modernity and Neo-tradition

Purpose of the Chapter

This chapter has a two-fold purpose. It provides answers to two research questions that relate to the (supposed) nemesis of tradition and modernity and the naturality of tradition, as raised in the debate on rural democratization and in the Literature Review contained in Chapters One and Two respectively. Whilst providing these crucial answers, at the same time, this chapter lays out the ground for Chapter Five, which contains the main findings of this study. In particular it provides historical context to the research findings and helps us fully fathom their significance. Such historical context is critically important because some of the contemporary perceptions and attitudes people hold towards chieftaincy and democratization, and the strategies that the ruling party utilizes to mobilize the populace behind this democratic project, in part, have been pre-figured by this historical experience.

The chapter draws mainly from existing literature to sketch out the general contours of the colonization of Transkei and the evolution of its political institutions, particularly local government and chieftaincy. On the specificities of the Xhwili chieftaincy, which forms part of our case study, the chapter draws from new and insightful archival data to shed light on: the development of Xhwili chieftaincy from its early years as a headmanship position; the double-handedness of the apartheid government in dealing with the Xhwili chieftaincy because of its support for the Bantustan system; the abuse of chiefly power; and finally the inability of Xhwili subjects to exercise restraint over their chief. Thus the chapter contains information drawn from secondary and primary sources.

Outline of the Chapter

The chapter is structured into the three main sections, 1) Pre-colonial chieftaincy, 2) Colonial Encroachment and 3) Influences and the Return to Tradition or Neo-tradition. The first section on pre-colonial chieftaincy looks at chieftaincy prior to colonial subjugation. The main question it seeks to answer is whether or not pre-colonial chieftaincy was inherently inimical to change. The second section focuses mainly on the impact of British colonial influences specifically from 1835 to 1948. This section explores the intensity of modernisation that Transkei underwent during this period and whether tradition was indeed misplaced. The third section examines the period from 1955 to 1994 under apartheid and homeland rule during which Transkei was supposedly returned to tradition. In this section we probe the extent to which rural government was actually based on tradition or whether tradition was in fact manipulated for political ends.

The research findings will inform us of the nature of the legacy that Transkei brought over into the post-apartheid SA. In particular it will shed light on whether or not Transkei is indeed traditional and thus cannot adapt to a democratic form of local government. We will be able to establish if rural governance was based solely on tradition or on self preservation of a collaborative traditional elite that was also an accomplice to the broader scheme of African political subjugation. It will also, as stated above, provide us with data against which we will test the validity of the views of our respondents and help us contextualize any references to the past.

Pre-colonial Chieftaincy: A Legacy of Flexibility or Stagnation?

A wide and extensive literature base already exists on chieftaincy. So there is no need to rehash it here. What is crucial for the purpose of this study though is to establish a definition of chieftaincy, which is an important and recurring element of this study. Our attention falls on the Xhosa Chieftaincy (also known as Southern Nguni) with a particular focus on: the structure of chieftaincy, the relationship between traditional leaders and their subjects and the source of legitimacy for chiefs.

Other than providing us with a definition, examining chieftaincy allows us to answer, partly, one of the crucial questions of this study: Has chieftaincy been historically inimical to change, which has ensured that this institution remained unchanged since time immemorial? (as its supporters assert in the previous chapters). Answering this question is crucial as it affords us with an opportunity to weigh the debate, as provided above, against historical reality. This will enable us to form a correct understanding of chieftaincy, as opposed to its projection, and also begin to uncover the reasons why different political actors have attributed conflicting qualities to chieftaincy.

Political Structure and Ascension to Office

The political structure of a chiefdom was a triple-layered diamond shaped entity. A Paramount Chief presided at the helm, followed by chiefs beneath and lastly headmen at the lowest end. The paramount chief presided over one state which served as a seat of government (a capital or *ebukhosini*) symbolised by the location of the royal house. Similarly each of the other states were presided over by his sub-ordinant chiefs (*inkosana*) appointed by him from the royal family. They were either brothers, cousins or uncles. Each was then demarcated into various locations and placed under a headman (or *isiduna*).

A chiefdom was mostly constituted by one tribe - i.e. Xhosa, Thembu, Pondo, etc – and bore the name of its founder. The tribe itself comprised various clans that shared common descent. But it was never composed exclusively of next of kin. The exogamous rule of marriage, as practiced by Xhosa speakers, dictated that a man married outside of his clan. And people often broke away from their tribes to join others either due to war or in search of land. The assimilation of the Mfengu into the various Southern Nguni chiefdoms in the early nineteenth century is the most prominent example.

Though located at the helm, the paramount chief had no political powers over his sub-ordinent chiefs. Rather, he was a spiritual and legal superior. He presided over religious ceremonies and had the sole prerogative to pass capital sentences and heard appeals

against verdicts passed at chiefly courts. Politically and militarily subordinate chiefs were autonomous. They ran their states without any interference from above, nor were they obliged to offer military assistance should the paramount chief go to war. According to Hammond-Tooke:

> There was no institutionalised way in which he could enforce his decisions short of actual war. His position was rather like that of the crown in the British commonwealth and the cluster itself resembled that body in being a group of states with the memory of kinship in common and a sentimental attachment to a common tradition[109].

Only men of the royal family could ascend to chieftaincy, and even so, it had to be the first-born son. A successor had to be the first-born son of the Royal Wife[110], who was married last in the twilight age of the chief. This was a deliberate device to prevent a power struggle breaking out between the father and the heir. It was thought that if an heir became an adult whilst his father was still seating, he might be impatient to await his turn and topple his father, which meant killing or driving him into exile. But, because of this device, heirs tended to be too young to contemplate usurpation. Oftentimes a reigning chief would even die whilst the heir was still too young to succeed him. In such cases, regents were appointed to rule and prepare the heir for eventual succession. Once the heir had come of age, the regent abdicated and the heir was inaugurated. Succession, however, was not always a seam-less web. It was not rare for a regent to refuse to abdicate. An heir would not be appointed if he were mentally or physically ill[111].

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[109] Hammond-Tooke, D, (1975), Command or Consensus, p.35.

[110] The royal wife was not selected solely for the purpose of bearing an heir, but for strategic political reasons as well. She was normally a daughter of an enemy chief and the marriage was a sign to end hostilities and establish friendship. See Soga, T, (1939) Xhosa life and Custom.

[111] However, among the Tsonga the heir did not succeed his deceased father even when he was of rightful age. Instead, the deceased father was succeeded by his brothers first. It was only after all the uncles were deceased that the rightful heir took the chieftaincy. A bad character was also a sufficient disqualifier for succession. This was possible more so among the Swazi, Venda and North and East Sotho as the identity of the heir was disclosed only after the death of the father. This allowed senior relatives and the royal council to select the best heir without any pressure of a pre-ordained successor. Also, women of the royal family, though excluded from the throne, wielded enormous political influence. The Swazi Queen mother (*indlovukazi*), was a principal regent and played a central role throughout her son's reign. The paramount chief sought her advice on crucial issues and was the only person who could rebuke him when he erred. Her importance was marked by the fact that she used the same magical objects as her son against witchcraft. Similarly, among the Venda, the paternal aunt (*makadzi*) of a newly appointed chief was responsible for couching him of his responsibilities. The chief continued to seek *makadzi's* advice throughout his reign and she had a restraining influence over him. The Venda and some North Eastern Sotho chiefs even appointed either their daughters or sisters to act as chiefs overseeing out-laying areas instead of brothers. The Tsonga appointed their wives into some official capacity to act as their " eyes and ears". See Schapera, I, (1967), Government and Politics in Tribal Society,

Legitimacy of Chiefs

A chief derived legitimacy from wealth, religion and military prowess. Though separate, these sources of legitimacy were inter-linked. The erosion of one was sufficient to undermine the legitimacy of a chief.

Religion constituted the fundamental foundation of chieftaincy. Traditional leaders were believed to possess mystical powers that ordinary men did not. They were the only ones, for instance, who could communicate with the dead and break a spell of drought. Chiefs were essentially elevated into super-ordinate beings. These beliefs in a chief were sustained by the fact that a chief was periodically doctored with medicine to renew his magical aura of office (*isithunzi*). The medicine included a powdered bone of a lion, leopard or elephant to make him strong and fearless, bone of baboon to improve his marksmanship (based on the belief that a baboon never misses) and make him slippery, elusive and immune from danger. A chief's witchdoctor was the best and most feared in the community. Soga - a Xhosa historian - put it thus:

> the mystical idea that in the chief resides the life and well being of the tribe, that as head of the tribe, and as such the repository of wisdom, endowed with the empower to guide the collective members of the tribal body, and nourish the body politic; all this surrounds him with a halo more enduring than any outward symbol[112].

Wealth complemented religion. Subject-chiefly relations were characterised by, *inter alia*, a patron-client relationship. Fundamental to the responsibilities of a chief was to cater for the material needs of his subjects. It was common for a pauper to ask a chief for *inkomo yesondlo* (i.e. a cow to feed his family) or for visitors to the palace and attendants at court cases to be fed by the chief. Sometimes a chief would slaughter a cow for his people to feast on without any particular reason. A chief also paid *lobola* (dowry) for a young man who did not have cattle and supplied land cultivation and settlement to his subjects. Fulfilment of these needs determined the extent to which subjects remained loyal to a chief. When a chief could not provide patronage, subjects absconded for one

[112] Soga, T, op cit, p.30.

who could. So politics and economics coincided. Those who controlled cattle also controlled men.

The convergence of politics and economics also meant that wealthy commoners could command some political influence. Such individuals engaged in the practise of *busa*[113], which gave them influence over their clients and community at large. This tended to be exhibited particularly in an *imbizo* where some people, because of their indebtedness to him or simply wanting to be in his favour, would support a wealthy man regardless of his views. Or, people would choose to attend a feast called by a wealthy man instead of a meeting called by a chief. Thus wealthy men tended to constitute another seat of power in the community and, consequently, a potential threat to a chief. Conscious of this potential threat, chiefs used pretexts such as witchcraft accusations to strip such potential rivals of their wealth. Even though the accusations could not be proved, a mere accusation from a chief's witch doctor (who was mostly a co-conspirator) was enough to convict a man and thus fine him a certain number of cattle[114].

Military mastery added to the legitimacy of a chief. Not only did guarantee security for subjects, but it also brought it more wealth into the community through military victories. Military conquest was a common measure of acquiring more land and cattle that could be dispensed to subjects. Military power also dissuaded desertions, as people feared the chief. Rather, deserters from other chiefs would join a powerful chief because they would not be pursued by their previous chief. A highly populated chiefdom brought status and generated revenue for chiefs. Subjects contributed, in proportion to their wealth, annual tribute to a chief. Tributes were normally made at the first fruit ceremonies, on inauguration of a chief and on getting married as *lobola* for the bride's family. Subjects also provided *amaqola* (cow or food), which would be stored by a chief

[113] A practice that involved a loan of a cow from one commoner to the other. The loanee used a cattle for ploughing and in return provided some services to the loaner. See Peires, J, (1978), History of the Xhosa, MA Thesis, Rhodes University, p.139.
[114] Ibid, p.139-40.

for emergency situations. A chief also extracted fines from those found guilty at his court[115].

Powers and Functions of Chiefs

Spiritual prowess and control of patronage elevated a chief to an omnipotent position in relation to his subjects. A chief was central for both spiritual and material well being of his subjects. He was a conduit between the dead and the living, dispensed land, administered justice and was responsible for the general well-being of his subjects. He commanded complete respect and obedience. Placed in such an omnipotent position, chiefs could potentially abuse their positions.

Alert to this potential abuse of power, the institution of chieftaincy had numerous provisions for checks and balances. A chief ruled in consultation with his council[116]. He could not make unilateral decisions, but abided by the advice of his councillors. They were most influential early on in a chief's reign, for a chief would still be too young to know much about customary law and affairs of the chiefdom. A threat to appoint a rival brother was also sufficient to elicit compliance from a deviant chief. But, this advantage, acquired through wisdom and age, was temporary. As a young chief became older and acquired more knowledge, the balance of power tended to even off. And as older councillors died, he would appoint his peers who became indebted to him and who became potential sycophants.

But councillors remained under immense popular pressure to, on behalf and in protection of the general populace, exercise restraint over the chief. They shouldered the blame for any wrongdoing and were punished. It was in their interest, therefore, to exercise positive influence over a chief. And he, though holding leverage over his peer

[115] Ibid. p.135.

[116] Councillors / amaphakathi, who form the council are chosen of the basis on loyalty to the chief. They may have been childhood friends of the chief, or they may have been councillors to the reigning chief's late father. Also called *abagcini bomzi* their duties involved organisation of capital, ploughing of chief's fields, caring for his herds, reception of visitors and messengers for the chief sometime called abahluzi which emphasises their duty of sifting through and evaluating evidence. See Peires, J, op cit, p.65

councillors, could not entirely subdue them to his will. As hereditary heads of commoner clans[117], a chief relied on them to recruit military men as there was no standing army, as amongst the Northern Nguni during Shaka's reign. This gave councillors some influence over a chief and ensured compliance with their advice. Defiance of councillors' advice posed the danger of denying a chief of military men. And this was an undesirable situation, for it exposed the chiefdom to domestic and external military threats.

Subjects also exercised some measure of restraint on chiefly power. They were allowed free expression of their views in public gatherings, even if it meant criticizing a chief. And they were not hindered by the presence of a chief, for he was recused from a debate. He only joined a debate at its conclusion to pronounce the final decision taken by consensus. In practice, though, few subjects exercised their right to free expression. Criticisism could be (mis-) construed for disloyalty or conspiracy against the chief. And not everyone's views held sway in a public gathering. Age and wealth determined one's influence. Advice from the aged was heeded as they were seen as bearers of wisdom. This disadvantaged young people. Wealthy men gained influence through patronage. They loaned cattle to others and hosted feasts for the community[118].

Pre-colonial chieftaincy was thus grounded in both tradition and custom. It was traditional because of its endurance and continuity. It passed from one generation to another without changes. But chiefs, though extremely revered, were not blindly followed or obeyed. This is what made chieftaincy customary too. Traditional people were pragmatic to the extent that they realized that eulogizing chiefs to demagogue status was a potential temptation for them to abuse power. Checks and balance measures were built into the system to minimize, if not to completely preclude, abuse of power. These measures were not driven by any ideology or cosmic beliefs, but pure pragmatism. It was a practical thing to do in order to avert a potential problem. This indicated foresight and flexibility on the part of subjects.

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[117] Ibid, p.130.
[118] Soga, T, op cit, p.28.

But that flexibility was limited. It was the kind that perpetuated the status quo. It completely foreclosed the possibility of a revolutionary change. Their cosmic world-view inhibited the thought of revolutionary changes. Nonetheless their actions were not dictated solely by compliance with precedence. They were capable of innovation, albeit limited. Peires summarized it succinctly:

> The crucial point to be borne in mind concerning custom is that it was not fixed and immutable, but extremely flexible and able to accommodate changes in the balance of power without threatening or indeed visibly affecting the social structure as a whole. This made it an ideal vehicle for a situation where the parties wished to test each other's prerogative without bringing matters to a head[119].

In short, pre-colonial chieftaincy was founded on a combination of mysticism and pragmatism. Whilst believing that chiefs possessed (unproven) mystical powers, subjects did not hold chiefs in complete awe. They insisted on practical devices to block or deter a chief from abusing his powers. Sometimes practical considerations of subsistence and security overrode spiritual symbolism of a chief, as subjects fled for a chief who could meet these primary considerations.

Spiritualism ensured the emotive link between subjects and chieftaincy, but the innate human instinct for self-preservation through security and subsistence were predominant in the consideration for political loyalty towards a political authority. Not that the subject-chieftaincy cultural nexus was natural. It was a social phenomenon that, as it would later become clear, could be severed as easily as it was constructed through exposure to different agencies of socialization. Such new agents of socialization came when the Xhosa society was put under British colonialism, which not only transformed some subjects into citizens and modern people but also set the institution of chieftaincy into a continuous process of adaptation. Chieftaincy was continuously adapted (from above) to meet the political exigencies of the time. Changes would prove to be so dramatic that claims of the unchangeability of rural people and chieftaincy, on the alleged basis of their Africaness, cannot find validation in history. Let us now turn to see how these socio-historical processes played out.

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[119] Peires, J, op cit, p.137.

Inter-racial Contact and Co-habitation, 1702 - 1811

The first inter-racial contact recorded, between the Xhosa and the Dutch settlers, materialised in 1702 near the Fish River. Dutch settlers, in the employ of the Dutch East Indian Company (here-after referred to as the Company), led by a surgeon named Jan Van Riebeck, had docked on the Cape shores fifty years earlier to establish a refreshment station for ships *en route* from Europe to Asia. The interest of some of the settlers, however, contrary to the wishes of the Company, went beyond the farming activities of the refreshment station. It also involved elephant hunting (for ivory) and cattle raiding. And was during one of these hunting excursions that a group of forty-five Dutch settlers came across Xhosas. Setting the tone for future contacts, this historic meeting inevitably broke-out into violence as the Dutch hunters sought to dispossess Xhosas of their cattle. Xhosas were killed. This historical encounter was kept secret from the rest of the Dutch settlement as the Company forbade northward movement for fear that they would spark violence.

This historic contact was inevitable. Its initial impetus laid in the urban legends of the Cape. Before the contact, the Dutch had heard of the existence of the Xhosas beyond the Hottentot Holland mountain[120]. These accounts were provided by European survivors of shipwrecks between sixteen and eighteen centuries that had crashed along the frontier coast, as well as by deserters from the Cape colony[121]. The Khoikhoi too provided accounts of the existence of people they called *Chobona*, derived from the Xhosa salutation 'Sakubona'. Settlers thus became curious about the Xhosas and desired to venture into the 'Xhosa land'.

Interest in the 'Xhosa land' was also encouraged by the exploitative predisposition of the Company within Cape settlement. Farmers were forced to sell their produce to the Company only and at a minimal price, and yet paid comparatively higher for production

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[120] This name came about as the Khoikhoi attempted to describe the beauty of the area they inhabited in the best way they thought the Dutch would understand. They said: "It is our Holland, Hottentots Holland". Cited Mostert, N, op cit, p.154.

[121] Wilson, M, "Co-operation and Conflict: The Eastern Cape Frontier", in Wilson, M, and Thompson Leonard, (ed.) (1969), The Oxford History of South Africa, p.234-5.

costs. Farming within the Cape settlement was thus unprofitable for most Dutch settlers. The effect was that they began to look for alternative sources of income. Hunting and bartering became such alternative sources of income. This became possible particularly in 1703 after the Company lifted restrictions on movement farther up. But, settlers were still restricted from going anywhere near the frontier. The Company still feared that contact with Xhosas would erupt into conflict.

Restricted as they were, movements into the hinterland still proved crucial for the cattle farming settlers. It meant that they could seek out trading partners and land on which to feed and breed the livestock. Moving upwards between Bruintje's Hoogte and Algoa Bay, the Dutch settlers, henceforth, ceased being simply *boers* (farmers) and became *trek-broers* (moving farmers). Lured by the prospect of trading or confiscating cattle from the Xhosas, *trek-boers* violated the restrictions on movement. On their venture upwards, one posse of *trek-boers* hunters came across Xhosa cattle herders in 1730, recording a second inter-racial meeting. True to the fears of the Company, and reminiscent of the inaugural encounter, the meeting turned violent. This time round, however, the hunters were killed. The Company responded by banning cattle trading in 1739. In 1770 it reasserted its promise to punish anyone found in contravention of the ban 'however trifling ..., even with death'[122]. Moreover, the Company proclaimed the Bruintje's Hoogte in the north and the Gamtoos River, close to Algoa Bay, as formal eastern boundaries of the Cape Colony.

But, determined to continue with cattle trade and elephant hunting, the *trek-boers* ignored this boundary and forged ahead towards 'Xhosa land'. Freedom from the Company's laws, paying tax, and having access to unrestricted land in the frontier provided further impetus to venture upwards[123]. In this boundary violation, *trek-boers* were led by a family of Willem Prinsloo who settled on the Fish river valley between 1770 and 1772. The Prinsloo family was soon joined by thirteen other *trek-boers*. On receiving an order to return, they petitioned the Company in 1774:

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[122] Mostert, N, op cit, p.224.
[123] Katzen, M, F, "White Settlers and the Origin of a New Society, 1652-1778" in Wilson, M, and Leonard Thompson, (ed.) (1969), The Oxford History of South Africa, p.210-228.

> ... as it is fruitful for stock and for cultivation, and as there is also much more for our needful supply of food, we have come to reside here. We request, implore, and pray for the forgiveness of your Honours, if we have done amiss by trekking over. Great powerful Sirs: we entreat, in all submission, respect, and obedience, that you will take pity on us and permit us to remain here, and to pay rent to the Company for this country[124].

The Company relented to boundary extension. In mid-1775 it extended Colonial boundaries beyond the Bruintje's Hoogte and Gamtoos River to the Fish river and Bushman's River near the coast. The same authority that had sought to restrict the movement of *trek-boers*, had now brought them even closer to the Xhosas. This decision was somewhat forced onto the Company as it was unable to enforce law and order. It lacked the necessary resources and staff to monitor the frontier. The Company gave an illusion that it was in control. When it was called upon to enforce its authority, it often emerged that it actually lacked real power. Hence the *trek-boers* simply ignored the Company's regulations. By the mid-1770s the new boundaries had lost all meaning. The *trek-boers* not only traded across the Fish River with Xhosas, but some lived amongst them. After approximately a century and a quarter of the initial landing on the South African soil, the Dutch colonialist and the Xhosas finally met *en masse.*

Just as it had pioneered inter-racial contact, trade also made co-habitation precarious. Violent outbreaks remained a permanent threat. For, each party possessed what the other wanted, cattle and land. But, after the failure of the first two frontier wars in 1780 and 1793 to force Xhosas back beyond the Fish River, the Cape government and *trek-boers* resigned themselves to a reluctant cease-fire and tension-ridden co-habitation alongside Xhosas. Neither party had an outright military advantage over the other. The *trek-boers,* though in possession of guns and horses, had limited access to ammunition and were relatively few in numbers. In contrast, Xhosas had numbers on their side, but lacked superior weaponry and horses.

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[124] Mostert, N, op cit, p, 225.

Colonial Expansion, Conquest and Re-organisation of Xhosa Society, 1811-1894

British colonization of the Cape in 1806 swayed the balance of power in favour of the settlers and marked the beginning of the subjugation of the Xhosas and re-organisation of their society. But, the colonization process, as we will see below, did not follow a master-plan. It evolved gradually and was moulded by exigencies and fluctuated depending on the ideological leaning of the seating government in London. Some believed that Xhosas should be subjects of British colonialism, whilst others, in the face of ensuing violence incited by conquest and believing that they were immune to civilisation, counseled non-interference in Xhosa society. If the colonial administration was an uncertain and late proponent of the civilizing mission through British colonialism, the missionaries were its initial and enthusiastic advocates.

Missionaries: Double Agents of Conversion and Conquest

Missionaries first arrived amongst Xhosas in September 20, 1799. The pioneer of this evangelical mission was Johannes van der Kemp, a medical doctor and scholar of Dutch origin. Van der Kemp recognized the significance of that historical moment in a manner befitting of a clergyman, with a prayer:

> I kneeled down upon this grass thanking the Lord Jesus that he had provided me a resting place before the face of our enemies and Satan, and praying that from under this roof the seed of the gospel might spread northwards through all Africa[125].

Van der Kemp's venture into Xhosa society followed a decision taken by the London Missionary Society (LMS). A multi-denominational body formed in November 1794, LMS' mission was to spread Christianity throughout the 'pagan' world. This was emphasized in a send-off message to Van der Kemp in December 1798:

> Every part of that vast continent, with the exception of Cape Town, and the benevolent settlement of Sierra Leone ... presents a picture most distressing and lamentable to our feelings, as men and Christians. Happy will it indeed be for us and glorious for you and your worthy associates, if you are together honoured of God to make this first serious and effectual

[125] Mostert, N, op cit, p.314.

> inroads upon the territories of the Prince of Darkness, and to open the way for the deliverance of the wretched Caffres from the idolatry and barbarism which overwhelms their extensive country[126].

With that epoch-marking prayer in 1799, Van der Kemp initiated a gradual groundswell of evangelical activity amongst the Xhosas and in South Africa as a whole. By 1850 eleven missionary bodies with a total of no less than 150 personnel had established themselves on South African soil. Sixty years later in 1910 that number had leapt to more than thirty missionaries bodies with approximately 2000 priests[127].

Missionaries did not concern themselves exclusively with saving 'the souls of the natives'. They combined their evangelical mission with some socio-economic work. For, missionaries believed that success of their evangelical work hinged on the re-organisation of Xhosa society. In other words, the objective was to create a middle class, which would share a similar value system and economic interests as the settler community. Ultimately that Xhosa middle class would be protective of the colonial society and serve as a pacifier of Xhosas and help to spread 'civilisation'. The doyen of South African missionaries, John Phillip, emphasized the link in 1820:

> Tribes in a savage state are generally without houses, gardens, and fixed property. By locating them on a particular place, getting them to build houses, enclose gardens, cultivate corn land, accumulate property, and by increasing their artificial wants, you increase their dependency on the colony, and multiply the bonds of union and the number of securities for the preservation of peace[128].

According to Phillip, therefore, commerce and religion were interlinked. Religion paved the way for commerce and the latter re-inforced inter-dependence and submission to colonial rule.

> Wherever the missionary places his standard among a savage tribe, their prejudices against the colonial government give way; their dependence upon the colony is increased ... confidence is restored; intercourse with the colony is established; industry, trade, and agriculture spring up; and

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[126] Ibid, p.288.
[127] Du Plessis, J, (1910), A History of Christian Missions in South Africa, p.404.
[128] Bundy, C, (1979), The Rise and Fall of the South African Peasantry, p.39.

> every genuine convert ... becomes the friend and ally of the colonial government[129].

Creating a Xhosa middle class was facilitated through providing education and agricultural opportunities. Mission stations, served as centres of learning and springboards of Nguni peasantry. For instance, the Lovedale Mission Station was a famous educational centre founded by the missionaries. Established in 1820 by the United Free Church of Scotland, Lovedale produced priests, teachers, farmers, court interpreters and others[130]. The syllabus and the professions for which Xhosas were trained tied neatly with the colonial mission. Teachers and priests, for instance, spread both literacy and Christianity among fellow Xhosas. They became accomplices or agents of colonialism, but not for long (as we will see below).

Peasantry provided another route for upward mobility. Missions not only provided teaching on farming, but also land on which to farm. Missionaries[131] had access to vast tracts of land. By 1848, for instance, the colonial administration had issued 70, 000 acres of land to mission stations, while another 155, 000 acres was held by virtue of tickets of occupation. Individuals could lease mission land and generate income for themselves and to pay rent and taxes[132].

The scope of peasant activity was to change after the 1835 frontier war. Peasantry spread beyond missionary land into the Mfengu territory between the Fish and Keiskamma Rivers, an area named Ceded Territory. The Mfengu were given this area as a reward for their collaboration in the 1835 war as well as to serve as a buffer between the colonial settlement and the Xhosas. Other than producing crops, the Mfengu also took up sheep farming to participate in the wool trade. By 1849, for instance, they possessed about 13,

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[129] Ibid, p.39

[130] Roux, E, (1966), Time Longer than Rope, p.54.

[131] Though missions are largely credited with initiating the emergence of an African peasantry, Colin Bundy also points out that there were Xhosas who undertook peasantry independent of missionary influence. Bundy informs us that a diary of C. L. Stretch, a missionary, noted that in 1835 Soga, father of the missionary Tiyo Soga, : " ... began to work and produced peas, onions, barley and potatoes, which he brought on horseback to Fort Cox and for which "Tommy", alias the Redjackets, gave him silver"

[132] Bundy, C, op cit, p.46.

000 sheep[133]. Another advantage enjoyed by the Mfengu regarding peasantry, over the rest of the Southern Nguni, was that their chiefly leadership had been weakened by migration and war. Some chiefs had died and those who remained submitted to the influence of missionaries and magistrates. So individuals could prosper in farming and trade without chiefly restrictions nor fear of being subjected to the restributive device of witchcraft accusations punishable by handing over livestock to the chief. Possessing a relative abundance of assets in land and livestock, the Mfengu were set up to become the most industrous and wealthy group amongst Southern Ngunis.

Overall, missionaries saved relatively few souls in the first half of the nineteenth century. By 1850, for instance, only a total of 16, 000, out of approximately 400,000 lived on 32 mission stations[134]. Chiefs resisted missionary influence amongst their people, as they saw Christianity as a threat to their power and influence. One chief told missionary Calderwood that: "When my people become Christians, they cease to be my people". Another emphasized similar sentiments to the 1851 Select committee: "I like very much to live with [the missionaries] if they would not take my people and give them to the government"[135]. Those who converted to Christianity, particularly amongst the Ngunis, were fugitives and outcasts searching for refuge. The Mfengus, for one, were attracted to the missionaries because they were uprooted from their society by war and had become refugees searching for stable life and community in which to belong. Others included outcasts such as: "young people who wished to marry in defiance of their family; twins, cripples and epileptics sent away by their parents; fugitives from accusations of witchcraft; girls escaping from puberty ceremonies; women running away from husbands"[136].

It is important to note though that not all chiefs were opposed to missionaries. King Ngqika, for instance, was the first among Xhosa Kings to welcome missionaries. But it was not out of conviction. Rather, Ngqika saw his association with missionaries as a

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[133] Bundy, C, op cit, p.46
[134] Ibid, p.40.
[135] Ibid, p.41.
[136] Elphick, R, "Africans and the Christian Campaign in Southern Africa", in Lamar, H and Leonard Thompson, (ed.)(1981), The Frontier in History, p.292.

strategic alliance. An ally of the British, with whom he had signed a pact after his defeat by Chief Ndlambe in the 1818 battle of Amalinde, Ngqika used missionaries as mediators between himself and the Colonial administration. Accomodating missionaries was also a sign of goodwill towards the administration on whose military assistance Ngqika relied on to ward off the danger posed by his prime enemy, Chief Ndlambe[137]. Other missionaries took advantage of their mediatory role conniving with the colonial administrators to topple the resistant chiefs. John Ayliff, a missionary stationed across the Kei River among King Hintsa's people, for instance, distinguished himself as a colonial agent receiving and giving information to passing traders to hand over to the colonial government. His espionage activity was instrumental in the breakaway of the Mfengu from Hintsa and their subsequent collaboration with the British against the Xhosas. Ayliff eventually abandoned his evangelical mission to become a colonial administrator.

It was only after 1856 that the evangelical mission among Xhosas achieved significant success. The catalyst was the devastating impact of the cattle-killings and destruction of crops, inspired by the Nongqause-prophecy, which markedly reduced the influence of chiefs and dislodged their social fibre, and the subsequent single-mindedness of the colonial administration to pursue a civilizing policy through colonial conquest (to which we now turn).

Colonial Administrators and Settlers: Reluctant Conquerors and Expansionists

Albeit an enthusiastic colonizer by the mid-1850s onward, Britain began as a reluctant colonizer in the Cape. Her primary concern upon taking over in 1806 was to, as their Dutch predecessors, safeguard the Cape as a refreshment station. The imperial government was interested in the Xhosas to the extent that their constant conflicts with the farming settler community along the eastern frontiers threatened the production and transportation of the farm-produce to the Cape. Thus until 1836 the colonial administration was concerned with keeping the settler community and Xhosas apart, as opposed to colonizing the Xhosas, in order to stamp out the violent conflict that

[137] Mostert, N, op cit, p.465.

constantly flared up between the Xhosas and settlers over cattle and land in the territory west of the Fish River. Territorial separation was achieved through war in 1811 when Xhosas were driven beyond the Fish River to the eastern side and the Fish River was to serve a border dividing Xhosa territory and the Cape colony.

The British government was also decidedly opposed to colonial expansion because of the sheer cost of war. It feared that the cost of the war itself and administration of the colony would put further strain on government coffers that were already in debt. The cost of Napoleonic wars alone had pushed up the debt from £250 million to £861 million by 1815. And embarking on further colonial conquest in the Cape would have significantly increased the debt, for maintaining troops in the colonies cost more than keeping them in Britain "considering the expense of transports, the larger expenditures for rations in my areas, and the need to replace men who died or were hospitalized"[138].

Reluctance to colonial expansion, however, was not steadfast. It often dissolved in the face of violence in the frontiers and yielded to fervent cries from frightened settlers for protection through colonial conquest of the Xhosas. But, others called out for colonial intervention, not out of a genuine fear for their lives, but because they stood to profit from wars of conquest. One such group of war-profiteer was the Grahamstown-based commercial farmers[139] who traded in wool. Wool trade sparked an international frenzy for land and war was the tool by which that land was appropriated and was vehemently advocated by the farmers-controlled newspaper, *Grahamstown Journal.* Cape Governor Napier noted as much in the late 1830s: "there are a great many people in the colony who make a great deal of money by wars, and ... whose constant cry was, "Have troops

[138] Galbraith, J, S, (1963) Reluctant Empire, p.66

[139] By the 1830s Grahamstown had become a hub of commercial activity centred around wool trade. Its annual income grew from £1,300 between 1826 and 1830 to £30, 000 by 1836. Ten years later the wool trade surpassed wine as the highest foreign earner for the entire Cape colony standing at £200,000 per annum, which accounted for 60% of the Cape Colony's exports. The concomitant growth of export activities at Port Elizabeth from 18% in 1840 to 47% (of the entire Cape Colony export) by 1846 engendered a shift of economic influence from the Cape Colony to the frontiers. The growth of wool trade in the frontiers owed to a fall in wool production in Britain just its demand had began to expand. This created a demand for imported wool. The Cape colony became the main supplier because of its proximity, beating its closest competitor, Australia. See Mostert, N, op cit, p.859.

over"; that was the reason why they wished to go to war"[140]. Governor George Cathcart, echoed similar sentiments in his response to criticism for not appropriating enough Xhosa land, but settled for peace instead:

> ... peace is ruin to them, and the expenditure of public money during the war has been the making of their fortunes, in war prices for their goods, contracts for provisions and wagons, etc; in short the expenditure of a million of British sovereigns in this otherwise miserable place. As to the losses by the war, they bear no comparison to the gains. I am heartily disgusted and sick of these mean, dishonest people; the Kaffir is much the finer race of the two[141].

Thus despite personal opposition and official instruction against colonial conquest and wars, colonial administrators expanded colonial territory through confiscating more Xhosa land and the conquered Xhosas were declared British subjects hoping that colonial control would reduce their ability to resist colonial dispossession. The aftermath of the 1835 war was the first time ever such bold expansion was undertaken, despite opposition from the British government and initial misgivings of colonial Governor D'Urban himself. The colonial boundary was extended from the eastern bank of the Fish River westwards to the Kei River. The newly conquered territory was divided into two – the Ceded Territory between the Fish and Keiskamma Rivers and inhabited mostly by the Mfengu and the settlers and the Queen Adelaide Province inhabited by the vanquished Xhosas now also declared British subjects. Chiefs were stripped of their powers and customary law was rescinded and cultural practices such as *lobola*, for instance, were strongly discouraged. Instead of chiefs, magistrates were appointed and they dispensed Western laws and generally promoted a Western way of life and culture. Thus the purpose, in short, was to convert Xhosas into "Englishmen" or to "civilise them".

Before the end of 1836, however, the policy of civilization was withdrawn and colonial borders were pulled back to Keiskamma River. Beyond the latter, chiefs were restored back in control to rule, as they have historically done, according to customary law and Xhosas generally were free to lead their lives as they wished. The only Ngunis that

[140] Ibid, p.824.
[141] Ibid, p.1157.

remained subjects of the British Crown were their allies and Xhosa foes, the Mfengus, within the Ceded Territory. And it was among this group of Ngunis that the policy of civilization was initially implemented and gradually bore fruition (as we discuss later).

The retraction of colonial expansion and the civilization policy over the rest of Nguni population east of the Kei River reflected, as noted earlier, government apprehensions over additional cost of an expanded colonial administration to the treasury that was already strained. Expansion was also highly opposed by humanitarians, who strongly lobbied the British government, for they saw it as provocation to war, which they deeply resented. Thus, the humanitarians reasoned, since the Ngunis would not willingly submit to British rule, they should be allowed to remain as they are, for their forced submission led to war.

Thus, for the next ten years after 1836, order, which translated to non-interference in native affairs, superceded the civilizing mission. But, non-interference did not yield order nor preclude the occurrence of war. Skirmishes broke-out within that ten-year period of relative peace and a full-scale war broke-out once more in 1846-1847. Though the a stolen cattle (or axe in the case of the 1846 war) or trespassing into inhibited territory often sparked the conflict, there was a more much underlying causes. These were permanent tension, distrust and grievance that had been caused by colonial dispossession and previous wars. The Ngunis did not recognize the authority of the colonial administration nor the right of settlers to inhabit the land, for it was land appropriated from them and thus made settlers a permanent foe. As for the settlers and the colonial authority, they were determined not to vacate the colony. It was strategically important for the British government and commercially valuable for the farming settler community. If anything, the latter wanted more land in pursuance of their commercial activities. Conflict was thus inevitable. A more enduring solution, beyond non-interference, was thus required to end the conflict.

Hence some offered the solution as a choice between either extermination or civilisation: "There could be no resolution of the basic conflict between settlers and Kaffirs short of

extermination of the tribes or their complete subjugation"[142]. Though extermination had been pursued in United States, it was not option in the Cape frontiers because of the strong humanitarian opposition, both in London and South Africa, against any aggression towards the indigenous population. Civilisation policy seemed the only option and opportunity available in the late 1840s to achieve permanent peace in the frontiers. This time, however, argued its main proponent and Minister of Colonies from 1846 to 1852, Earl Grey, the policy would go beyond political subjugation of chiefs and imposition of British law to including social re-engineering of the Nguni society to imbibe Western values and lifestyle. Missionary activity would receive urgent support from the government, schools would be built to teach and enforce Englicisation through, among other things, exclusive use of English, and people would generally be encouraged to seek employment in the formal economy. The intention, therefore, was not just to break the power of chiefs over their subjects, but also expose them to new life experiences and values that would facilitate and aid their conversion[143].

But, the occurrence of yet another war in 1850, hardly four years after the last one, undermined official support for the civilizing policy. Official opinion reverted back to its earlier position that interference incited war and civilising policy was rescinded in 1852. Peace through *laissez-faire* was back in official favour. Colonial appetite for more Xhosa land nonetheless endured. Though the colonial border remained the Keiskamma River and Xhosas were not pushed beyond the Kei River, as the British army had intended, the size of Xhosa land shrunk, as it had been doing with almost every war. They now shared the territory between Keiskamma and Kei Rivers with settlers, were prohibited from inhabiting areas of their choice within that territory, but squeezed into colonially defined locations for the convenience of colonial policing.

Withdrawal of policy, however, did not reflect loss conviction in the civilizing mission. The latter still have strong support within the official circles, as reflected by the statement of the Minister of Colonial Office, Frederick Peel, in 1854: "We had succeeded in conquering Kaffirs, but it was too expensive a game to keep them in forcible subjection.

[142] Galbraith, J, S, op cit, p.248
[143] Galbraith, J, S, op cit, p.215

We must attach them to our rule"[144]. The civilizing policy, therefore, was still looked upon as a permanent solution to the native problem on the eastern frontier. This conviction, despite a recent setback, reflected Victorian belief and self-regard as the agent of civilization, which pervaded England for the most part of the nineteenth century. This was coupled with a strong sense of messianic self, as the Victorian elite considered it their mission to bring up the less-civilised to their level of cultural and entrepreneurial development. This rested on the assumption that English civilization was to the benefit of everyone. This derived from the Utilitarian ideology[145], dominant at the time, which held that ones' purpose in life was to pursue happiness. And that happiness could only be realized through adoption of English culture and commerce. This, the Victorian believed, was a universal reality, which the Africans had not yet discovered[146]. Once they did, and through British agency of course, Africans would be eternally grateful.

So, it was left up to Sir George Grey to revive the civilizing policy in the Cape frontiers in 1854. Grey shared the ideological underpinnings of the policy and believed in its effectiveness as an enduring solution to the frontier conflict. He elucidated his convictions to the colonial parliament in Cape Town in March 18, 1855, as follows:

> We should admit that we cannot live in immediate contact with any race or portion of our fellow men, whether civilised or uncivilised, neglecting and ignoring our duties towards them, without suffering those evils which form the fitting punishment of our neglect and indifference; that we should feel that if we leave the natives ... shut out from all community of interest with ourselves, they must always remain a race of troublesome marauders, and that, feeling this, we should try to make them a part of strength and wealth for this colony, as Providence designed them to be[147].

Grey's convictions stemmed from his scholarly interest in aboriginal culture and folklore. He believed that 'the natives' were not intellectually inferior to the rest of human-race and thus could be easily civilised. And this, Grey believed, could be achieved through imposition of British law, education, Xhosa conversion to wage labourers and through colonial settlement. Both the law and education would instill cilivise values, whilst work,

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[144] Morrell, W, P, (1969), British Colonial Policy in the British in the Mid-Victorian Age, p.62.
[145] Newsome, D, (1997), The Victorian World Picture, p.52-6.
[146] Robinson, R, et al, (1981), Africa and the Victorians: The Official Mind of Imperialism, p.2.
[147] Mostert, N, op cit, p.1169.

for which Xhosas would be paid, was to instill ambition for material improvement. Colonial settlers would serve as an example of civilised character as well as provide further employment on their farms. Christianised and civilised, Grey believed, Xhosas would cease being a British foe, but a friend. Peace would eventually prevail in the frontiers.

To be sure, Sir George's policy content was not new in the frontier. It was similar to the one that had been conceptualized by Earl Grey earlier in 1846 to early 1852 and implemented by the then Governor Harry Smith. Like the latter, Sir George sought to combine political subjugation of chiefs with a drastic overhaul of the Xhosa society. This time round, however, the prospects of the policy succeeding were highly increased by the dramatic weakening of the Xhosa social structure by the devastative impact of a self-inflicted tragedy in 1855/56. Sections of Sandile, Sarili and the Thembu people slaughtered their cattle and destroyed their crops conforming to a young girl's prophecy, Nongqawuse, that doing so would bring back the dead who would then drive settlers back to the sea and bring back prosperity[148].

In the wake of the catastrophe, approximately 25 000 people died of starvation and others sought employment in public works, farms or as domestic workers in order to escape starvation, as Grey himself recorded: "...we are marching them into the colony to places where then can find employment"[149]. The number of those who flooded into the colony for employment was estimated at 30 000.

Climax of the Civilising Mission: Assault on Tradition and the Rise of Modernity

Convinced of his messianic mission, Grey completely redefined colonial policy and boundaries, which was to have a lasting imprint in the history of the frontiers. It ushered in territorial racial integration, parallel and contradictory processes of further growth of the peasantry, proletarianisation and bureaucratization of structures of governance among

[148] Mostert, N, op cit, p.1215.
[149] Ibid.

Xhosas. By the 1890s Xhosa society was fundamentally reconfigured. No aspect of their life was left untouched, as the British's civilizing mission yielded fruition. The Xhosas were set on what resembled a firm path to modernity.

Chiefs were converted from traditional to administrative leaders. This marked the beginning of co-optation of chiefs into the modern political institutions and drastic erosion of their powers and influence. Henceforth chiefs were to be subservient to magistrates, who, in turn, administered Xhosas in accordance with civil law. Akin to civil servants, chiefs were to receive salaries. One of the chiefs had found this too unbelievable and inquired:

> What do we get the money for? We know that you as a government officer have regular duties to perform for which you are paid, but what are we paid for? ... is there nothing that will come after we have taken the money?[150].

Salary payments to chiefs, responded John Ayliff, a former missionary, were due to the fact that the: "... Governor only desires your improvement and happiness and you bind yourself to nothing hidden in taking the money"[151]. Administration and judicial duties were largely dispensed by magistrates and their government appointed headmen. Chiefs had no role at all in governance. And their judicial role was reduced to arbitration only in civil cases. Criminal cases were the preserve of magistrates. Even the chiefly power to arbitrate over civil cases was limited, as subjects had the choice to lay their cases at the headman's court and could appeal a chiefly verdict at the magistrate's court. Customary law could only be applied to the extent that it did not conflict with common law. Thus the political influence of chieftaincy was diluted.

Grey's policy also meant that, for the first time, missionaries would receive active and enthusiastic support from the colonial administration for their evangelical mission. Grey resolved to "subsidise missionary institutions that would undertake to train Bantu youth in industrial occupation and to fit them to act as interpreters, evangelists and school

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[150] Mostert, N, op cit, p.1176.
[151] Ibid.

masters among their own people"[152]. New schools were built such as Healdtown, St Matthew's, St Mark's, Salem, Peelton, Mount Coke, and others. Facilities such as Lovedale were improved. African enrolment in government aided schools rose up to 49, 555 by 1887. Between 1874 and 1904 1, 502 teachers were trained at various training schools and by 1887 more than 2, 000 pupils had received secondary education at Lovedale alone[153]. Other high school graduates went on to become religious ministers, journalists, labour agents, legal assistants and interpreters[154].

The civilisation mission registered similar success in the agricultural sector. Granted permission in 1858 to buy Crown Lands at £1 an acre, by 1864 close to 508 Nguni buyers held 16, 200 acres of land, and 106 lessees rented 6000 acres from government. After 1958 African commercial agriculture, pioneered by Mfengu and Thembu farmers, spread beyond British Kaffraria across the Kei River (an area later know as Transkei) into the Gcaleka and Emigrant Thembus[155]. Mfengus excelled as good farmers and won competitions held by Agricultural Society. Davis, a missionary, told the 1865 Commission of Native Affairs: "even this year I think their exhibition surpassed that of the Europeans. It was a universal remark in the district that the Fingo exhibition far excelled that of the Europeans both as to number and quality of the articles exhibited"[156].

By the 1870s Xhosas throughout the eastern Cape had become involved in commerce. Alice and Queenstown became centres of Nguni trade in both agricultural products and wool worth as high as £19, 000 and £50, 000 per annum respectively[157]. The relative prosperity of Fingoland was such that the community was able to raise £2, 950 towards

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[152] Cook, P.A, "Non European Education", in Hellmann, E, (ed.) (1949), Handbook on Race Relations in South Africa, p.350.

[153] Odendaal, A, (1984), Vukani Bantu: The Beginnings of Black Protest Politics in South Africa to 1912, p.3.

[154] Advancement beyond teaching or priesthood into other professional careers was restricted by the fact that blacks were only allowed to go as far as matriculation in the 1890s and were not admitted to university. Those who wanted to pursue further education, went overseas.

[155] This followed the relocation of about 50, 000 Mfengu and Thembu on 1858 on King Sarili's land across the Kei River. This was meant as punishment against Sarili who was suspected of having used the Nongqawuse prophecy to lull the British into a false sense of security in order to them attack at a later stage.

[156] Bundy, C, op cit, p.54.

[157] Ibid, p.72.

construction of an industrial school, Blythswood in 1877[158]. The farmers were distinctly different from the peasant farmers both in wealth, status and value:

> they were wealthier, and held larger units of land; ... they extracted surplus from tenants and wage labourers outside the extended family; ... they were predominantly cash farmers, not subsistence farmers who sold a small surplus; ... they had broken more decisively with traditional Nguni culture, and identified far more keenly with European ways (or with the high culture)[159].

As a manifestation of their class status, the Black farmers identified with their fellow white farmers against black squatters. Testifying before the Commission of Labour Supply, one Xhosa farmer said:

> We would like to have a severe law to deal with them. Because we are black you may perhaps think that we have sympathy with other black fellows who go to gaol, but as a fact we are just as great enemies of bad black people as white are[160].

Politically Xhosa life also saw a drastic change. An increasing number of the Xhosa populace began to participate in modern political institutions. Since 1853, when the Cape colony received self-government, franchise was open to all males regardless of race, subject to property and income qualifications. To vote one needed property worth twenty five pounds or receive an annual salary of fifty pounds. Voters voted by word of mouth but, very few Ngunis actually voted. This was because of an added franchise requirement that one be a natural born British subject. This meant that only those Mfengu born within the Cape colony could vote. The Mfengu, therefore, had to await the birth of a new generation before they could exercise franchise.

It was only in the 1860s, therefore, that a great number of the Mfengu people began to vote. The return of William Stanton to the House of Assembly in 1860, for instance, was attributed to Mfengu voters. In relative terms, though, voting participation among the Ngunis still remained low. The first attempt to register African voters *en masse* in 1866, about 600, by a Mfengu chief was turned down. Civil Commissioners, who had the

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[158] Ayliff, J, and Joseph Whiteside, (1912), History of the Abambo, p.57.
[159] Bundy, C, op cit, p.90.
[160] Ibid, p.93.

responsibility to compile a voter's roll at a local level, were prone to refuse Africans' requests for voter registration. The 1880s, however, saw a phenomenal surge of African voters and voting participation following the annexation of the populous Transkei and Griqualand West in 1879 and the Gcalekaland and Thembuland in 1884. For instance, in the five frontier constituencies of Aliwal North, King Williams Town, Queenstown, Victoria East and Wodehouse, African votes increased from 14% in 1882 to 47% by 1886. In the two constituencies of Aliwal North and Wodehouse, African voters were in the majority.

The growth of political consciousness among Xhosas owed primarily to John Tengo Jabavu and, to a lesser extent, liberal politicians. A political activist and later a newspaper editor of the first Xhosa newspaper, *Imvo Zaba-Ntsundu*, Jabavu mobilized Xhosa voters to improve their plight through electoral politics. In particular, Jabavu campaigned for Liberals who had historically been sympathetic to African interests, both materially and politically[161]. In addition to providing the initial capital for the *Imvo,* Liberals also helped potential Xhosa voters to register by setting up registration committees to ensure that they are not denied voting registration by unscrupulous voting commissioners[162]. Thus Nguni tipped the balance of power in favour of the English, against the Afrikaner Bond Party, as Jabavu confirmed:

> History shows unmistakably that the votes of the natives have been used in the best interests of the country and of civilisation, and that they have been steadily and consistently employed to strengthen the English or the party of right and justice in the house[163].

Generally, the Xhosa elite were at the forefront of mobilizing African political opinion and protecting its material interests. Through their journalistic work, on newspapers such as *Isigidimi Sama Xhosa*[164] (Xhosa Express) and *Imvo Zabantsundu* (African Opinion), this elite shaped African opinion on political matters. Multiple civic associations sprung

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[161] Karis, T and Gwendolen Carter, (1977) From Protest to Challenge, p.41-43.
[162] Trapido, S, "Friends of the Natives:..." in Marks, S, (ed.) (1980), Economy and Society in Pre-Industrial South Africa, p.260.
[163] Davenport, H, (1966), The Afrikaner Bond, p.120.
[164] This newspaper was formed in 1870 at Lovedale and was initially named Kaffir Express. Its first black editor, Elijah Makiwane, who took over in 1876, changed the name to Xhosa Express.

up as agents of mobilization for various interests such as education, political rights, commerce and religion. Among these associations were the Native Educational Association, *Imbumba Yama Nyama*, *Gcuwa* Mutual Improvement Society, Native Electoral Association and *Imbumba Eliliso Lomzontsundu* (Union of Native Vigilance Associations). The latter, for instance, featured prominently in protests against the attempts to limit the number of African voters in the Cape. In his survey of public opinion amongst Xhosas during that period, the prominent African writer, A. C. Jordan observed that intellectual opinion was decidedly in favour of modernity and expressively against resistance to Western influence and return to war[165]. A Xhosa poet, I.W.W. Citashe, captured the mood of the time aptly in his poem:

> Your cattle are gone, my countrymen!
> Go rescue them! Go rescue them!
> Leave the breechloader alone
> And turn to pen.
> Take paper and ink,
> For that is your shield.
> Load it, load it with ink.
> Sit on a chair.
> Repair not to Hoho
> But fire with your pen[166].

By the 1890s, therefore, the civilizing mission had yielded phenomenal results. In contrast to fifty years earlier when traditional life and values dominated, the British had succeeded in remoulding the Nguni society producing a class of people with similar wants and values. As was intended, traditional life and society was gradually succumbing to modern institutions and life.

Civilising Mission Succumbs to Racism and Institutional Segregation, 1894 – 1954

Just as the civilizing mission was bearing fruition, it came under a considerable onslaught intended to reverse its gains. Antagonists of the civilising mission, ironically, turned out to include its earlier proponents and (electoral) beneficiaries. The onslaught started off as

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[165] Jordan, A, C, op cit, p.88.
[166] Cited in Oddendal, A, op cit, p.6.

a series of restrictions on African franchise and culminated into institutional segregation. The reasons for this reversal of policy were both political and economic.

African franchise suffered the first blow in 1882 through the Franchise and Ballot Act of 1882 under the guidance of Thomas Scanlen, whom, ironically, was a notable liberal ideologue. This law increased occupational property qualification from £25 to £75 per annum. Scanlen promulgated this law as a pay-back to the *Afrikaner Broederbond* (AB), which had supported his rise to political office. Another liberal ideologue, John Gordon Sprigg, made a similar alliance with the AB for the same reason and with similar consequences for African franchise. Through the Registration Act of 1887, Sprigg's government introduced a literacy test as a voting qualification and abolished communal tenure as a franchise qualification. The result was a 24% drop in the number of Nguni voter registration. African franchise, however, still had support in the Cape Liberals who opposed both laws.

This dramatic reversal of the civilizing tide that marked the decade of 1880s, was not confined within the electoral system, but also swept through the judicial system. Customary law, which had previously earned colonial contempt as the epitome of barbarism and thus annulled in favour of civil law, which had been heralded as an agent of civilization, was revived in 1886 and administered in courts alongside civil law. The earlier objection that this law stood in the way of civilization had melted away in the face of the rush to disfranchise Africans.

The new decade of 1890s saw African franchise coming under more strain to a point of near extinction. The first of these heavy blows on African franchise was struck in 1892 through the Native Franchise Act. This legislation, though retaining voters already on the voters roll, raised property qualification from £25 to £75. It too was delivered with the support of a horde of liberal ideologues and supposed "friends of the natives" – John Merriman, Jacobus Wilhelmus and James Rose-Innes – while serving in government together with Cecil Rhodes and the AB. For this part, Merriman had foretold the promulgation of the Native Franchise Act in an address to a gathering of white supporters

in Port Elizabeth in 1891 that: "The question before the country was whether it was going to be a black man's country or a white man's country"[167]. In supporting this legislation, Merriman and his liberal colleagues ensured that the Cape was indeed a 'white man's country', as the number of registered Nguni voters dropped by 3, 348.

The peace-meal restrictive measures were jettisoned in 1894 for a full onslaught administered through the Glen Grey Act in 1894. The latter, among other things, disqualified property ownership as a franchise qualification, limited African ownership of land to 'one man one lot' and introduced labour tax. The intention was to prevent land-owners from dividing their lands among their offspring, particularly sons. The class of the landless that subsequently emerged, as the law had intended, was forced into wage labour in order to meet their living needs and to pay tax. Thus the law met its objective to free up labour for the farming community and the emerging mining sector in which the "unholy alliance" of liberals Rhodes and the AB had interests[168] and, in the process, further disfranchised Africans.

Though initially intended to remedy labour shortage, the Glen Gray Act also had political implications. Individual tenure, as contained in this law, meant that a considerable number of Xhosas would become eligible for franchise in the Cape Colony. To counter this, the act also stipulated that, with respect to voting registration, land ownership in Transkei would continue to be considered communally owned. In other words, individual tenure, though it was the case with everyone else, was not a prerequisite for voting in Transkei. This meant that a substantial number of Trankeians would not qualify for franchise. For a colony that had always prided itself in its liberal tradition and thus unique from the other three colonies, such massive disfranchisement was rather embarrassing and discomforting for the Cape liberals. To ease their conscience, they introduced the council system as compensation.

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[167] Roux, E, op cit, p.63.
[168] Ibid, p.80.

The council system was a triple-layered pyramid structure divided into regional, district and location levels. There were 27 districts and approximately 40 locations. Let us briefly examine the council system.

National parliament: *Bhunga*

The *Bhunga* (a public gathering) was a national parliament located in Umtata, a capital town of the new Transkei. It had 108 members. Of the total number, 78 were elected by the various districts, three from each. But the predominantly white district of Mount Currie was excluded. The other of 30 members, which comprised of Chief Magistrate, 3 Paramount Chiefs and 26 District Magistrates, had automatic representation.

The *Bhunga* performed a combination of quasi-executive and administrative functions. Though supposedly intended to allow Xhosas to express their collective will and rule themselves. Colonial representatives had the final decision. Its administrative functions involved approving budget proposals, allocating funds to district councils and implementing major projects - i.e. establishment and maintenance of industrial and agricultural schools; operation of engineering and agricultural departments and pro-rata contributions to state-aided and mission hospitals. Funds for such projects came partly from an annual rate of not less than 10/- it imposed on all adult males and women, unmarried or widowed, staying alone or with their family. This revenue was separate from the one levied at the district council level.

District Councils

District councils were a second upper layer of governance. Each consisted of six councillors and a district magistrate, who served as chairman. Two concillors were appointed by the colonial administration and the other four were members, at least initially, nominated by headman. In 1906, this system was changed allowing ratepayers to directly elect the four district representatives for a three-year term. The introduction of an elective principle followed a complaint by the Transkei Vigilance Association that:

> ... when the District Council hold a meeting, the people know nothing about the proceedings ... and what is more, is that the council ask for certain laws to be made for the Transkei about which the people know nothing. The Government says that they represent the people, whereas they only represent the headman. Then again, the really efficient men are outside the council; there are men outside the council who are far superior to the men on the Council. I know for a fact that if the appointment of councillors was in the hands of ratepayers, a better feeling would exist in favour of the Glen Grey Act[169].

Councillors' remunertion and performance was based on strict bureaucratic procedures and a code of conduct. They were prohibited from accepting remuneration from sources other than the council for services rendered in their capacity as councillors. Nor were they eligible for council contracts. Conviction resulting from criminal activity resulted in dismissal. A criminal record itself disqualified one for candidature. The bureaucratic part of the district council was responsible for: dipping and cleansing stock; constructing and maintaining roads and bridges; encouraging agricultural productivity; eradicating noxious weeds; afforrestation, irrigation and public health. The council generated income through an annual 2d. property tax and 5s. personal tax on all mare residents capable of working[170].

Headmen

Headman and their location boards constituted the last layer of governance at a location level. Headmen and board members, who were required to be property owners themselves, were elected by other property owners. But they were subject to the approval of the colonial administration. Each had slightly varying functions. Headmen served a mediatory role between the board and populace. Hence, in addition to ownership of property, literacy was a prerequisite in their election. They interpreted and enforced colonial policies. Headmen also represented locals to district magistrates. Locals rarely appeared before a district magistrate without the presence of a headman. Headmen could also be fired in cases of criminal conviction, loss of property, failure to attend three

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[169] Hammond-Tooke, "The Transkeian Council System 1895-1955: An Appraisal", **Journal of African History**, IX,3, 1968, p.462.
[170] Rogers, H, Native Administration in the Union of South Africa, 1936, p.24.

consecutive meetings and absence from the community for a period of three months in succession.

Tenure in the board lasted for one year, but one qualified for re-appointment thereafter. They could also be fired under similar circumstances as headmen. Both the headman and the board undertook the following functions:

> ...construction and control of all watercourses in the locations; the regulation of the supply of water of irrigable agricultural lots; the control of grass burning and of the cutting of fire-wood, brush-wood and thatching grass upon location commonages; general supervision as regards the eradication of burr-weed in locations; regulation of the grazing of stock upon the commonages and the impounding of stock trespassing thereon[171].

The formation of the councils system, thus, had a double implication. On the one hand, it marked the onset on institutional racial segregation, which stood in direct contrast with the Cape tradition of liberalism. On the other hand, the Cape officialdom could still claim that, because of its configuration and operational procedures, the council system encapsulated the continuation of the civilizing mission. But why did the Cape undertook such extra-ordinary measures, which effectively marked the demise liberal influence whilst heralding the onset of racism on Cape policies.

The answer, as Stanley Trapido[172] explained, lay in the nature of Cape liberalism. Cape liberalism rested on a combination of commercial interests and ideological conviction. In the main, missionaries, lawyers and journalists championed franchise on ideological grounds as a right that had to be extended to all men regardless of race. This was highly influenced by the political developments and ideological current dominant in Britain at the time. Colonial administrators, merchants and traders supported civilization of the Africans as part of creating an African class that would serve as a market for their goods as well as a buffer between the colony and the hostile chiefs. Continuation of the civilizing mission thus rested on the accord between ideological conviction and material interests.

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[171] Ibid, p.38.
[172] Trapido, S, "'Friends of the Natives':..." in Marks, S, (ed.) (1980, Economy and Society in Pre-industrial South Africa.

Support for liberalism waned when some of its historical proponents developed new economic interests and political ambitions and when, key missionary figures such as the ageing David Phillip, vanished from the public scene. Settler colonial expansion further into the Eastern Cape, burgeoning commercial farming and the mining industry militated against promoting African commercialism (through ownership of land). Farmers and mine magnates faced a problem of labour shortage since the envisaged workers were self-sufficient as a result of their access to land. To coerce them into wage labour, therefore, the Africans had to be restricted from accessing land and, forced into wage labour through legislation. It was because of this new economic climate and needs that liberalism, as manifested through African franchise, became dispensable.

Xhosa resistance to the civilizing mission, Mahmood Mamdani elaborates, added to the loss of liberal conviction in the amenability of the subjects to the mission. This was partly induced by the 1877-8 war, the 1880 rebellion and the 1857 Indian rebellion which, despite it 'civilization success', had revived doubts over the amenability of Xhosas to civilization in the minds of colonial administrators. It came as a shock since the civilization mission seemed to be succeeding and it was thought that the Nongqawuse tragedy had sapped Xhosas of any spirit of resistance they had left[173].

As a response to the 1877-8 war, however, these measures were disproportionate. Whilst unexpected, the war did not highlight anything new. Notably and perhaps alarming to the Cape administration, the war was the bloodiest of all the frontier conflicts. "Over 3500 blacks lost their lives, as against 60 whites and 137 of their black allies. Black losses exceeded those in the wars of 1835, 1846 and 1851 put together"[174]. But, the mere occurrence of the war itself, particularly because it was led by Kings Sandile and Sarili primarily against the Mfengu, restated familiar facts. That is, the two Kings resented the colonial authority and its Mfengu beneficiaries. After all, Sandile and, to a lesser extent, Sarili, were the primary victims of colonial aggression and dispossession.

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[173] Dubow, Saul, "Race, Civilization and Culture: The Elaboration of Segregationist Discourse in the Inter-war Years" in Marks, S, and Stanley Trapido (eds.) (1987), The Politics of Race, Class and Nationalism in Twentieth Century South Africa, p.73-4.
[174] Davenport, T,R, H, op cit, p.138.

Moreover, this war hardly qualified as testimony of the failure of the civilizing mission in its entirety. As noted above, significant successes were made by the 1880s. Nor were there any indications that the civilizing mission would come under a sustained challenge after the war and the rebellion, for Kings Sandile and Sarili vanished from the public scene. The latter was killed during this last war and the former fled into the bush where he hid, despite being granted pardon and urged to return, until his death years later in 1893. The rebellion was quickly put down, even without the assistance of the British army, and the rebels were disarmed. Alarm from the colonial administration seemed a more appropriate and an understandable reaction, but total abandonment of the civilizing mission, given its gains, history and marginality, if not total suppression, of resistance to colonialism, seemed unwarranted.

The officialdom was determined to ensure that a native revolt never again occurs in future. To achieve this, it reverted to the use of traditional institutions. In doing so, the administration was following an advise that had been offered by the Governor of the Natal Colony, Theophilus Shepstone[175], in the early 1880s that the: "... main object of keeping natives under their own law is to ensure control over them". This was the reason, Shepstone emphasised, that the African population in Natal "has never taken up arms against us, while your people have; and that, in my opinion, alters the position of things very much" [176]. In pursuing a similar objective, as noted above, the Cape administration restored legal force to traditional law.

But, though taking a regressive turn, the officialdom did not completely jettison the modernist orientation of the native policies. Rather, these policies were contradictory. Whilst reversing the modernist march in the legal domain, as noted above, on the

[175] In Shepstone's Natal, Zulu chiefs were primary administrators of customary law. Chieftaincy was remoulded and harnessed to serve the colonial project. The 1878 Code of Native Natal, which evolved to the Natal Code of Native Law in 1891, made the Governor-General supreme chief empowering him to appoint and dismiss chiefs, break and remake tribes. Chiefs were no longer subject to the checks and balances measures that historically existed within the system of chieftaincy. Chiefs became accountable to the colonial administration and despotic towards their subjects. They issued commands and expected obedience from their subjects. The long-held customary practices of consultation and consensual decision-making no longer applied. Chiefs became local despots. See Mamdani, M, op cit.

[176] Ibid, p.67.

administrative and political fronts, reforms appeared in line with the modernization. The district system effectively introduced a modern form of local government in the villages, which largely marginalized chieftaincy. Thus the civilizing mission, at least in part, was not completely abandoned. Yet it was not propelled by conviction.

Political convenience, not conviction in the virtues of the civilizing mission, was the driving-force behind this half-measured continuation of the civilizing mission. To start with, headmen, modern men as they supposedly were, administered customary law, which the colonial administration, not long ago, had denounced as barbaric and a hindrance to civilization. Yet, the upholders of customary law themselves – i.e. chiefs – were sidelined from the new native administration. And this was not because they were a traditional institution, for, as evinced by the application of customary law, the colonial administration no longer frowned upon tradition. It was simply that the colonial administration still looked upon them suspiciously as foci of resistance. Even by 1894, sixteen years after the last frontier war, officialdom still did not think enough time had lapsed to pacify chiefs[177]. Sideling chiefs and putting headmen in their stead, therefore, was a political strategy. Adherence to the principle of tradition as a controlling mechanism still stood. This was reaffirmed when headmanship was later converted into a hereditary position as we noted earlier in Chapter 4 with the Xhwili headmanship under the Tyalibongo family.

That chiefs did not have automatic right to administer and were subject to magistrates and elected headmen, made Transkei a rarity within the British Empire in Africa. In Natal, for instance, chiefs stood at the centre of administration in rural areas. Chiefs were empowered "to demand respect and obedience, to impose fines within limits and to arrest those who transgress orders"[178]. Similarly, in Nigeria, as one colonial administrator stated:

> The chief is the law, subject only to one higher authority, the white official stationed in his state as advisor. The chief hires his own police ... he is often the prosecutor and the judge combined and he employs the jailer to hold his

[177] Davenport, T, R, H, op cit, p.66.
[178] Mamdani, M, Citizen and Subject, 1996, p56.

> victims in custody at his pleasure. No oriental despot ever had greater power than those black tyrants, thanks to the support which they receive from white officials who quietly keep in the background[179].

But, despite its civilising appearance, the council system was simply a political show without real power. It did not provide internship to its native subjects as it alleged. Hammond-Tooke put it thus:

> The *Bhunga* was strictly non-political. Any motion, which appeared the slightest bit political, was ruled out of order. It had also not produced any real leaders. The members were afraid to speak up in front of government officials[180].

Lord Hailey, an architect of British colonialism, put it more eloquently and succinctly:

> ...Councils fail to provide the means for self-expression of which the more advanced sections of the population have felt the need ... [councils were] like restoring an Elizabethan house, preserving its façade and decorative interior features, but not including modern sanitation or lighting, leaving out bathrooms and a garage and expecting it to sell[181].

What emerged in the 1890s, therefore, was a sudden change of native policy in the Cape. All along the Cape administration had made it its objective to bring the Ngunis up to European level both in lifestyle and value system. The Cape administration wanted the Ngunis to jettison everything African and emulate Europeans in all respects. Hence English settlement was allowed within British Kaffraria in the 1850s to serve as role models for Africans.

But, the district council introduced a line of demarcation between the Ngunis and the settlers. Suddenly, the colonial administration thought the Ngunis not worthy of participating within the same political institutions as the European population. Equality ceased to be cornerstone of the colonial policy. Cultural difference became the determining factor of native policy. Initially thought to be susceptible to civilization,

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[179] Ibid.
[180] Hammond-Tooke, D, "Chieftainship in Transkeian Development" **Journal of Modern African Studies**, 2,1, 1964, p.468.
[181] Lord Hailey, (1958), African Survey, p.25.

some sections of the Ngunis were suddenly regarded immune to civilization. They were thought too traditional to be civilised was the claim.

Claims of Xhosa's incapacity for civilization had no factual foundation, but were a pretext intended to advance political and economic imperatives of the settler community. It also marked the entry of tradition into official discourse, in which the apartheid government, elected in 1948, would too find recourse to justify racial segregation and denial of franchise to Africans.

Return to (Neo-)Tradition, 1948 – 1994

The aftermath of the 1948 election of the National Party into government saw a drastic change in both agency and philosophy of Transkei's local government. The Bantu Authorities Act of 1951, retrieved chiefs and custom from the fringes and buoyed them onto the centre of rural governance. The elective principle was overridden by hereditary in accordance with customary law.

The overarching three-layered institutional framework and its functions remained roughly unchanged. Chiefs and tribal authorities replaced Headmen and location boards as prime authorities in the locations. Headmen were subject to chiefly authority. At the district level, District Councils made way for the Paramount Chief and his tribal council henceforth renamed a Regional Authority. A Regional Authority was either made up of a single chiefdom or cut across several chiefdom boundaries. And just as its predecessor, its functions involved supervising its constituent Tribal Authorities and undertaking projects beyond the capacity of each Tribal Authority such as serving as hospital and school boards. The *Bhunga* received some measure of autonomy, of course within the confines of homeland system. It was loosened from the grip of the governor-general. A new chairman in the person of a paramount chief was appointed by chiefs to serve as chairman. Paramount Chief of Eastern Pondoland, Botha Sigcau, was elected to this position and was succeeded by Chief Kaizer Matanzima in 1961.

An example of the shift from the British-imposed hybrid of heredity, meritocracy and elections to heredity in succession to traditional leadership is provided by our own case study of the Xhwili Chieftaincy. Although details of the history of Xhwili chieftaincy have been provided in Chapter 3, it is worth revisiting here just to illuminate and concretize the point at hand. In 1959, as the implementation of the Bantu Authorities Act gained momentum, the elected headman Tyalibongo was replaced by the Paramount Chief's appointee and brother Nxeko Bambilanga Mtirara Dalindyebo (hereafter referred to alternately as Nxeko or Bambilanga). The Tyalibongo's had been, according to the records dating back to 1905, headmen of Xhwili. Though the office was hereditary, as it was reserved only for the Tyalibongo's, it was elective, based on merit and subject to bureaucratic rules.

The first attempt to install Nxeko to the Xhwili headmanship by the Thembu Paramountcy, then Dabulamanzi Dalindyebo, was rebutted by the colonial administration. Dabulamanzi had argued that the headmanship of Xwili location traditionally belonged to the descendants of the *Qadi* [right-hand house] of the Great House. As a descendant of that house, Nxeko was thus the legitimate headman of the Xwili location. In a letter to magistrate of Umtata the Paramount Chief wrote:

> ... somewhere about year 1912, my late father Dalindyebo Mtirara established his kraal of the Qadi to the Great House in the Xwili Location. In his Qadi house the only son was Sihandiba, who died during the 1918 epidemic.
>
> Late Chief Dalindyebo Mtirara called David Dalindyebo, myself (Dabulamanzi) and Sihandiba to his kraal at Tyalara, and there he informed us that he had allotted the following locations to us: Mqwekezweni to David Dalindyebo, Xongora to Dabulamanzi and Xwili to Sihandiba.
>
> Sihandiba predeceased our father Dalidyebo... At the time of Sihandiba's death Sidelo Tyalibongo was the Headman of Xwili Location[182].

So, according to Dabulamanzi, the headmanship of Xhwili had been bestowed to the Qadi House of the Great House and thus to be inherited by Sihandiba. Even though the

[182] Letter from Regent Dabulamanzi Dalindyebo to the Magistrate of Umtata, no specific date provided, Umtata Archive, Umtata.

latter had died before ascending to the headmanship and thus failing to establish a line of succession, a ruling had nonetheless been made that the Xhwili headmanship belonged to the descendants of *Qadi* House. That the Xhwili headmanship continued to be occupied a Tyalibongo – i.e. Sidelo – after the ruling was because Sihandiba had died without an heir to succeed him. In other words, reasoned Dabulamanzi, Sidelo Tyalibongo (or whoever else succeeds him from the Tyalibongo family) was acting until an heir from the *Qadi* House was designated. Such an heir was thus found in Nxeko.

The magistrate of Umtata did not find the plea convincing and responded:

> I have been unable to trace any record of the appointment of Sihandiba referred to by the Chief Regent. On the contrary, it would seem that in November 1931 the then Chief Regent David Dalindyebo, supported the appointment of Swelindawo Tyalibongo[183].

Unable to establish any evidence to substantiate Nxeko's claim of being the heir to the Xhwili headmanship, the magistrate left it to the people of Xhwili to decide through voting. Nxeko stood for election against Myalule Tyalibongo in January 24, 1947. Tyalibongo won by 160 votes against none for Nxeko. Myalule, at the age of 33 years, was thus sworn in as headman of the Xwili Location with effect from January 15, 1947. His educational level put him in good stead for this position. He had passed standard IV and could read and write Xhosa only.

But, post-1948, under the Nationalist Party's Bantu Authorities Act, custom reigned supreme. On February 1, 1959, Sodayi Tyalibongo was replaced by Nxeko. This time it was not left to residents to decide. Rather, it was decreed from above. Nxeko was recommended by the new Paramount Chief, Sabata Dalindyebo. No compelling argument was provided to substantiate the decision. In his correspondence to the magistrate of Umtata Dalindyebo simply conveyed that it is simply his wish:

> I have the honour to inform you that the District Authority Executive Committee at its meeting on 12th January 1959 reccommended the appointment of Bambilanga Nxeko Dalindyebo as headman of Xwili Location. The matter was discussed by the members of my family and I

[183] Letter from Umtata Magistrate to the Chief Magistrate of Transkeian Territories, 3rd February 1947, Umtata Archive, Umtata.

> recommend that Bambilanga Nxeko Dalindyebo be appointed headman of Xwili Location[184].

The magistrate consented: "The appointment of Bambilanga Nxeko Dalidyebo with effect from 1st February, 1959, is supported.[185]" This marked a shift of Xhwili chietaincy from meritocracy to tradition. The King simply made an undertaking that the Tyalibongo family might once again be given the headmanship of Xwili once Bambilanga was promoted to chief:

> ... the Tyalibongo family have enjoyed the headmanship of Xhwili Location for a considerable time and, it is hoped, that if Bambilanga Nxeko Dalindyebo should be promoted to position of chief of a number of locations, then it might be necessary to relieve him of the headmanship of Xhwili Location. The Tyalibongo family would then have the preference when the headmanship of Xhwili Location is considered[186].

However, this pledge was never honoured. Nxeko was eventually promoted to chief of Xhwili, and there are no records showing the subsequent vacant headmanship position was immediately filled by the Tyalibongo. Presently that position is filled by one of Nxeko's sons.

Justifying this change, the NP government argued that the council system failed to effect development in the reserves. The reason for this, according to government, was that this system was incorrectly heralded by a wrong group of individuals - the educated African elite - who based their governance on premises foreign to the African form of government. Africans, argued the NP government, were best governed by their chiefs in accordance with custom. Emulating British native policy elsewhere, tribes became the defining feature of rural communities and chiefs its rulers.

Once more, the Xhwili case-study provides us with an apt example of the manipulation of tradition for political ends. Bambilanga was prone to breaking the law and, despite

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[184] Letter from Magistrate of Umtata to the Chief Magistrate of Umata Territories, 28th January, 1959, Umtata Archive, Umtata.
[185] Ibid.
[186] Letter from Bantu Affairs Commissioner of Umtata to the Chief Bantu Affairs of the Transkeian Territories, 29th May, 1959, Umtata Archive, Umtata.

this, was not deposed by the officialdom nor subjected to traditional censure. On November 22, 1961, Bambilanga was convicted "of attempting to defeat the ends of Justice, being the alternative to a charge of Extortion in contravention of Section 214 of Act 24 of 1886"[187] and sentenced to 120 days in prison and half of which was suspended for two years. A suitable sentence should have been removal from chieftaincy, as the Magistrate of Umtata intimated in his correspondence to the Chief Magistrate of Transkeian Territories: "... I shall be pleased to learn whether, in view of this Headman's conviction your authority wishes to take any action against him as far as the headmanship is concerned, or whether your authority has any other comments to offer[188].

From his side, Paramount Chief Dalindyebo had no doubt that, because of his propensity to fall foul of the law, Bambilanga had to be dismissed from Xhwili headmanship. The minutes of the meeting of the District Authority held in May 5, 1962, and which were sent to the Magistrate of Umtata, read as follows:

> [Bambilanga] has had criminal charges preferred against him and found guilty on several occasions at the Magistrate's court. This state of affairs has placed him [Dalindyebo] in great anxiety and has engaged his serious attention more and above that the said headman has been adopting a disloyal and uncompromising attitude towards him. Though sound and diverse advice has come his way repeatedly, he has not taken heed and now [the Paramount Chief] has no resort but to follow the old adage "spare the rod and spoil the child" thereby gauging his presumed salvation and giving a warning and hard lesson to him. It is cited that others of his estranged attitude in Headman J. Mkangeli and J. Mtirara personally approached him and had been granted a pardon. Therefore the Paramount Chief feels he has no option but to dismiss Headman A.B. Dalindyebo forthwith. I shall be glad if you will kindly make the necessary representations to the Department in this regard at your earliest[189].

The decision was not implemented instantly prompting the Paramount Chief to send another request to the magistrate: "I therefore earnestly appeal to you that the District Authority's decision of the 25th ultimo regarding the dismissal of the Headman Bambilanga, be applied with immediate effect, and before trouble arises".[190]

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[187] Letter from the Attorney-General in Grahamstown to Secretary for Justice in Pretoria, 21st March, 1962.
[188] Letter from the Magistrate of Umtata to the Chief Magistrate of Transkeian Territories, 8th May, 1962.
[189] Umtata Archive, Umtata.
[190] Correspondence, 25th June, 1962, Umtata Archive, Umtata.

The residents of Xwili also joined the Paramount Chief in his plea to the magistrate, but in a less diplomatic tone and language:

> Whereas the Chief Magistrate of the Transkeian Territories and whereas the Magistrate of Umtata have been fully and rightly and lawfully approached in the matter of serious complaints against ... Headman Bambilanga Mtirara of Xwili Location – complaints involving extortion, bribery and excessive use of corporal punishment brutally on old otherwise loyal Thembus, but notwithstanding the fact that such complaints have been recorded and lodged with the above Government Officials, these officials have connived at such even though subjects under ... headman have asked that the headman be deposed and some other suitable [man] of high quality; both an asset to the people and loyal to the Government be appointed to such headmanship as would result in the deposition.
>
> It is alarming and not in keeping with impartial judiciary and not juridical to sustain in agony and discontent the [headman] concerned. People call at the Great Place Bumbane every day to seek to know what the Government is up to by delaying the removal from headmanship of [Bambilanga]. Is the government prone to torture the Thembus through the sufferings that so far have been sustained by almost every subject under [Bambilanga]? If no, what is government doing regarding the plea that [this man is] highly and totally devoid of the most simple and elementary principle of an ordinary ruler and thereupon the Thembus do not want to take the law into their hands ...
>
> Be it noted therefore that this is no mere information, but a complaint being lodged with you with the fullest anticipation that your office will not place itself in the same position as has happened with our local offices – both the Magistrate's and the Chiefs Magistrate's Offices[191].

The magistrate of Umtata agreed with the Paramount Chief's decision and conveyed this to his superior Chief magistrate of Transkeian Territories:

> It can, however, not be denied that many of the allegations against Bambilanga are in fact true and it may be in the interests of the residents of Xhwili Location if a change of Headman takes place. The matter is submitted for the Department's consideration and decision[192].

The Chief magistrate of Transkeian Territories concurred with his Umtata counterpart:

> It is true that, according to confidential information I have received from a Senior Chief of the Thembus, that this young man takes after his father, who was also, as he puts it, inclined to be wild. There is large amount of

[191] Correpondence, 6th October, 1962, Umtata Archive, Umtata
[192] Correspondence, 5th June, 1962, Umtata Archive, Umtata.

> correspondence dealing with this man between our respective offices. Time and again he falls foul of the law and has to be punished in Court[193].

But, the Chief Magistrate also concluded that, because Nxeko was a government supporter, his transgressions did not warrant a dismissal: "... but I am satisfied that he, notwithstanding other shortcomings, is a supporter of Government Policy, even if it is only to a point". The Minister of Native Affairs, in his letter to the Chief Magistrate of Transkeian Territories, confirmed this and ruled that Bambilanga be retained as headman:

> As you know Nxeko is next in rank to the Paramount Chief in Tembuland Proper and in view of his traditional Status and the difficulties which have arisen as a result of the attitude of certain sections of the Tembus, in regard to constitutional and administration generally, I personally would not be inclined to support any action for Nxeko's dismissal or any drastic steps which could well aggravate an already inflammable situation. For these reasons an earnest endeavour must be made to influence Nxeko to turn over a new leaf, as far as his general conduct and tribal administration is concerned[194].

Even in the midst of this deliberation complaints continued to flow into the Magistrate's office over Bambilanga's abuse of power as one resident complained:

> The headman goes about a man's sheep by force that is four to five. He wants to have intercourse with my wife in my presence. If I go to him and ask for a kraal site he wants me to pay him R10. If I go and ask permission to brew some beer at my kraal he demands a hamel and a bottle of brandy from me. When I slaughter an *Intonyana* [a sheep], he wants me to take the whole one hind-leg to his kraal. That is all[195].

Another resident complained: "One day during winter he arrested my wife for having picked up some wood that she picked up as firewood he took here to his kraal and I had to pay R1 in order to have her home. That is all[196]".

While denying other accusations, Bambilanga consented to: "arresting women picking up wood on Sundays and threatening to hang a person by putting on a rope around his neck in order to scare him never to steal again". Despite this confession and his own

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[193] Correspondence, 12th November, 1962, Umtata Archive, Umtata.
[194] Correspondence, 27th November, 1962
[195] Records from the Magistrate's Office in Umtata, 5th October, 1962.
[196] Records from the Magistrate's Office in Umtata, 5th October, 1962.

acknowledgement of Bambilanga's 'inclination to be wild', the Chief Magistrate of Transkei Territories dismissed these complainants as a ploy by Paramount Chief to discredit Bambilanga:

> No complaints came to this office about [Bambilanga] while [he] enjoyed the Paramount Chief's favour, but complaints started since he has fallen from his favour. There may be an analogy between the Chief's disfavour and the dismissal of the headman[197].

Bambilanga was not only left unpunished for his transgressions, but was also rewarded. About six months later, in June 23, 1963, he was among the headmen promoted to sub-chief. His jurisdiction was extended beyond Xhwili to include Qunu, Mpunzana and Cacadu locations as well. This happened despite the Paramount Chief's opposition, as the Chief Bantu Affairs noted:

> ... The Paramount Chief was due to discuss the matter once more with the Supervisory Officer and had agreed to come in on the 26th June, 1963, but failed without any notification. The Paramount Chief has a number of such broken engagements with the Bantu Affairs Commissioner and me as well. It appears that he is deliberately delaying matters – as is his wont – and I consider that everything has been done to try to have him adopt a constructive attitude towards this matter[198].

Government's refusal, therefore, to comply with custom (and its own laws) by sanctioning the way-ward Chief Bambilanga, gives the lie to the claim that the Bantu Authorities Act embodied a revival of African tradition. The real intentions behind this law were political and economic. Serving as a building-block for Transkei's self-rule in 1963 and eventually independence in 1976, the ascension of (psuedo) tradition, through Bantu Authorities Act, provided a pretext to, as Mahmood Mamdani[199] argued, balkanise the entire African majority population into several minorities confined into their separate traditional territories leaving whites as a majority in 'White South Africa' thereby assured of political hegemony. Economically, that Africans would only be allowed entry into 'white South Africa' for a short period of time and only to work – i.e. as migrant labourers – the Bantu-stan system, based as it were on specious claim that it facilitated

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[197] Correspondence from Umtata Magistrate to the Chief Magistrate of Transkeian Territories, 27th November, 1962, Umtata Archive, Umtata.
[198] Ibid.
[199] Mamdani, M, (1996), Subject and Citizen.

the free expression and practice of African tradition, allowed for their maximum exploitation and maximum profits for the employers. The Mines Natives' Wages Commission admitted as much in 1944:

> ... the gold mining industry of the Witwatersrand could not have been developed, nor could the Union have reaped the consequent economic benefit which it has derived from that industry, but for the fact that the cheap unskilled labour necessary has been available through the migrant native being prepared to sell his labour at a price rendered possible by his possession of a supplementary means of subsistence from his holding in a Reserve[200].

So, custom was used, redefined or simply discarded in pursuit of (colonial and apartheid) political and economic interests. The real aim behind the introduction of the Bantu Authorities Act was not to return to Xhosa tradition, but to shore up white political dominance and to enable employers to make maximum profits through unrestrained exploitation of African labour.

This manipulation of tradition was followed by an emergence of electoral politics and multi-partyism, which gave Transkei the appearance of a democracy with a citizenry accustomed to democratic politics. Or was it?

Post-1960 Transkei: A Democratic Triumph or Continuation of Tradition in Disguise

As the Transkei entered the 1960s it was mired in contradictions. The Transkeian population rose up against the despotic chiefs, only to be brutally suppressed. Then the Bantustan government introduced electoral politics. Whilst the uprising was brutally suppressed, the subsequent introduction of electoral politics suggested a concession to the democratic spirit that seemed to have inspired the uprising years earlier. Taken together, these events seemed to signal a democratic breakthrough in Transkei. These events appeared to herald a historical beginning of political activity that promised to cultivate a democratic culture that would, in turn, nurture democratic institutions and practices

[200] cited in Southall, R, op cit, p.75.

whose presence are crucial for the flourishment of a project such a rural democratisation. Or did the two events signal a false start? Was the appearance an illusion of a new start that actually disguised a continuation of the status quo?

It is crucial to ponder these twin political developments, for they provide a useful insight into the political history of Transkei. This, in turn, helps us understand the intricacies and dynamics that would confront the post-apartheid rural democratization project. After all, Transkei's political history, notably these historical events, among others, played a pre-determinative influence on the contemporary political culture and institutions, on which the success (or failure) of the current democratization project, partly, hinges.

Peasant Rebellion

Between 1960 and 1962 Transkei broke out into a peasant rebellion, particularly in and around Pondoland and Thembuland. The targets of the rebel's attacks, grievances and leadership suggested that the uprising was inspired by a combination of discontent with chiefly rule and the broader political demand for the abolition of the Bantustan system.

The rebels targeted chiefs and state employees who enforced government policies. Acting under the banner of an organization called *Ikongo* and led by a leadership dubbed *Intaba* Committee, residents of Pondoland's areas of Bizana, Lusikisiki and Flagstaff burnt houses of collaboraters and those who did not flee were killed such as Chief Vukaibambe Sigcau, brother to Botha Sigcau who became the first president of the self-governing Transkei. A total number of 22 people were killed which included 2 chiefs, 5 police informers, the rest were headmen and bodyguards. By August 1960 Black Authority had collapsed in Bizana as well in some areas of Lusikisiki and Flagstaff. Judicial and administrative tasks were taken over by the *Intaba* Committee. In Thembuland too, one chief and eleven other government accomplices were killed in 1960. In 1962 opponents of the Bantu Authorities Act and members of the Pan Africanist Congress's military wing, Poqo, twice attempted to assassinate Kaiser Matanzima – an arch supporter of the

Act – but were intercepted by the police. There was also sporadic violence between Matanzima's militia force and opponents of the Act in some areas[201].

Attacks on chiefs implied a rejection of the Bantu Authorities Act as it drastically altered chief-subject relations. Randolph Vigne described what he observed at Engcobo district as follows: "...the Engcobo district was the scent of intense hatred of Bantu Authorities, and of deeper rooted disaffection with white rule in its latest harshest form"[202]. Chiefs became answerable, not to their people, but to the government and enforced government policies in an autocratic manner against their people's wishes - i.e. Rehabilitation Schemes which included reduction of livestock and relocation of families, and drastic hike in tax. Taxation worsened the people's already precarious existence and the scheme was a direct assault on their belief system. Ownership of livestock was a status symbol in rural areas. And people had deep emotional ties to the land as it formed part of their identity and bore the graves of the forefathers[203].

The background of the leadership and some rebels also accentuated the political slant of the uprising. One of the Mpondo leaders, Anderson Ganyile, was a member of the Youth League who had been expelled from Fort Hare University College because of political involvement[204]. Some leaders of the uprising in Thembuland were members of Poqo – a military wing of then banned Pan Africanist Congress – which had a strong presence among Cape Town's population of migrant workers[205]. Some of the demands of the rebels were direct parliamentary representation and abolition of Bantu Education.

The revolt was, however, violently suppressed by the police at the infamous Nqguza massacre. About 11 to 30 people were estimated have been killed by the police and 60 were seriously injured. A state of emergency was declared throughout the Transkei empowering the police and chiefs, through proclamation R400, to detain suspects with trial and to banish suspects from their communities and to burn their huts. By April 1961

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[201] Lodge, T, op cit, p. 286.
[202] Vigne, R, (1997), Liberals Against Apartheid, 1953-68, p.167.
[203] Southall, R, South Africa's Transkei, 1982, p.104-114.
[204] Mbeki G, op cit. p.34
[205] Lodge, T, Black Politics in South Africa Since 1945, p. 285, 1982

114 were awaiting trial for murder, 121 for arson, 289 for other serious offence. Of those charged with death, 30 were sentenced to death and nine of them were later reprieved. But the mere occurrence of the uprising itself indicated a presence of popular resentment against chieftaincy.

Yet the insurgence, contrary to the Maloka as noted earlier, did not signify a rejection of chieftaincy per se nor was it a demand for democratically elected institutions to succeed chieftaincy. The revolt was a local initiative incited by local grievances against chiefs. Chieftaincy was not the target of the revolt. The grievance that spurred the revolt was the despotic powers conferred on chiefs by the Bantu Authorities Act. Subjects sought to reform chieftaincy back to its pre-Bantu Authorities Act status, not to eradicate it completely. This act had empowered chiefs to, on behalf of the apartheid government and without a traditionally required consensual agreement, enforce policies that threatened the livelihood of their subjects. Migrant workers discussed this in their Poqo meetings in Langa township, Cape Town:

> The first thing he [Matanzima] did was to introduce fencing and now he is moving huts and kraals to some other place. It appears that he has sold the plots where the kraals were to the Europeans because there are huts there. Now he is assaulting us ... Chief Matanzima has sold our land; we are going to kill him[206].

Moreover, a co-conspirator in Matanzima's assassination was arrested with a letter from his mother containing references to his land having being taken away[207]. Government policies had obviously driven these men to taking desperate measures in defence of their livelihood. And, in the PAC, which agitated for the restoration of land to Africans and military resistance, migrant workers found not only encouragement, but also the means to resist these policies by killing its perpetrators. Political organizations, particularly the PAC, were involved to the extent that they supported local individuals. The uprising, therefore, was partly influenced by political ideas, but it was not a rejection of chieftaincy as much as it an attempt to restore it to its pre-Bantu Authorities Act form.

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[206] Lodge, T, (1983), Black Politics in South Africa since 1945, p.287.
[207] Ibid.

Party System and Electoral Politics

An institution of competitive electoral politics in 1963 after Transkei had gained self-government two years earlier followed the rural uprising. Marking its newly acquired status, Transkei was bestowed with symbols of autonomy ranging from a constitution, to an independent parliament, a national flag and an anthem. To underscore its democratic foundations, a plethora of multiple parties[208] sprung up to contest what was said to be free and fair elections[209].

Following just after the rural uprising, the afore-mentioned developments appeared, in part, to be a concession to the anti-chieftaincy sentiments and a move to allow for popular participation in public affairs through elections and parliamentary representation. A closer look at the political system - drafting of the constitution, parliamentary composition, subsequent elections, political space to opposition parties and the party system – however, indicates that the democratic appearance of the self-governing Transkei was a charade.

The very beginning of the process, that is the drafting of the constitution, refutes the alleged autonomy of Transkei. The constitution was not drawn up the by members of the *Bunga* nor its populace, but by the apartheid government which it then imposed onto the members of the Bunga to endorse. Attempts to consider an alterative constitution, drawn by the Tembu Constitutional Committee based on popular views, at the initiative of Sabata Dalindyebo, were thwarted. Its chairperson, Lewis Majija, was arrested under Proclamation R400 and the committee itself was declared illegal. When Dalindyebo eventually managed to have a Bhunga session, in December 11-13, 1962, to vote on the alternative constitution, it was defeated by 43 votes to 11. It appeared that the defeat was not due to its unpopularity per se, but to the apartheid government's intimidation chiefs. Earlier on before the voting session, chiefs were summoned by the Commissioner-

[208] Political parties included the Democratic Party (DP), the Transkei National Independent Party (TNIP), the New Democratic Party (NDP), the Transkei People's Freedom Party (TPFP) and the Transkei National People Party (TNPP). The first to emerge and the main parties were the DP and TNIP.
[209] Southall, R, op cit.

General Hans Abraham and Secretary of Bantu Administration and Development, C.B Young, and instructed to vote against the Dalindyebo initiated constitution[210].

Thus the intention was not foster democracy in a self-governing ethnic state, but, as Hendric Verwoerd, the architect of apartheid, had himself conceded, to buy "... for the White man his freedom and the right to retain domination in the rest of the country"[211]. Parliament itself was not composed in a manner that enabled the dominance of popular will. Chiefs were allotted more seats than elected representatives by 64 to 45. This ensured that elected leaders never had a majority, which would empower them to steer Transkei away from the apartheid design. For, elected leaders opposed the homeland system. At the opening of the 1963 parliament, for instance, they voted for an opponent of the homeland system, Paramount Chief Poto[212], for the position of Prime Minister Paramount. But, because of their inferior number, they were defeated. The appointed chiefs voted for Kaiser Matanzima, a chief proponent of the homeland system. Chiefs had a stake in retaining self-government as it, through the Bantu Authorities Act, brought them onto the center of rural administration and essentially ensured the untrammeled dominance (as illustrated earlier in the case of Chief Bambilanga).

Moreover, the electoral system was not free and fair. Chiefs meddled with the political choices of voters. This was particularly so with illiterate voters, who, at polling stations, declared their votes instead of making a mark on a ballot paper. In the presence of chiefs, who often acted as electoral officers[213], illiterate voters were intimidated into declaring their votes in favour of candidates preferred by the chief. Chiefs made their preferred candidates quite clear and instructed voters to vote for them. In some instances meetings were called in which chiefs told the gathering to support the TNIP. For instance, in an

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[210] Vigne, R, op cit, p.175.

[211] Ibid, p.169.

[212] Poto was a Paramount Chief of the Eastern Pondoland and had been a member of defunct Natives Representative Council from 1937. He repudiated apartheid and racial exclusiveness and favoured multi-racialism. Poto believed in the creation of an independent state, he truly wanted African to govern Transkei not in proxy. His vision of an independent Transkei parliament was a bicameral legislature comprised of an upper house of chiefs that would review laws and check the excess of elected members. The lower house would be made of elected leaders. See Southall, R, op cit.

[213] For instance, in the 1968 elections 23 of the 26 voting stations were mended by chiefs, cited in ibid.

insightful and thorough study of political parties and issues in Transkei, Kotze notes that interviews conducted by African journalists with 500 voters in Fingo and Umzimkhulu in 1965 revealed the voters rated instructions from the Paramount Chief and sub-ordinate chiefs as two most determinants of their political choices[214].

Moreover, Kotze himself discovered that "...ballot boxes from administrative areas ... where the headmen support a certain party, have an almost 100 per cent return for that particular party". Thus he concluded that there is no doubt that chiefs and headman abuse their powers and intimidate their followers to vote for a certain candidate of their liking. Reluctant voters were forced to comply with the chiefly instructions because chiefs were the prime authority in rural areas. Kotze attributed this compliance to the fact that chiefs and headmen were administrative functionaries whose services were sought in relation to matter such as:

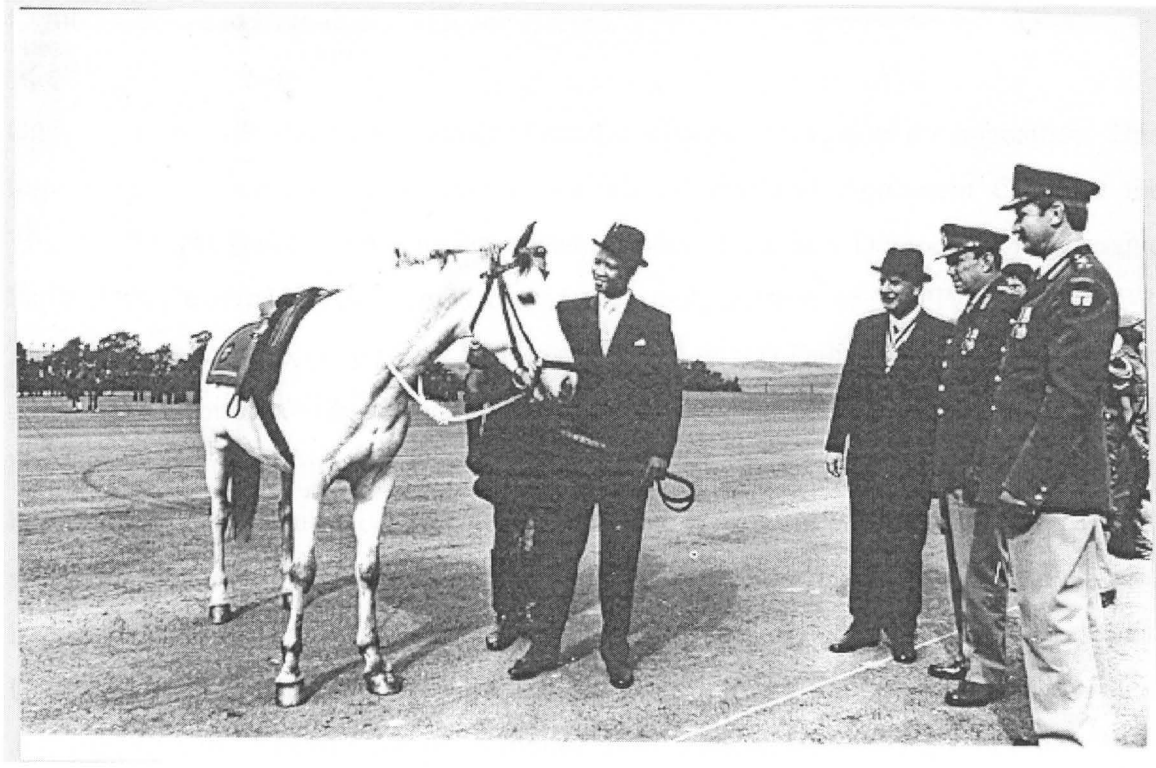
> ...the allocation of lands (which carries much power as agriculture is the main economic activity in the Transkei), application for old age and other social welfare pensions, educational matters, and agricultural improvement. They are also recgonised arbiters in disputes between local people[215].

Reliance on chiefly influence and coercion undermined the importance of building a significant party structure to undertake mobilization of support. Kotze observed that: "Pretensions of homeland parties to mass-party status cannot be sustained by their inefficient, small-scale organizational efforts"[216]. Whilst the ruling party, TNIP, boasted of being the only party in Transkei with a permanent secretary-general, hardly any branches were found in its strong-holds throughout the 1960s into the early 1970s. In 1971 TNIP membership stood at a paltry 6,000 in the entire Transkei. The structure of the second oldest and strongest party, the DP, was in even worse condition. The DP "had no dues paying members, and a decision of its annual congress of September 1972 to resume formal recruitment of members remained a dead letter"[217]. In other words, chieftaincy formed the bed-rock of the party machinery. In the case of the TNIP, which boasted of

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[214] Kotze, D, A, (1975), African Political Parties in South Africa 1964-1974: Parties and Issues, p.205.
[215] Ibid, p.206.
[216] Ibid, p.104.
[217] Ibid, p.116.

some party structure, chiefs and tribal authorities acted as party agents issuing membership cards and selecting nominees to stand for elections. The party system, therefore, was not independent of chieftaincy, but was an integral part there-of[218].



Chief Minister of Transkei, Kaiser Matanzima holding the reins of a horse presented to him as a gift by the South African government. Looking on from left to right are: Minister of Defence PW Botha, Chief of Defence Force Gen. Magnus Malan and Col. P. Nortje, 1976. Source: Daily Dispatch

Parties that did not enjoy chiefly support and were critical of the homeland system, not only suffered electorally but were also clamped down upon by the homeland government. Opposition parties were permitted to exist in so far as they played within the rules of the homeland system. Once they transgressed the rules, they were clamped down upon. This happened in 1976 when the DP, under the new leadership of Hector Ncokazi, allied itself with the radical South African Student Organisation (SASO) and the Black Peoples Convention (BCP). The DP, as did its new allies, called for the eradication of the Bantustan system. On 25-27 July, 1976, Matanzima launched a crackdown on the DP leadership. Ncokazi, an accountant at a bus company controlled by the government's Xhosa Development Corporation, was dismissed from his job. The

[218] Kotze, D, A, op cit, p.131.

entire executive of the party was detained under Proclamation 400 which was issued during the Pondo revolt. Only 11 members of the DP were able to stand for the 1976 elections under severe restrains. The party secured only three seats, two ex-officio members Poto and Dalindyebo and one elected.

Once again in 1979 Matanzima launched another clampdown against the opposition. This time around, though, he went directly for his relative and Paramount Chief of the Thembu, Sabata Dalindyebo. The latter was a leader of the new Democratic Progressive Party (DPP) that had been formed out of the amalgamation of TNPP, DP and NDP. Though the entire executive of the DPP was arrested, it was Dalindyebo who was singled out for prosecution. With the passing of Poto, Dalidyebo became the most respected, highly ranked and the most feared opposition leader by the Matanzima regime. He had a huge following and publicly criticized Matanzima of 'having sold his people to Boers' and stolen the Paramountcy of the Emigrant Thembuland. For this Matanzima charged him with undermining parliament, the constitution and the dignity of the president. Dalindyebo was found guilty only on one charge of injuring the dignity of the president and sentenced to a fine of R700 or 18-month imprisonment, with the R200 or 6 months of the sentence suspended. He chose to pay the fine[219].

However, Dalindyebo's penalty did not end with payment of the fine. He was dethroned and subjected to frequent police harassment. In 1980 Dalindyebo eventually fled Transkei and joined the then banned ANC in Lusaka, Zambia. His old foe and brother, Bambilanga Nxeko Mtirara was installed in his place as Paramount Chief of the Eastern Thembuland. Mtirara's history as a long-time foe of Dalindyebo and supporter of the Bantustan system were the credentials that qualified him for this position.

So, promising as they seemed, the Pondo revolt and multiparty politics were misleading in appearance and had an ephemeral existence. Without competitive politics and thus lacking in accountability, Transkei became a fertile ground for political corruption. Kaiser and George Matanzima, President and Prime Minister respectively, indulged

[219] Streek,B, (1981), Render Unto Kaiser.

themselves without any fear of reprisals. Just after the '1976 independence', they appropriated farms that had been handed over to Transkei by the South African government as part of the Homeland consolidation plan. And of the houses that the South African government had donated to the Transkei, which it had bought from whites who wished to leave Transkei, only one was registered in the Umtata title deeds registry. Most were bought by Matanzima's cronies at give-away prices ranging from R2000 to R5000 for houses that were worth between R40 000 and R50 000[220].

By the 1980s corruption had assumed a life of its own. It was like a cancer that had pervaded the entire body politic. In 1988 a commission of enquiry, that George Matanzima [221]unknowingly authorized, headed by Judge Alexandra, revealed a web of corruption perpetuated by the Matanzima brothers dating back to the early 1980s, particularly in the gambling industry. Among others, the Commission revealed that in 1983, through his wife, Kaiser Matanzima was a shareholder in a gambling company - i.e. Mzamba Development Company that his government had granted hotel and gambling rights to an area called Mzamba. In a more prominent case in late 1980s, the Matanzima brothers received a R2 million bribe from Sol Kersner's International Sun to secure gambling rights in Transkei[222]. In a daring display of greed, in one instance George Matanzima collected R5000, 000 in cash in a cardboard box, in exchange for a housing contract[223]. A total of R200 million was estimated to have been misappropriated between independence and March 1986 and a further R58 million was simply spent without authorization[224].

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[220] Streek, B, op cit.

[221] Director General duped George Matanzima, then Prime Minister, into signing a letter authorizing the probe by including that letter of authorization in a heap of letters that the Prime Minister routinely signed. The Prime Minister signed without paying much attention to that letter. He was shocked to find out that he had authorized an investigation into corruption, more so when he realized that he had signed his way to prison as the enquiry was likely to unearth his involvement in corruption. See Peires, J, "The Implosion of Transkei and Ciskei" in **African Affairs**, 91, 1992, p.368.

[222] A Report of the Alexandra Commission of Enquiry, 1988.

[223] Peires, J, "The Implosion of Transkei and Ciskei" in **African Affairs**, 91, 1992, p.368.

[224] Southall, R, "Introduction: Rethinking Transkei Politics" in **Journal of Contemporary African Studies**, 11, 2, 1992, p.5.

Thus the decade of the 1980s not only saw in a brutal suppression of democratic politics in Transkei and an unparalleled hegemony of chiefly rule, but also an endemic culture of institutional corruption. Needless to say such a state of affairs posed a number of formidable challenges for the post-apartheid rural democratization process that would follow later. It robbed Transkei residents of an experience in associational and political life, which would have cultivated, among them, a democratic culture requisite for democratic participation in public institutions. The endemic corruption of the public institutions and its representatives meant that the post-1994 officialdom would suffer from a credibility problem arising from popular distrust of the officialdom. This would, in turn, stood to affect the level of popular participation in public institutions, for the populace is likely to be skeptical that the officialdom would not respond accordingly to their needs since they do not perform in accordance with the rules and regulations.

A Political Watershed: The Dead Resurrect Resistance Politics

Until the late 1980s Transkei remained stifled under a tight grip of the Matanzima regime. This effective job of political repression owed to the Transkei Defence Force (TDF), particularly its 27 senior white officers, led by General Ron Reid Daly. Formerly with the Selous Scouts in the then Rhodesia, these officers had distinguished themselves as a ruthless counter-insurgency unit and gained notoriety because of their brutal suppression of Zimbabwe's liberation movement. Unsettled by the protests over Sabata Dalindyebo's prosecution and fearing a recurrence of similar events in future, in 1983 Kaiser Matanzima (colloquially known as KD) had recruited the Rhodesians to lend their expertise in political repression to Transkei. They did not disappoint. Whilst the rest of the country and other homelands were seeing a revival of political resistance from the early mid-1980s, Transkei remained steeped in a political lull. The success of the repression was such that, according to Jeff Peires, there "were no trade unions in Transkei before 1989" and "it was the only part of South Africa where the United Democratic Front was unable to establish itself"[225].

[225] Peires, J, "The Implosion of Transkei and Ciskei" in **African Affairs**, 91, 1992, p.367.

The iron curtain was lifted in 1988. The agent of that drastic change was General Bantu Holomisa, then head of the governing Military Council. A sign that a new era had dawned in the political history of Transkei was the exhumation and reburial of the body of Sabata Dalindyebo, the Thembu King, a foe to Matanzima and the homeland system and a formerly exiled member of the then banned ANC. With that event the ANC was too reprieved from political obscurity into mainstream politics of Transkei.

Before examining the rebirth of the ANC in Transkei, however, it is crucial that we throw our gaze back into history to establish the nature of the relationship between the ANC and rural Transkei. For, the late 1980s was not the first time that the ANC had ventured into rural Transkei. Looking back into history will explain why, beyond the brutality of the Matanzima regime, the organization had failed to gain a foothold among the rural folk of Transkei. Understanding this history will, in turn, inform us of the organizational ethos and mobilization tactics vis-à-vis rural people not only in the past, but currently as well.

ANC and Rural Transkei: A Historical Conundrum

The ANC had a contradictory relationship towards the rural folk and their chiefs. This relationship, particularly in relation to chiefs, was characterized by vacillation from embrace and detachment. They were attracted to chiefs by the need for validation, on the one hand, and repelled from them, on the other hand, by their own elitism. The net outcome of this awkward relationship was an organizational absence in rural areas.

Early years of the organisation's existence were marked by a close interaction with traditional leaders, whilst detached from their rural base. Chiefs were present at the founding meeting of the ANC in January 8, 1912, in which they were also allotted a privileged position and status in the organization as members of the Upper House. But, the Upper House later collapsed in the 1920s as chiefs lost interest in ANC activities. Even the two Conventions of Chiefs that Pixely ka Seme, ANC president at the time, organized in the 1930s failed to revive chiefly interest in the organization. Lack of recruitment and organizational presence among the rural masses stemmed from the leadership's predisposition towards elitist politics. They believed that government could

be best persuaded through petitions and delegations, as opposed to mass protests and demonstrations.

To be sure, the inclusion of chiefs was symbolical and demonstrated that the practice of democracy was not alien to Africans. This was meant to refute colonial assertions that Africans are not familiar with democracy and thus not worthy of franchise. Nationalists argued that democracy was not alien to Africa because chieftaincy itself was democratic. This democratic heritage was symbolized by chiefs, particularly in the manner they related to the rest of the ANC leadership. At provincial and national congresses chiefs:

> ... after listening to a debate they would take up a resolution passed by the 'Lower House', sit in council and deliver their verdict. The President-General would then have the last word, as ordinary members could not resume discussion of an issue after the chiefs had spoken[226].

Other than historical familiarity with democracy, the inclusion of chiefs was also meant to symbolise unity among Africans. Nationalists considered unity (or nation) crucial both as a mark of civilization and as a political strategy to defeat colonial rule. In an article published on *Imvo Zabantsundu*, in October 24, 1911, Pixley ka Seme wrote:

> ... the aberrations of the Xosa-Fingo feud, the animosity that exists between the Zulus and the Tongaas, between the Basutos and every other Native must be buried and forgotten; it has shed among us sufficient blood! We are one people. These divisions, these jalousies, are the cause of all our woes and of all our backwardness and ignorance to-day[227].

Decades later in 1949, Dr Xuma, ANC president at the time, reiterated the call for unity and berated tribalism at a meeting in Port Elizabeth:

> We cannot hope to achieve a position of importance in the affairs of men without the unity of all the tribes. The primary object of the African National Congress is to fight against tribalism and then against oppression and exploitation. Tribalism is the arch-enemy of our freedom and progress ....
>
> The greatest danger to our unity is not the white man but the African himself. In the past it was divisions that destroyed our race and reduced it to the position in which we found ourselves to-day. Let us therefore

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[226] Walshe, P, op cit, p.210.

[227] Karis, T, and Gwendolen Carter, (1972), From Protest to Challenge: A Documentary History of African Politics in South Africa, 1882 -1964, p.72.

> organize a crusade against tribalism as the first step in our struggle for national liberation[228].

Moreover, chiefly presence within the Congress movement depicted a sense of continuity with the past, particularly continuity of resistance against colonial rule. Inclusion of chiefs conferred upon the ANC an imagery of a confluence of the old and young warriors against the same enemy for a similar objective. It symbolized the passage of the baton from the old to the new generation borne out of the recognition that the changing nature of the South African society called for a new leadership and new methods of colonial resistance. Nationalist leaders became heirs of the legacy of resistance bequeathed upon them by their predecessors who had fought, but failed to topple colonial rule. An ANC Youth League statement urging mass involvement in a National Day of Protest in 1950 exemplified this belief:

> The protest is to us a manifestation of all those divine stirrings of discontent of the African people since 6th April 1652, onward – through the period of the so-called Kaffir Wars, through the days of Dingana, through the days of Moshoeshoe, through the days of Sekhukhuni …[229]

But, whilst embracing chiefs, national leaders rejected the society and the value system these figures represented. They were in fact Eurocentric. Christian converts and graduates of missionary schools themselves, nationalist leaders considered the mastery of English culture as an acceptable condition for equal treatment and rights. Thus John Dube, the first President of the ANC in a speech in 1914, couched his demand for African franchise, not on their mere humanity, but in the language of civilization as follows:

> We feel that the time has come when we should have some measure of legislative representation, some way of making our influence felt in the law-making powers. Our progress in the Gospel life and its accompanying civilization demands it …[230]

Nationalists' aspiration for assimilation grew in proportion to their alienation from African traditional customs. They accepted colonial definition and denouncement of traditional life as a state of barbarism that had to be shrugged off as a precondition for

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[228] *Bantu World*, 16/07/1949 in Gail Gerhart's Collection of Material on the ANC.

[229] Karis, T, and Gwendolen Carter, (1973), From Protest to Challenge, Vol. 2, p.445.
[230] Walshe, P, (1971), The Rise of African Nationalism in South Africa, p.39.

admission into civilised society and for humane treatment. Reflecting this mind-set, Dube shouted to his followers: "Onward! Upward! into the higher places of civilization and Christianity – not backwards into the slump of darkness nor downward into the abyss of antiquated tribal systems"[231].

It was this equation of traditional custom with barbarity, and thus a disqualifier for colonial acceptance, that encouraged nationalist alienation from rural life and traditional institutions. African nationalists accepted the colonial bifurcation of the African population into subjects and citizens. Citizenship, they reasoned, belonged only to the educated elite, "not the uneducated rural pagans". The latter were subjects who rightfully belonged under the authority of chiefs. As a result of this reasoning the ANC, concluded Colin Bundy,

> ... the oldest nationalist movement in South Africa, had never – since its formation in 1912 – established an effective presence in the Transkei: in the 1940s, however, it began more persuasively than before to mobilize certain groups and individuals[232].

It was only from the 1940s onwards that the ANC leadership began to show interest in rural mobilization. In 1952 it took a resolution to target the Stock Limitation Proclamation of 1949 in its Defiance Campaign. This resolution, however, was not followed by actual mobilization. Two years later the ANC's National Executive Committee (NEC) warned that there was 'a danger of the African National Congress becoming an urban-based and urban-orientated organisation'. But, this warning did not galvanise the NEC into action. In 1956 Nelson Mandela wrote: 'The problem of organization in the countryside poses itself as one of major importance for the liberatory movement'[233]. Underscoring the ANC's neglect of the countryside, Mbeki hoped that the revolt would finally convince the ANC to start paying attention to the countryside:

> The Pondo movement succeeded by example in accomplishing what discussion had failed to do in a generation – convincing the leadership of

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[231] Ibid, p.38.
[232] Cited in Bundy, C, "Land and Liberation: Popular Rural Protest and the National Liberation Movements in South Africa, 1920-160" in Marks, S, and Stanley Trapido, (eds.) (1987), The Politics of Race, Class and Nationalism in Twentieth-Century South Africa, p.255.
[233] Bundy, C, op cit, p.277.

> the importance of the peasants in the reserves to the entire national struggle"[234].

The ANCs lacklustre interest in mobilizing rural communities of Transkei was echoed by Raymond Mhlaba's skepticism upon hearing of the Pondo revolt. Then an organizer of the ANC in the Eastern Cape region in the 1960s and a native of Transkei, Mhlaba wrote in his memoirs:

> Leaders of the resistance movement in Pondoland approached us for assistance against government troops. We discussed this as leaders in PE. I believed that their revolt was going to fail and I was therefore opposed to it ... I felt that the revolt was doomed and wanted it to end[235].

In a similar negligible treatment of the uprising in his autobiography, Nelson Mandela, a close relative of both Matanzima and Dalindyebo and a regular host of visitors from Transkei before incarceration, makes no mention of the ANC's presence in Transkei or involvement in the uprising[236].

In the aftermath of the brutal suppression of the revolt, however, the exiled ANC took rural mobilization more seriously:

> The Government have chosen the Western Cape and Transkei as the battle fields ... We accept this challenge without regret ... The time has come for us to adopt a new attitude towards rural areas ... Peasant committees of migrant workers in the cities and of people in the countryside must be formed promptly to co-ordinate activities. We must fight the culling down of stock, rehabilitation, landlessness, forced removals ...[237]

However, the Matanzima government was equally intent on suppressing political opposition in Transkei. Govan Mbeki himself was banished from Transkei because of his political activity. Paramount Chief Sabata Dalindyebo's powers, as noted above, were eclipsed, then he was stripped of his title and was eventually hounded into exile. Even when Matanzima put up a façade of Transkei as a multi-party democracy, he still could not resist the lure to clamp down on opposition parties that challenged the homeland system. Such parties were crushed and its leaders imprisoned by the early 1980s leaving

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[234] Mbeki, G, The Peasant Revolt, p.131.
[235] Mufamadi, T, (2001), Raymond Mhlaba's Personal Memoirs, p.111.
[236] Mandela, N, (1994), Long Walk to Freedom, p.271.
[237] Bundy, C, op cit, p.278.

the Transkei without any extra-parliamentary political activities for the most part of that decade.

Whilst the rest of South Africa saw a phenomenal emergence of extra-parliamentary organisations sympathetic to the liberation movement and experienced a resounding surge of political protest and demonstrations, Transkei was mired in a political lull. A member of the Transkeian region of the Azanian Student Organisation (Azaso) in the 1980s and current ANC member of the Eastern Cape Legislature, Mahlubandile Qwase, in concurrence with Jeff Peires as noted earlier, remarked: "There was no open political participation or mass-based politics in the 1980s". Anti-government political activities, elaborated Qwase:

> ... mostly took place clandestinely. People supported underground structures such as MK. But these operatives did not openly associate themselves with the political activities. I mean high-profile individuals such as doctors Dabula, Goqwana and Ntsaluba [the latter is the DG in the Foreign Affairs Dept. and the former an MEC of Health in the EC province] were involved in such clandestine work[238].

But, extra-parliamentary organizations were not absolutely absent. Students at the University of Transkei (Unitra) managed their own branch of the Azanian Student Organisation (Azaso) in the mid-1980s. By virtue of their campus location and the repressive nature of the Matanzima regime, Azaso leaders most focused on student issues and confined their organizational activities within the campus. Their notable protests in the 1980s were the strike that led to the closure of the university in 1985 and the boycott of graduation ceremonies. The brutality of the security forces in Transkei forced the students to adopt measures that were less confrontational and thus unlikely to attract the wrath of these armed forces. The killing of Luthando Ndondo, one of the prominent leaders of the Azaso involved in organizing the 1985 student strike, and a general clampdown on student leadership on campus leading to some fleeing Unitra, had sent a clear sign to the students that KD's regime would stop at nothing to suppress their activities.

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[238] Interview, 08-12-2003

Whilst non-confrontational, boycotting graduation ceremonies sent a powerful political message. This act symbolized a strong denounciation of KD's regime. Qwase explained:

> KD was the Chancellor of the university. We were sending a message that we could not allow a person whose, hands are dripping with the blood of comrade Ndondo and a number of other comrades, to cap us[239].

The fact that Transkei students could use this strategy to express their opposition to Matanzima's regime without attracting its ire, made graduation ceremonies the most popular form of protest throughout tertiary campuses in Transkei. The success rate was highest in Transkei to an extent that, Qwase boasted: "The Transkei region of Sansco [an offshoot of Azaso], which fell under Natal at the time, received a standing ovation at the 1989 conference"[240].

The Re-burial of Sabata Dalindyebo: A Mark of a New Dawn

Sabata Dalidyebo's reburial on October 1, 1989, was a watershed event in Transkeian politics. It marked the end of political repression in Transkei and an opening of a political space for resistance politics. Not only that, the reburial introduced a new figure onto the landscape of resistance politics – Bantu Holomisa -, whose subsequent actions catapulted him to national prominence and impacted on the ANC's standing and mobilization in rural Transkei.

Dalindyebo was first buried in 1986 after his death in exile in April 6, 1986. The reburial was undertaken by General Bantu Holomisa, who had earlier risen to power through a coup of Stella Sigcau. It was not the first time that Holomisa had led a coup. He had earlier toppled George Matanzima, whom he replaced with Stella Sigcau only to topple her too. Holomisa cited the prevalence of corruption in government as the reason for both coups.

Dalindyebo's re-burial symbolized a decisive beginning of resistance politics in Transkei. For, Dalindyebo was not just a King of the Thembus, but also a political figure - an icon

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[239] Interview, 0812-2003.
[240] Ibid.

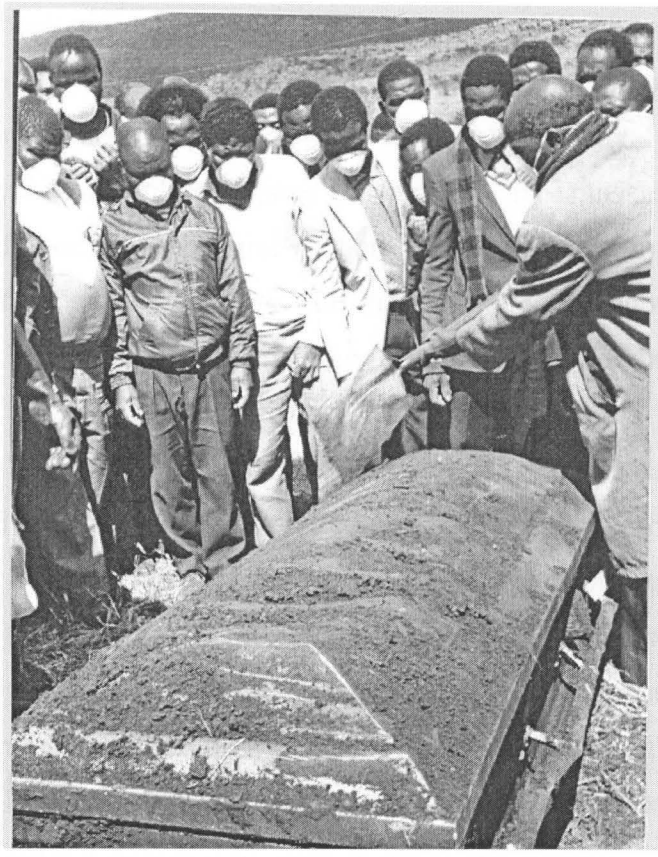
of resistance against the Bantustan system and the face of liberation politics in Transkei. Revolutionary songs were composed in his honour and his name was touted among heroes of the resistance struggle. Naturally, the manner of his funeral was a crucial symbol that would reconfirm either his iconic political status and royalty, or his "commoner status" that KD had reduced him to, when he stripped him of his kingship back in 1980.

It was for such reasons, as noted immediately above, that KD sought to rob Sabata's funeral of any significance. He denied him of a proper burial befitting of his royal status when he was initially buried. After kidnapping the body from a mortuary, KD callously buried Dalindyebo among commoners in the female section of the grave-yard and without a proper ceremony as required by tradition. KD's abduction of the corpse followed the Transkei Supreme Court's verdict in favour of the Dalindyebo family preventing the government from interfering with the funeral. KD had earlier issued funeral restrictions preventing, *inter alia*, any memorial or commemorative services to be held outdoors; permitting only religious ministers to speak at the funeral; restricting the ceremony to less than three hours; and limiting mourners to less than 200[241]. But the court interdict could not deter KD's determination to deny Dalindyebo of his legitimacy even in death.

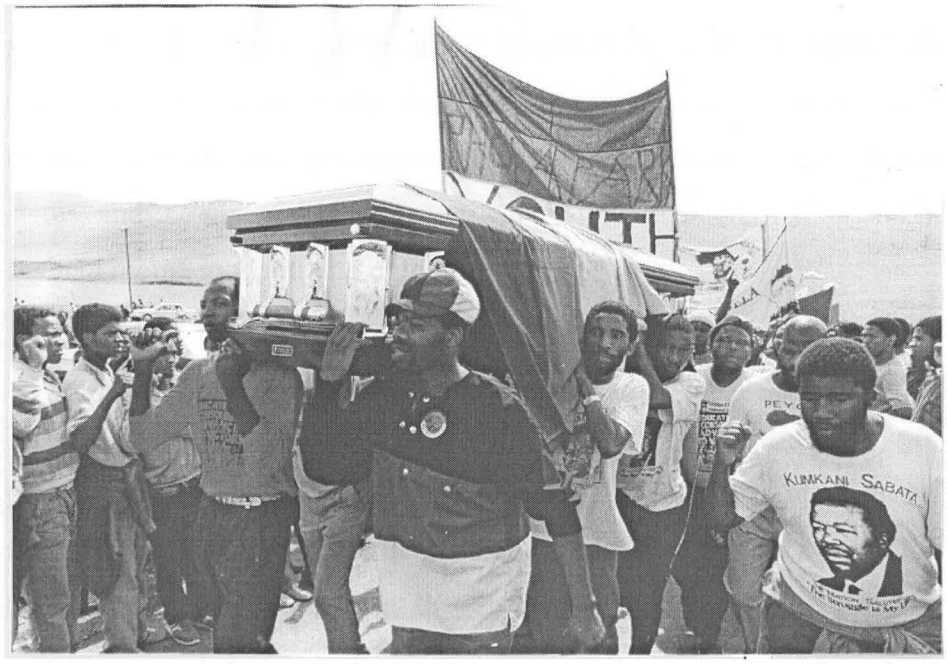
Dalindyebo's re-burial three years later on October 1, 1989, confirmed exactly what Matanzima sought to repress. It not only re-relocated his body, but also reaffirmed everything else Dalindyebo stood for. His reburial was a vindication of his political activism, for which he had been persecuted. The re-burial symbolized victory for his ideas. It followed, therefore, that those ideas and political activism would be resurrected in Transkei. As a signal of that political resurrection, Dalindyebo's coffin was covered in a banned ANC flag, buried to the revolutionary songs of the liberation movements and by senior leaders of the United Democratic Front (UDF), including Winnie Mandela. Tributes included a letter from the exiled president of the ANC, Oliver Tambo.

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[241] Dennie, G, "One King, Two Burials: The Politics of Funerals in South Africa's Transkei" in **Journal of Contemporary African Studies**, 11, 2, 1992



An exhumation of a coffin containing Sabata's body for a re-burial, 1989. Source: Daily Dispatch



Mourners, some clad in ANC colours and waiving ANC flag, carrying a coffin with Sabata's body to a grave-yard, 1989. Source: Daily Dispatch

Thus the re-burial marked the end of political repression and the onset of a free political era for the ANC in Transkei. Its ruler, General Holomisa, was sympathetic to the ANC and had already established close links with Winnie Mandela by 1987[242]. By taking a leading role in opening up political space for the ANC in Transkei, Holomisa was to become a crucial figure: in mobilising support for the organization in the region: in shaping the state of the party machinery: and in determining the choice of strategies for mass mobilization. We examine these and other factors in the following chapter.

In sum this chapter has provided a refutation of the alleged nemesis between tradition and modernity. The civilizing mission registered tremendous success by the last decade of the nineteenth century, before it was reversed in the 1880s for specious reasons. The salience of traditional institutions did not arise from a supposedly omnipotent resistance to change. Rather, they were shored up and manipulated for political reasons by the colonial and apartheid regimes. Thus tradition, defined by the colonial/apartheid officialdom to mean a static social entity hostile to change, is not a social reality but a misleading and abstract political construct designed to mask political and economic objectives. For the post-apartheid rural democratization, this meant that it would not necessarily flounder in the face of traditional institutions and beliefs. Rather, its success hinged on multiple socio-political factors and processes. In particular, it would depend on the resonance of the democratic ethos with the rural people's value system and experience; their experience with, and perception of, traditional leaders; their current socio-economic status; and the material benefits that comes with democratization and how it is presented to them by the modernizing elite.

At the same time, the political history of Transkei alone signaled that problems lay ahead. The relative absence of a mass democratic movement and popular democratic participation in Transkei, for instance, meant that the rural populace would not be readily responsive to the ruling elite because of an emotional disconnect and their lack of popular democratic culture. This meant that the ANC would not rely on a romantic appeal and the

[242] This was revealed to the researcher by his supervisor, Professor Tom Lodge who was informed of this by Winnie Mandela in 1987.

historical memory of apartheid to galvanise the populace behind the democratic project. Instead, rural voters would have to be convinced that a democratic government entailed more benefits than the existing system of traditional leadership and, in light of their unfamiliarity with the ANC, be convinced of the credibility the new ruling party.

Chapter 5
Democratisation vs. Traditional Power: Post-Apartheid Local Government Reforms

Purpose of the Chapter

This chapter builds on the previous one and contains key research findings. It focuses primarily, though not exclusively, on the period from 1994 to 2001. Where references are made beyond the time-frame, it is to elaborate and provide further clarity on issues at hand. The chapter draws on data obtained from 1) a series of interviews conducted with local people and chiefs, prominent role players in the process; 2) official documentation in the form of legislation, crucial reports and minutes of key parliamentary meetings and public hearings; 3) and primary sources such as newspapers. At times references were drawn from secondary sources that provided pertinent information.

Outline of the Chapter

The chapter is divided into three main sections. The first section provides an overarching picture of the legislative and institutional transformation of local government as it impacted on rural local governance. This is crucial as it helps us better understand the specificities of the case study of Xhwili (which follows below). The subsequent section then shifts the spotlight onto the relationship between traditional leaders and the Eastern Cape provincial and national government. This section will show that the legislation and institutional reforms, as well as popular views and attitudes, are both a reflection of and are shaped by this relationship.

Legislative and Institutional Reforms, 1994-2001.

Soon after the inauguration of a new democratic parliament in May 1994, a series of local government legislation was promulgated. These laws ushered in a drastic overhaul of rural local governance in terms of its objective, founding values, composition, operational procedures, institutional make-up and relationship to the populace. It must be noted, however, that, at the time of writing, the legislative process on rural local government had not been completed. Parliament was still drafting comprehensive legislation on the role of chiefs at a local government level[209]. What is reported here is an accumulative effect of the various pieces of legislation that was passed between 1994 and 2000 as well as how they relate to institutional re-structuring, value re-orientating, and institutional objectives.

Institutional Re-structuring

Rural local government has been drastically re-structured. In the case of the Eastern Cape (EC) province, for instance, the introduction of the 1995 Proclamation No.20, paved the way for the formation of Transitional Representative Councils (TRCs) and District Councils (DCs). These bodies replaced regional and tribal authorities. Subsequently, the 1997 EC's Regulation of Development in Rural Areas Act divested "traditional authorities of all powers, functions and duties which were previously entrusted to them in respect of the development of rural areas". Henceforth the DCs and TRCs were to be in charge of development (or municipal) duties in rural areas.

The role of chiefs was extremely diminished. Their participation in municipalities was not automatic, but optional. Contrary to being an embodiment of the will of their subjects, the 1998 Municipal Structures Act reduced them to an interest group just like farmers, farm labourers and women. Their inclusion into municipalities was to be

[209] Formulation of the full legislation is at its final phase. The first phase, June 1998 to August 1999, entailed an investigation of the status quo. It looked into the different laws and customs that regulate(d) chieftaincy in various homelands; the number of chiefs and validity of their titles; and lessons learnt from other African countries. The subsequent phase, October 1999 to June 2000, saw the introduction of a discussion paper and a debate over its content.

considered alongside these interest groups. If included, chiefs' membership of the TRC would be limited to 10% of the total number of elected leaders in the TRC. This meant that for every ten elected councillors there would only be one traditional leader in a given DC. Moreover, traditional leaders would not have voting powers. After fierce protests and bargaining (which we look at below), municipal representation was later increased to 20%, but chiefs would still not be allowed to vote. In short, legislation on local government marginalized chiefs from rural governance.

The exclusion of chiefs from local government was in accordance with the interim constitution of 1993 (and was reconfirmed in the 1996 permanent constitution). The latter nullified whatever natural right chiefs may have had to functioning as local government in rural areas. It stipulated that: "...local sphere consists of municipalities, which must be established for the whole of the territory of the Republic"[210]. Chiefs and tribal authorities, therefore, were not considered as municipalities. Nor did the constitution envisage a dual local government structure made up of municipalities, on the one side, and tribal authorities, on the other. The interim constitution was thus blunt in its exclusion of chiefs from local government. Rather, the permanent constitution recognized chieftaincy as an important cultural entity that had to be respected and protected: "The persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community to enjoy their culture, practise their religion and use their language"[211]. Accordingly:

> The institution, status and role of traditional leadership, according to customary law, are recognised, subject to the Constitution ...The courts must apply customary law when that law is applicable subject to the Constitution and any legislation that specifically deals with customary law[212].

By granting chieftaincy recognition on the basis of cultural freedom, the constitution thus restricted its existence to the private sphere. It left it to each individual who believed to continue paying allegiance to chieftaincy and customary law, as opposed to making it a

[210] No. 200 of 1993: The Constitution of the Republic of South Africa, 1993.
[211] The Constitution of the Republic of South Africa, Act 108 of 1996
[212] Ibid.

public institution and thus imposing it on non-believers. In other words, chieftaincy was allowed to exist in so far as it applied only to believers and did not inconvenience non-believers. (But, the cost of maintaining the institution was nonetheless distributed across all regardless of whether or not one believed in the institution).

Notwithstanding the constitutional recognition on cultural grounds, legislation has also sough to reconcile chieftaincy, at least partially, with the basic constitutional principles of equality and inclusiveness. The Traditional Leadership and Governance Framework Bill, introduced in 2003, makes provisions for the reconstitution of Tribal Authorities. The composition of the reconstituted bodies, renamed Tribal Councils, will, unlike their predecessors, be comprised of at least a third of women and "other members of the traditional community who are democratically elected and who must constitute 25% of the members of traditional council"[213]. To eliminate extortion of bribes and unaccountability, as noted in Chapters 4 and 6, that had long been associated with chiefs, the new local councils will be required to keep proper financial records, have their financial statements audited and chiefs will disclose gifts.

In another break with tradition, the Communal Land Rights Act, 2004[214], underscores the transfer of administration and ownership of communal land away from the person of a chief to a new local body- i.e. Land Administration Committee (LAC) - that will be created in accordance with the act. LACs will function according to rules that will be set by the community itself and are envisaged to function free of chiefly influence. Any person holding a position of traditional leadership is not allowed membership in the body and a third of their membership will be women with each representative "for vulnerable community members", (which are defined as the aged, disabled, youth and women), for the Minister of Land, MEC's for Agriculture and Local Government, chairperson of the Land Board (which is explained shortly below), and "every municipality in whose jurisdiction a Land Administration Committee functions".

[213] www.gov.za.gov
[214] ibid.

In addition to the lard-mark provisions such as allowing for rural residents to be granted individual tenure, which they can use as collateral in a financial loan application if they so wished, the LACs will administer land allocation in a manner that breaks the old rural custom that denies women of right to own land by conferring:

.... a new order rights to a woman who is-

(i) a spouse of a male holder of an old order right to be jointly held with her spouse;

(ii) the widow of a male holder of an old order right or who otherwise succeeds to such right, to be held solely by such woman; or

(iii) in her own right

To ascertain that LACs function in accordance with the act and enable close Ministerial supervision, decisions involving transfer of land or conference of tenure rights to one person or persons will be subject to the approval of a Land Board. The latter will be made up of members appointed by the Minister of Land whom will include one representative from each state organ still to be determined by the Minister, two representatives of the Provincial House of Chiefs, one representative of the commercial or industrial sector and seven community members. By insisting on the representation of women and electing a quarter of the membership, the legislation envisages that the LACs in particular will function in a democratic and sensitive manner towards women, who have historically been victims of discrimination.

Activists representing women's rights and land's rights for the poor, however, object that the afore-mentioned legislation did not completely break patriarchal influence of chiefs and is likely to impede the ability of municipalities to provide social services in rural communities. The composition of the LACs, notwithstanding their partial democratization and inclusion of women, argues Geoff Budlender[215] – a lawyer and land rights activist, is likely to be dominated by men given their general influence in rural communities. And in leaving the formulation of rules governing land allocation to the

[215] www.mg.co.za - archival section: "Land Rights Bill is Unconstitutional", Jan, 28, 2004.

community, the legislation exposes the process to be dominated by dominant groups in the community, namely men and chiefs, to the disadvantage of women.

As currently defined, added the Gender Commission[216], the provisions that allow for women to secure ownership rights is not sufficiently expressive on the right of single or unmarried women to own land. Even if individuals are successful in securing private ownership, warn Ben Cousins and Anika Classens[217], who are researchers on land issues, it does not necessarily solve developmental problems in rural communities. The very private ownership might actually impede the delivery of social services by the municipalities, as Classens notes: "Communal land will become privately owned and it is notoriously difficult for poor people living in private land to secure services and development from the state"[218]. That is, its not clearly spelt out what the responsibilities of municipalities would be in light of the changes.

In contrast, the critics of the legislation would have preferred that, *inter alia,* chiefs were not involved in the land allocation process and that the state retained direct ownership and administration of the land to ensure that the process of transferring ownership to individuals was fair to all. Also, the rules by which allocation would be determined, they added, must be defined by the state in a way that does not prejudice community members who do not pay allegiance to chieftaincy or observe customary law, but were relocated to the rural areas under apartheid's forced removal. In other words, the rights of this category of residents should be granted solely on the basis of their land occupation or residency, not allegiance to chieftaincy and observation of customary law. Allocating land on the basis of allegiance to chieftaincy, the criticism went on, would promote adherence to ethnic identities and discrimination against those of a different ethnicity, despite their long established residence in the village.

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[216] www.mg.co.za - archival section, "A Betrayal of Rural People, Feb 04, 2004

[217] See "Looming Land Disaster", Programme for Land and Agrarian Studies, (Plaas) – School of Government: University of the Western Cape.

[218] www.mg.co.za archival section, "Land Rights ...op cit.

Overall, and in balance, government avoided complete marginalization of chiefs. Houses of Traditional Leaders both at provincial legislatures (in the provinces of Eastern Cape, Kwa-Zulu Natal, Limpompo, Mpumalanga and North West) and parliament were created for chiefs. But this did not happen within the constitutionally specified period of six months upon the establishment of provincial legislatures. In the EC the delay was roughly two years long. The purpose of establishing Houses for chiefs was to enable them to make input into the legislative process as it related to customary law, the role of chiefs and to traditional communities. Their influence in that legislative-making process, however, was severely limited. Chiefs only had advisory powers. Legislators were not obliged to heed their advice nor do chiefs have constitutional powers to enforce them[219].

Despite being emasculated and rendered redundant, legislation provides for their generous remuneration (See table 1 below):

> Traditional leaders, members of any provincial House of Traditional Leaders and members of the Council of Traditional Leaders shall ... be entitled to such salaries and allowances as may from time to time be determined by the President after consultation with the Premier concerned ...
>
> ... A traditional leader is, in addition to his or her salary as a traditional leader, entitled to an allowance as determined by the President by proclamation in the Gazette, in respect of his or her membership of a provincial House of Traditional Leaders and a Municipal Council[220].

At a standard annual salary of R322 800 annually for Paramount Chiefs and R77 472 for chiefs in 1998, some chiefs are paid far more than they ever paid themselves whilst in control of homelands. This places the earnings of Paramount Chiefs at a higher notch than the publicly elected members of parliament (MPs) who have a specific role and functions to fulfill. The cost of maintaining the Zulu King alone stood at R2 million in 1995. Expenditure for personnel and administration alone was R1,2m; supplies and equipment cost R640 000; and expenses for sundries and school fees for royal children

[219] No.200 of 1993: Constitution of the Republic of South Africa, 1993.
[220] Remuneration of Public Office Bearers Act, 1998.

stood at R140 000[221]. See Table 1 below for a breakdown of salaries by province in the pre-1994 period.

Table 1: A Break-down of Salaries by Provinces, Pre-1994

Province	Position	Salary: Pre1994.
Thaba-Nchu	Chief	R8 268
	Headman	R4 725
Venda	Chief	R42 000
	Headman	R30 000
Gazankulu	Chief	R30 000
	Headman	R24 984
Lebowa	Chiefs	R41 000
KaNgwane	Chief	R12 000
Qwaqwa	Paramount chief	R2 400
	Chief	R2 400
	Headman	R2 400
KwaNdebele	Paramount Chief	153 000
	Chiefs	R5 539 – R6 924
KwaZulu-Natal	King	R305 550
	Chief	R7 689*
	Headman	
Transkei	Paramount Chief	R291 246
	Chief	R42 795
	Headman	R12 174
Ciskei	Paramount Chief	R144 000
	Chief	R27 722
	Headman	R9 379

* This was the lowest amount paid to a chief. It increased with the level of education to as much as R20 922 to a chief with a three-year degree or a diploma. And for every year passed by a studying chief, R1 725 would be added to his salary. Moreover, chiefs who were members of the House of Traditional Leaders earned R115 000 per annum, the same as Members of the Provincial Legislature. Source: *City Press,* 25-07-1995.

Therefore, although the constitution regards chieftaincy as an expression of cultural freedom and excluded chiefs from local government, it nonetheless devotes substantial public funds towards their maintenance. And yet other cultural practitioners in SA have not been so handsomely rewarded merely for practicing their culture. Furthermore, though denying them municipal functions, government is contemplating retaining the chiefly role with respect to the allocation of land despite their lack of accountability. We

[221] *Citizen,* 25-07-1995.

ponder this paradox in the next chapter.

Value Re-orientation

Institutional re-structuring of rural local government is a direct outcome of the re-orientation of values. Tribal authorities were based on the discriminatory principle of birth and gender. Only males born within a particular clan of a certain tribe qualified to govern. Whether or not they approved, the governed accepted that leader without question. Females and everyone else born outside of that royal clan did not qualify to hold such positions. This system privileged prescriptive over universal values.

The present policy regime, however, has reversed this order of values. Universal values take precedence over prescriptive values. In other words, in accordance with the constitutional values, rural local government is based firmly on the founding values of South Africa's new political order namely, equality and franchise[222]. With regard to rural local government this meant that everyone was entitled to determine who their local government representatives should be, and anyone, regardless of birth and gender, was entitled to stand for office.

Institutional Objective

Institutional restructuring inevitably changes the objectives of an institution, for institutional configuration is informed by the purpose for which the institution is formed. The prime objective of pre-1994 rural government both under British colonial and apartheid rule, as shown in Chapter 4, was political control of Africans in order to attain white political supremacy.

Similarly, the present government has re-structured rural local government in a way that advances its own goals – i.e. democratizing public offices and achieving development. Under the previous administrations development of rural areas was secondary to political

[222] The Constitution of the Republic of South Africa, Act 108 of 1996.

objectives. The previous administrations had no incentive to develop rural areas, for their continued stay in power did not hinge on voter support. It was maintained by despotic rule. Chiefs did not have proper training nor were their offices staffed, properly equipped or financially sound to enable them to fulfill a developmental role. The only developmental role played by chiefs was demarcating plots of land to their subjects and supplying medication for dipping live-stock. But subjects were still left to their own devices to cultivate their plots of land (we look at this in the section below).

Under the present political order, the election of councillors is itself meant to serve as an incentive for development orientated service. Councillors are elected with the expectation that they will provide a "better life" to their electors. Initially, though, councillors were slightly removed from their voters and had little motivation to be responsive to their needs. In the first five years of local government – 1995 to 2000 - councillors were not elected directly by voters. Then municipal wards had not been drawn up. Ward demarcation only commenced in the second half of the 1990s. The first local government elections in 1995, therefore, were based exclusively on proportional representation. Voters voted for a party, which, in turn, chose councillors. Councillors were therefore not responsible for specific wards, nor were they particularly known to their voters.

This gap was addressed by the new municipal system, which came into effect post-2000 local elections. In addition to proportional representation, a ward system has been instituted. Voters also voted for a ward councilor who resides among them. The ward councilor is supposedly familiar with the problems of his/her ward and is accessible to voters. Legislation also makes it possible for a systematic and close monitoring of councillors by voters. The Municipal Structures Act 1998, for instance, makes it mandatory for wards to form ward committees made up of a councilor and ordinary members in the ward, who are elected by other residents of the same ward. Ward communities encourage public participation through routine public meetings where the public presents its needs and holds the councilor accountable. Combined with public scrutiny and participation, the ambition to be re-elected is meant to serve as an incentive for diligence and encourage a development-orientated local government.

Municipal structures have also been configured in a way that enables them to attain development. The rural and urban divide no longer applies. The jurisdiction of municipal authorities – i.e. Category B municipalities - in provinces with rural communities includes both rural and urban areas. Our case study, Xhwili village, for instance, falls under the jurisdiction of the Mtata-based Kei District Council (which was renamed Sabata Dalindyebo Municipality in 2000). The aim of this was facilitate cross-subsidisation between poor and rich areas and equal distribution of expertise[223].

Compliance with Continental Trends

Notwithstanding the consideration of the specific issues in SA, local government legislation also borrowed from lessons elsewhere in the continent. ANC officials and legislators made repeated several trips to other African countries. Such study tours included a delegation led by Thozamile Botha[224] – a key ANC key figure in the constitutional negotiation and an expert on local government – 1992/3 to Namibia, Zimbabwe and Botswana. Again in 2000, as the South African government continued to grapple with this issue, the Portfolio Committee on Local Government and Provincial Affairs undertook a study tour of Uganda and Botswana[225]. The purpose of the trips was to learn how other countries had dealt with chieftaincy, whilst democratising governance in the villages.

Of all the lessons learnt in the study tours, one that stood out, according to Botha, "was the resiliency of the institution of chieftaincy"[226]. Though some, particularly Zimbabwe[227] and Uganda, as we will see below, started off by undermining the institution, they all eventually moved towards granting it constitutional recognition as well as some role in

[223] Municipal Structures Act, 1998.
[224] Interview with Thozamile Botha, 09-15-2001.
[225] The researcher was part of this delegation and was assigned to compile the report of the study tour. All the information herein relating to Botswana and Uganda, unless referenced otherwise, is derived from that report. The report itself was based on interviews with government ministers and officials, academics, journalists, advocacy groups and official documents.
[226] Interview with Botha, op cit.
[227] See Mijere, N, "Comparative Perspective on Traditional Leadership: A Zimbabwean Viewpoint" in Traditional Leadership in Southern Africa, Konrad-Adenauer Stiftung, 1997.

local government. This emphasized the point that, even if the ANC government wanted to, historical evidence and continental trends weighed heavily against marginalisation of chieftaincy. Of all the countries studied, it is Botswana's policy regime that South African law makers seem to have emulated, whilst Uganda underscored the vitality of repproachement towards chiefs in order to attain political stability. Before unpacking the specific policy influences, let us first scrutinize legislation of the countries in question with regard to institutional status of chiefs and their role in local government. We will focus mainly on Botswana and Uganda as both countries represent two dominant and (erstwhile) contrasting trends of accommodation and marginalisation.

Legislatively, each country accords chieftaincy a different status. Botswana has legislation – i.e. Chieftainship Act of 1967 - that recognizes chieftaincy as an important cultural institution as well as an instrument to maintain law and order. Conversely, whilst recognizing chieftaincy as a cultural institution, Uganda's 1997 Local Government Act makes no mention of chiefs. Judging purely by legislation, one would even assume that traditional leaders are non-existent in that country. This reflects the turbulent relationship that chieftaincy has had with the various post-colonial governments in Uganda. The first Prime Minister, Milton Obote, abolished the institution after five years into independence in 1967. This followed an acrimonious political rivalry between Obote and King Mutasa I. The latter had formed a political party, Kabaka Yaaka (King alone) and denied Obote of a majority in the independence elections. Obote was thus forced to form a coalition government making the king president and he became Prime Minister.

But, relations between the two most senior offices became fraught with unmanageable conflict. One thought of himself senior to the other by virtue of tradition, on one hand, and constitution on the other. Obote thought his office senior to the Presidency, which he considered a ceremonial office. King Mutasa I, by virtue of royalty, considered his office and person superior to Obote and his office. Obote resolved to put a permanent end to the power struggle by dismissing the King as President and by abolishing traditional leadership. This double blow denied King Mutasa I not only of political office, but also of seniority that is accorded to royalty over commoners. Reduced to an ordinary man,

Mutasa I could no longer expect deference from Obote, but was subject to his authority like any other ordinary person in Uganda.

It was only recently in 1993 that Uganda's Yoweri Museveni granted chieftaincy official recognition as a cultural institution, but without automatic recognition as is the case in Botswana. Rather, recognition and coronation of a chief in a particular tribal territory is subject to the wishes of the inhabitants of that area. If the inhabitants disapprove of having a chief in their area, no official recognition is granted. In short, the people decide whether or not they want chiefs in their areas, regardless of how valid one's claim to chieftaincy may be.

Despite the legislative difference, in practice the situation is similar in both countries. Chiefs do not have administrative or executive powers. Rather, they are expected to play a supportive role to elected councillors and mobilize their communities behind developmental projects and health awareness campaigns. Essentially, chiefs are expected to act as a conduit between elected leaders and statutory bodies, on the one hand, and the local people on the other. Unlike Uganda though, chiefs in Botswana do make input into the making of legislation that affects rural areas through a national House of Chiefs, to which parliament refers bills on customary and other related issues. The House of Chiefs only enjoys advisory powers and parliament is not obliged to heed its advices. Nonetheless, chiefs are remunerated, as per the Chieftainship Act, and given additional allowances for sitting in the House of Chiefs. And, though not subject to retirement, retired chiefs are entitled to a pension and gratuity.

In contrast, Ugandan chiefs do not have a body through which to make input into legislation. Nor is there legislation stipulating remuneration of traditional leaders. But, the government does make voluntary contributions, for example, towards the coronation of Kings and other donations such as cars. Local councils also make donations to the chiefs for their sustenance and they are allowed to use discretionary powers to have a budget vote for chiefs. This is not a legal requirement nor is it structured, but takes place purely on an ad hoc basis.

In both countries administrative and executive powers rest exclusively with elected leaders, experts and government appointees. Botswana's rural local government structures, namely the District Councils (DC's) and Land Boards (LB's), have minimal chiefly representation. The DC, an executive and elective body, presides over a number of villages each with its attendant LB. A paramount chief of the district area over which the DC has jurisdiction is allowed representation in the DC purely on ex-officio basis. Also, the Paramount Chief is allowed a representative in the DC's Development Committee, which is responsible for formulating development plans. The LB is an administrative body directly responsible for administering development in each village and is made up of government experts and appointees representing both chiefs and local people. Its membership is renewed with the election of each DC. In contrast, Uganda's chiefs are totally excluded from the three layered local government – i.e. the District Council, a Sub-county Council and a Village Council.

Philosophically, though sidelined from administration, Botswana chiefs are regarded as custodians of tribal land, which counts for more than 70% of the entire Botswana land surface, on behalf of their people. But, matters related to land use, including commercial development and land allocation to individual members or families, fall within the ambit of LBs. Chiefs only oversee and countersign authorization for land allocation to ensure adherence to custom. In short, the chiefly role is merely symbolical. Conversely, Ugandan chiefs have exclusive control and use of tribal land. But, the size of tribal land is negligible. Obote's government confiscated all tribal land when he abolished the institution in 1967, Museveni has returned a miniscule portion of that confiscated land.

Thus one sees that Communal Land Rights Act is modelled along the Botswana legislation, particularly its provision for the formation and composition of Land Boards and Land Admnistration Committees. Like Botswana, these structures, though critics as insufficient by others, uphold the principles of democratic elections, government supervision, representation of women and inclusion of chiefs. Uganda's policy regime, for its part, reinforced the point that opening up political space for competitive politics requires an attendant rapprochement towards traditional leaders. Prior to competitive

politics, Museveni had reinforced the ban on chieftaincy declaring it divisive and unhealthy for political stability. To this end, the government passed an anti-sectarian bill "prohibiting reference to one's culture or one's tribe"[228]. But, just before the 1994 elections for the Constituent Assembly, Museveni suddenly lifted the ban on chieftaincy. Museveni had realised that the King, aggrieved by his alienation, might use his influence to dissuade the populous Bugandans from electoral participation and thus possibly undermine the legitimacy of the elections. The government even paid for the official ceremony of the coronation of King Mutesa II, successor to Mutesa I. But, the government has steadfastly refused to return all royal land and properties confiscated by Obote in 1967. Nor have traditional leaders been given any role in the administrative and judicial systems of Uganda.

Therefore, the specific lessons for the South Africa, and as reflected in the legislation, was that chieftaincy cannot be legislated into extinction. Rural people do believe in the institution of chieftaincy and are open to chiefly influence. Obliteration or complete disempowerment of chieftaincy alienates its followers and thus make them vulnerable to incitement by chiefs against the electoral system and its democratic institutions. This is a potential cause of political instability and disruption of governance in rural areas. Rather than risk this, government can retain chieftaincy in some marginal capacity and mollify chiefs through patronage and co-optation, whilst democratizing rural governance.

Traditional Leaders and Government: Fusion-Fission, Confrontation and Stability

Legislation on rural government and institutional transformation, as noted earlier, reflects a complex, contradictory and tumultuous relationship between the government and traditional leaders. Before going any further, it is prudent, firstly, to point out that traditional leadership is itself not a homogenous body, but divided into two factions: the KwaZulu-Natal (KZN) province based Inkatha Freedom Party (IFP) faction and the nationwide Congress of the Traditional Leaders of South Africa (Contralesa) faction. The national government has to deal with both factions, whilst the EC provincial government

[228] Interview with Thozamile Botha, op cit.

deals solely with Contralesa's provincial region. The relationship between IFP and ANC chiefs, has been tumultuous as they are political foes. Both parties compete for the same voting population for political support. Contralesa's relationship with the national and provincial governments has been mostly cordial and co-operative as seen in their alliance. However, occasionally the relationship lapses into confrontation as and when Contralesa felt short-changed by the ANC government.

Also, though IFP chiefs and Contralesa are divided by political loyalties they nonetheless have common interests, a favourable accommodation for traditional leaders within local government. It is this commonality of interest that has at times brought them together in common action against government. But the divided political loyalties proved sufficient enough to hinder a fusion of the two bodies.

Comrade Chiefs, 1990-1994

As the ANC emerged from exile and returned to SA after its 1990 unbanning, it counted Contralesa among its allies against apartheid. Contralesa had been formed in 1987 by chiefs in Kwa-Ndebele homeland with the expressed goal to oppose the homeland system. To this end, they mobilized all chiefs in the fight for political liberation. By the beginning of the 1990s Contralesa had become national. In 1989, in keeping with their objective, Contralesa met the then exiled ANC in Lusaka. This meeting bestowed an official recognition on members of Contralesa as 'fellow comrades' in the fight against apartheid. They became heirs to the legacy left by 'comrade chiefs' – i.e. Albert Luthuli and Sabata Dalindyebo - who fought against apartheid, as suggested by the statement released after the historic meeting:

> The future of our motherland lies in the hands of the people, the victims of oppression and dispossession, and the courageous fighters against this evil system. Among these multitudes are hundreds of patriotic chiefs: deposed, harassed and even killed, but forever unbowed. We salute these brave patriots, deserved heirs of the glorious tradition of no surrender shown by our forebears in the wars of resistance of past centuries[229].

[229] A press statement: "Congress of Traditional Chiefs and the African National Congress Appeal to all Traditional Leaders of South Africa, 19th August, 1989", www.anc.org.za/ancdocs/history/comuniqe.html

When the political negotiations commenced in 1991 and culminated in the completion of the transitional constitution in 1993, signs emerged that Contralesa may be less than a significant actor in resistance politics. It was refused a delegation to the political talks. The transitional constitution stipulated that chiefs would be recognized, but, contrary to the wishes of chiefs, they would be *ex-officio* members of the democratically elected municipal councils. However, both these developments were not conclusively dismissive of the role of chiefs in local government. The final constitution and specific laws still had to be written.

Therefore (Contralesa) chiefs still had an opportunity to lobby their ally. And, in testimony to their alliance, as the ANC contested the first democratic elections, it included the president of Contralesa, Chief Phathekile Holomisa, on its list of candidates for the founding parliament. Holomisa not only became an MP but was also given the prestigious and monetarily rewarding position of chairperson of the portfolio committee on land. The Thembu King, Buyelekhaya Dalindyebo, was also elected on ANC ticket into the Eastern Cape Legislature in 1996, only to resign a year later for health and undisclosed personal reasons[230].

Traditional Leaders Fight Back, 1995-1998

Legislative content after the 1994 elections, as noted earlier, dashed Contralesa's hopes of a favourable accommodation within local government. Chief Nonkonyane, Chairperson of Contralesa's EC region, described their impact as follows: "These amendments on the establishment of rural government powers have effectively stripped us of all the powers exercised by the traditional institution"[231]. It had dawned on Contralesa that the government was determined to forge ahead with democratizing rural local government despite their protest and plea for accommodation in the new structures. This set the stage for confrontation, as Contralesa resolved to the resist the process.

[230] *Daily Dispatch*, 2-04-1995.
[231] *Daily Dispatch* , 19-07-1995.



Holomisa dressed in a modern-cut traditional regalia standing in front of parliament, 1995. Source: Mail and Guardian

Chiefs adopted a counter-strategy of de-legitimising the 1995 local elections and the resultant new municipal structures. They urged their subjects not to vote[232]. Chief

[232] The KwaZulu-Natal (KZN) and Western Cape (WP) provinces were excluded from the 1995 poll. The WP still had an outstanding municipal boundary dispute. KZN, however, had more complicated problems. Party candidates could not campaign freely due to the existence of no-go areas; the area was plagued with violence; and the voter registration process was said to be fraught with irregularities. A new date was set for the following year in May. By May 1996, KZN still could not hold an election due to the same problems. Only the WP was able to. KZN eventually held its elections in June 1996.

Nonkonyane confidently claimed: "I can say conservatively that about sixty percent of the people under traditional leaders will not go there [to the polling stations] if we boycott the elections"[233]. The EC government was equally confident that the subjects would defy their chiefs and heed the call to cast their votes as citizens: "... people don't listen to the *amakhosi* ... They are not as strong here as they are in Kwa-Zulu Natal. As far as we as concerned there is no boycott in any part of the Eastern Cape"[234].

The election turn-out vindicated the EC provincial government. Though it is difficult to tell how many of the eligible rural voters in the EC actually voted as the Independent Electoral Commission does not provide those figures, chiefs themselves conceded that their subjects defied their call to boycott the elections. This came out at the 2000 annual general meeting of Contralesa's EC region as they were debating whether or not they should again issue a call to their subjects to boycott the 2000 elections:

> There's no way chiefs can convince someone who believes in the ANC not to vote. We rule over people of different political parties. If we tell people not to vote, those among our subjects who belong to the ANC, will not trust us. They'll label us an opposition to the ANC. This divides our people. At the end we'll come out worst in the whole thing.
>
> So people who want to vote will vote regardless of what we say. Let us not deceive ourselves. In 1995 we said people should not vote but people went ahead and voted anyway. Some areas had a 100% turn-out. We can't really say we stopped the people from voting[235].

And for adopting that anti-election stance in 1995, Contralesa's president and ANC parliamentary member, Chief Holomisa was hauled in front of the ANC's disciplinary committee. As a member of the party and its representative in parliament, he was expected to conform to the party line. But Contralesa did not think so and dared the ANC to expel Holomisa, as Chief Nonkonyane stated:

> By expressing his views on the weaknesses of the Local Government Transitional Act, Holomisa did not flout the policy of the ANC. We challenge the ANC to go ahead with their intention to prosecute Holomisa.

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[233] *Business Day, 21-09-1995.*
[234] *Daily Dispatch,* 30-10-1995.
[235] Annual General Meeting of Contralesa's Eastern Cape Region, September 15, 2000, at Transkei Teachers In-service and Training, in Umtata.

> If they expel him, they will also have to expel all members of Contralesa[236].

The ANC found Holomisa guilty. He was given a penalty of a one-year suspension with the possibility of withdrawal provided he apologized for 'bringing the party's name into disrepute'. But Contralesa remained defiant: "They scandalised our president in the media about the confirmation of Holomisa's sentence before informing Contralesa"[237]. Contralesa demanded a meeting with the ANC whose proceedings, according to Chief Nonkonyane: "...may even lead to the parting of ways, although we really would not want that to happen"[238]. The penalty was withdrawn after Holomisa reportedly apologized.

It was not the first time that Contralesa and the EC government had been locked in confrontation. The first time was in court in 1995. The EC region of Contralesa had brought legal action against the provincial government for refusing to pay headmen. The latter reasoned that headmen could not demand payment on traditional grounds, for they were not traditional but created recently by the British colonial government. But, Contralesa countered, headmen were still recognized by the Transkei Authorities Act 4 of 1965, which had not yet been repealed under the interim constitution. Therefore, the provincial government was legally obliged to pay headmen. Moreover, added Nonkonyane: "We are convinced the duties performed by these headmen are necessary for sound administration in rural areas"[239]. The court ruled in favour of Contralesa. It is crucial to note that Contralesa based its argument, not on tradition, but colonial law that made headmanship into a contradictory hybrid of hereditary and administrative office. They also recognized that headmen were not traditional, and yet put up a fight for their payment. We look at the implication of this in the next chapter.

Contralesa, once more, faced the ANC in court in 1996. This time it was at the highest court in the country, the constitutional court, and their legal action was against the

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[236] *Sowetan, 22-11-1995.*
[237] http://archive.iol.co.za/Archives/1996/9609/27/chiefs.html
[238] Ibid.
[239] *Daily Dispatch*, 17-08-1995.

supreme law of the land, the recently introduced permanent constitution. Contralesa argued that by enforcing a horizontal application of the Bill of Rights, the constitution violated constitutional principles that deal with cultural matters. The Bill of Rights, they argued, interfered with customary law and practices, and undermined the institution of traditional leadership, for it is based on male authority. The Bill of Rights, Chief Nonkonyane told the Constitutional Court, would: "inflict irreparable harm to the entrenched cultural values of the indigenous people of South Africa"[240]. Contralesa repeated their long-standing demand that chieftaincy be made the primary layer of rural local government.

But, unlike the initial legal confrontation, this time Contralesa lost. The court decided against them on the grounds that the constitution provided adequate space for representation of chiefs in rural local government and the practice of customary law. Contralesa was back where it was before the constitutional challenge. It could not secure any constitutional relief nor derive anything from utilizing the communicative channels offered by the alliance with the ANC. Nonetheless, they did not relent. Instead, Contralesa devised a new counter-strategy.

The new strategy was to consort with the ANC's political foe, the IFP. Reliant as it was on chiefs to mobilize political support on its behalf, the IFP also wanted chiefs to remain involved in local government. Just like Contralesa, IFP chiefs denounced local government legislation in 1995 as a "... recipe for conflict ... it doesn't make provisions for what role traditional leaders will play vis-à-vis elected local government structures"[241]. Similarly, they had earlier petitioned the Supreme Court to have the 1995 elections postponed until the question of chiefs was resolved, but lost the case.

[240] http://archive.iol.co.za/Archives/1996/9608/26/
[241] *Daily Dispatch,* 09-09-1995.



A wedding ceremony of Chief Pathekile Holomisa, President of Contralesa and ANC MP and his bride. On his right is Chief Gatsha Buthelezi, and to the left of the bride and looking through from behind is Chief Mwelo Nonkonyane, EC chairperson of Contralesa and ANC MP, 1990s. Source: Daily Dispatch

The IFP too had also been fighting a constitutional action brought against it by a coalition of the ANC, NP and Democratic Party (DP) in the KZN legislature, as it sought to ensure a significant role for, and its control over, chiefs. Through its control of the KZN provincial government, the IFP had introduced Payment of Amakhosi and Iziphakanyiswa Bill, the Payment of Ingonyama Bill, which makes the payment of chiefs and the king the prerogative of the provincial government; the Electoral Bill which wanted to usurp electoral preparation from national and give it to provincial; and the Ingonyama Trust Bill, which wanted to grant the provincial government control over land in the province, as opposed to it being controlled by the national government.

Unlike Contralesa, the IFP was handed a mixed verdict. The court ruled in its favour with respect to paying traditional leaders, but against the electoral bill. With regard to the land bill, a compromise was reached between the provincial government and the National Ministry of Land. The Act was amended to allow for the land to be released for

development subject to the approval of a new board and in concurrence with the Kwa-Zulu Natal provincial government.

Nonetheless, both the IFP and Contralesa still faced a common challenge of fighting back rural government democratization. After all, the IFP had pulled out of the Constituent Assembly in 1996 in protest when it became obvious that its wish to have chieftaincy as the primary layer of local government would not to be granted. It was this common challenge that (temporarily) blurred their political divisions and brought the traditional leaders together in defence of what they perceived to be their natural right to govern rural areas.

The first major joint action took place in 1996 when the two factions came together in a summit billed "Unity Conference of Traditional Leaders of South Africa". The purpose was to look at ways of pushing for chiefly rights and at forming a united body for chiefs. Chief Holomisa stated that there was a "... a need for traditional leaders to unite, act and speak in one voice on matters relating to our people, the institution of *ubukhosi* and all that it stands for"[242]. Political alliances, believed Holomisa, hindered the ability of chiefs to strive for their rights. In order to wage a successful campaign, chiefs had to remove themselves from political involvement. He put it as follows:

> Not a single political party would love us for the sake of being ourselves. We need to remove the hold that some of the political parties have over us. Our survival and continued existence is in our people and not in their political parties[243].

However, the Unity Conference did not come up with any watershed resolutions. The status quo continued, but the meeting itself was historical. It was the first prominent gathering of the politically divided traditional leaders. The issue of severing links with political parties came up once more as Contralesa went into national congress in 1997. Chief Holomisa, in a statement that also reflected despair and gloom of the past three years, said:

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[242] http://archive.iol.co.za/Archives/1996/9609/27/chiefs.html
[243] Ibid.

> We won't be getting into any political fold unless the conference decides otherwise. We'll focus on issues in which we share the same interests and goals with other parties. So far our recognition in the Constitution has been one of our major achievements since the dawn of democracy in South Africa. We, however, have to consider whether or not this recognition goes far enough ...[244].

The threat of a political break-up did not change the ANC's stance. The ANC remained convinced that traditional leaders did not have an automatic right to being the primary layer of local government. They lacked the necessary competency, were unrepresentative of the democratic spirit of the time, had a tainted moral record nor was their claim for inclusion grounded on valid traditional grounds. EC provincial premier and National Treasurer of the ANC, Makhenkesi Stofile, captured the organisation's sentiments in his uncompromising and hard-hitting opening address of the EC House of Traditional Leaders in March 1998:

> [The policy of divide and rule] was not likely to succeed for long without the co-option of the institution of Traditional Leadership ... The distortion of this great institution began then and has never been without controversy ever since ...
>
> On this de-legitimisation of the institution by both Colonial governments as well as apartheid regimes, the picture is bleak. Many of the descendants of collaborators are still sitting on land which was wrongfully acquired ... We have to develop an honest definition of the term traditional leaders itself. Do we mean by this the leadership which was introduced by Colonial powers (which amongst others created headmen)? Where does this tradition begin? Where does it end? These are the fundamental transformation issues that face this House as opposed to sentimental ones that merely want to return colonial and apartheid privileges ...
>
> It is true, also, that not all who engage in political activism do so with altruistic motives. Many join political organisations and movements merely to gain certain positions to satisfy self-seeking interests ... It is therefore our fervent belief that if we are to maintain a certain level of decorum and dignity for the institution of Traditional Leadership, those who are the custodians of this institution should be seen to be handling their responsibilities with great sensitivity. If they are seen to be partisan politicians not only will they be discrediting themselves in the eyes of their subjects, but also degrading the institution and dragging it into further controversy.

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[244] *Daily Dispatch,* 03-10-1997.

> We must all guard against the temptation to prefer Egypt to Canaan. Glorified slavery is still slavery. The "House nigger" is still a slave. If the previous regime sought to glorify illegitimate Traditional Leadership, that should not blind us to the fact that it was still a tool for oppression ... it is incumbent upon Traditional Leadership to seek to purge the institution of illegitimacy by being prepared to commit class suicide when the audit of Traditional Leadership takes place. This is going to be difficult as many will have to lose personal perks[245].

Government's Response: From Indifference to Appeasement,1999-2000

The years 1999 and 2000 saw a slight change in the attitude of the government towards chiefs. Despite dismissing chiefs as seekers of self-aggrandisement and after a year of unresponsiveness to the clamouring for salary parity and adjustment, the EC government suddenly conceded to this demand just two months before the June 1999 national elections. This pushed up the salaries of the six paramount chiefs in the EC, at R322 800 per annum, to the same level as the Zulu King's salary. This came unexpectedly, for the provincial premier, Makhenkesi Stofile, in his usual opening of the legislature speech, had not mentioned it among the tasks that had to be accomplished in that year[246].

The ANC seemed to have been under pressure to prove its credentials among the rural populace. This problem arose when it became clear that Mandela would retire from active politics after the 1999 elections. The rural populace seemed uncertain that an ANC without Mandela - one of their own - would not give any consideration to their plight. This uncertainty was particularly heightened by its key political rival in the Eastern Cape, the UDM, as it painted the ANC as an urban-based party uncaring for rural people. Capitalising on Holomisa's royal status and good relations with chiefs, the UDM sought to present itself as the true representatives of the rural people. It also recruited a prominent chief and former Cabinet Minister in Matanzima's government, Chief Gwadiso and Ndaba Mtirara, an equally prominent chief of the Eastern Thembuland, to bolster its traditional image[247].

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[245] www.ecgov.org
[246] Southall, R, "The Struggle for a place called home: the ANC versus the UDM in the Eastern Cape". **Politikon**, 26, 2, 1999.
[247] Roger Southall, "Eastern Cape" in **Local Government Elections 2000**, No.5, November 2000.

To assuage fears of neglect in the post-Mandela presidency, the ANC went out to reassert the traditional roots of its new head and possible president of the country, Thabo Mbeki. In December 1998 Mbeki held a traditional ceremony at his family home in Nceleni, Idutywa. The ceremony, according to organizers, was intended to re-introduce Mbeki to his clan and ancestors. The ANC was quick to dismiss suggestions that this was a political campaign disguised as a traditional ritual. That the occasion was held just less than six months before the elections was said to be a pure coincidence. The reason for the timing, the ANC claimed, was simply that in the last eight years after his return from exile, Mbeki had been too busy to host a ritual that does not even last an entire day. Yet, when Mbeki finally held the ritual in December 1998 he was no less busy than he had been in the past eight years. In fact, in the midst of an electoral campaign, Mbeki was at his busiest. The fact that Mbeki did not allow his busy schedule to deter him this time was possibly because of the impending elections which the ANC would fight with him at the helm. He had to prove to the Transkeian rural constituency, whose faith in politicians seems to depend on personal relations rather than mere promises, that he was one of their own. He intended to reassure the rural constituency that, as is customary for sons when they leave home, Mbeki would not forget his roots[248].

Moreover, the ANC brought its vocal critic and chairperson of the EC region of Contralesa, Chief Nonkonyane, into parliament. This increased the ANC's tally of chiefs in parliament, and prominent ones at that, to two. The other was Chief Holomisa. Chief Nonkonyane conceded to the invitation despite his vocal criticism of the ANC's handling of chiefs vis-à-vis local government. Nonkonyane did not see it as a conflict of principles, but his right as an individual. He obviously thought of himself both as a chief and an ordinary person and uses each identity at different times. Responding to Premier Stofile's criticism of chiefs who joined political parties, Nonkonyane stated:

> This implies that the ANC has now decided to destroy the institution of traditional leaders ... We would like to remind them that we're the persons who voted for the ANC in the 1994 elections and the ANC will not win in 1999 without our support ... The members of Contralesa in their individual capacity are entitled to join any political party of their choice and nobody including the premier can deprive them of this right ... We

[248] *The Star*, 12-28-1998.

> therefore regard the statement of the premier as politically naïve and contrary to democratic principles and values enshrined in our constitution, we reject it with the contempt it deserves[249].

In 2000, the year of local government elections, government finally responded to the long-standing call for meaningful accommodation in local government. It was not a full concession to their demand, but an increase in the municipal representation of chiefs from 10% to 20%. This concession followed threats by chiefs to disrupt the impending elections. But, it proved too insufficient a concession to pacify chiefs. They remained locked in a fighting mode. An influential member of Contralesa's EC provincial committee, at the 2000 annual meeting, stated to a loud applause:

> We should not encourage our people to vote, because we'll be encouraging them to participate in the emasculation of their own chiefs. But we cannot openly call for people not to vote, as this would be going against the law. It's the law of the country for people to go to vote. If we tell them not to vote then we'll be arrested. We only need to tell the people of the disadvantages of voting. That will get us out of being arrested and make sure that people don't go to vote[250].

Chiefs also refused to co-operate with representatives of the Municipal Demarcation Board. To draw up ward boundaries, members of the Demarcation Board had to get assurances from chiefs of the boundaries of their villages. Throughout the EC, for instance, representatives of the Board were turned away. Chiefs even took offence at the fact that some members of the Board could not speak Xhosa and were women. This was taken as a sign of the government's disrespect for chieftaincy. Even an address by the Head of the Board, Mike Suttcliff, and personal visits to all chiefdoms by Premier Stofile did not help either. One chief stated:

> We cannot participate in the demarcation process. Participating in the process would mean assisting in the preparation for our own funeral. This process leads towards the installation of municipalities, which would take away our powers. We cannot entertain the board until our concerns are addressed. We want municipalities out of our areas[251].

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[249] *Daily Dispatch,* 14-10-1997.
[250] EC Contralesa's Annual General Meeting, held at the Transkei Teachers In-service and Training, 15-09-2000.
[251] EC Contralesa's Annual General Meeting, held at the Transkei Teachers In-service and Training, 15-09-2000.

As a part of intensifying their campaign, EC region of Contralesa also contemplated bringing in former president Mandela onto their side. Nelson Mandela was a known supporter of the institution. He was a traditional advisor to the Paramount Chief Sabata Dalindyebo and expressed regret for not having adequately fulfilled that role due to his political involvement and incarceration. Mandela also thought highly of the democratic potential of the institution:

> It was democracy in its purest form. There may have been a hierarchy of importance among the speakers, but everyone was heard ... The foundation of self-government was that all men were free to voice their opinions and were equal in their value as citizens[252].

Mandela openly called for co-operation between chiefs and councillors:

> There is no reason why traditional leaders cannot work together with elected councils ... chiefs are not hostile to democracy. Together we must devise means of blending traditional and civic structures ... Traditions are not meant to hamper progress but to facilitate it...When times change, traditions and customs must also adjust. They cannot remain static as if nothing has changed. Chiefs cannot rule their subjects as if democracy does not exist[253].

But Contralesa never went ahead with their resolution to solicit Mandela's support. This was because Mandela himself had also begun to lose patience with chiefs' sense of entitlement in their approach to government. Mandela warned chiefs:

> I am making a plea. Don't push the government too hard. Go *kahle* [slow]. Don't force the government to take a hard line. We warn them not to seek confrontation with the government. Europe had been led by kings with absolute powers. All those who did not respect democracy are gone. Those who have survived are the ones who have respected democracy[254].

Nonetheless, at the end of September 2000, President Mbeki made further attempts to extinguish the public confrontation by drawing chiefs into negotiations. A joint technical committee made up of representatives from the presidency, the department and from the traditional leadership was formed and deliberated from late September until about 10 October 2000. The latter had come together into a loose organization named a Coalition of Traditional Leaders of South Africa, representative of all traditional leaders. A sub-

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[252] Mandela, N, A Long Walk to Freedom, 1994, p.24.
[253] *Daily Dispatch,* 02-04-1995.
[254] *Daily Dispatch,* 19-09-2002.

committee was then constituted and looked at self-evident and mundane questions, which were already answered by the existing legislation. The questions were:

> 1. Will the establishment of new municipalities, immediately after the elections, result in powers of traditional leaders being diminished in any way? If so, in what way?
>
> 2. If the powers of traditional leaders will be diminished, what should be done to remedy the situation?[255]

In regard to the first question, the sub-committee concluded that the new municipal system would indeed take over functions that were formerly executed by traditional authorities. This would leave the latter without any municipal functions to fulfill. As a remedy to this, the sub-committee proposed that (tribal) regional authorities be made the bottom layer of local government:

> ... The subcommittee is of the opinion that traditional authorities can play a key role in the rural development and this can be given significance by deeming them to be on par with Catergory B municipalities. This would help ensure effective delivery in rural areas.
>
> To make the process democratic, it was suggested that traditional authorities be composed of both elected and appointed members in equal proportion. It was the opinion that this would assist in keeping numbers manageable. Nevertheless, it is not clear whether this meets the full intention of the democratic process and, as such, may need further attention[256].

When the subcommittee came back to report to the whole technical committee, the government delegation rejected the findings. With respect to the first question, the government delegation stated that its answer was a "qualified yes", because:

> ... the diminution of these powers had already been diminished in terms of the realization of the operationalisation of the constitution and that they were not going to be diminished as a result of the establishment of new municipalities[257].

But, after an adjournment during which the government delegation consulted with its principal, the government delegation came back with a hardened standpoint vis-à-vis the

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[255] Report of the Joint Technical Committee on Traditional Leadership, 09 October 2000.
[256] Ibid.
[257] Report of the Joint Technical Committee on Traditional Leadership, 09 October 2000.

first question. Their answer was a: ""categoric no" because the local government powers and functions of traditional leadership had already diminished as a result of the 1996 Constitution". They further stated that: "... the question of the powers of the traditional leaders should be handled in terms of the White Paper Process on Traditional Leadership ..."[258].

Representatives of traditional leaders were infuriated and felt betrayed by Minister Mufamadi's response. They regarded it as "an act of utmost bad faith" and also "expressed negative views on the Ministry's spirit regarding the approach to the issues"[259]. Nonetheless, traditional leaders begrudgingly agreed with government's conclusion, but insisted that Minister Mufamadi consider their proposal to constitute the bottom layer of rural local government. In his response to this, the Minister repeated his initial response, which was non-committal and contradictory:

- The government was not saying "yes" or "no" ... but there are various considerations to be taken into account. The proposal will have wide-ranging implications.

- The elections should proceed and government would consider the [proposal] as part of the White Paper Process on the traditional leadership.

- Government emphasized the importance of Section 81 of the Municipal Structures Act that provided for 20% representation of traditional leadership on municipal councils, powers entrusted to MECs to define a role for traditional leaders in municipalities and the provision that a municipal council cannot take a decision affecting a traditional community without consulting with its traditional leader[260].

Representatives of traditional leaders found this response unsatisfactory. They insisted that an interim measure approximating their proposal be found before the local elections. After all, argued traditional leaders: "It would be extremely difficult to, once Catergory B

[258] Ibid.
[259] Ibid.
[260] Report of the Joint Technical Committee on Traditional Leadership, 09 October 2000.

municipalities had been established, to "unscramble the egg", and therefore the government's commitment was questionable"[261].

With traditional leaders relentless and facing the spectre of disrupting the elections, government tabled an interim measure that traditional leaders insisted upon. It introduced an amendment to the Municipal Structures Bill, but it was rejected by traditional leaders as a sham. It only officialised their traditional functions and made them mediators between municipal councils and their subjects. The bill did not concede to their key demand, which was the right to perform municipal functions particularly allocating land (See Annexure A). The president of Contralesa, Chief Phathekile Holomisa, commented:

> The bill is a mere restatement of powers and functions of traditional leadership in matters beyond and outside local government and unrelated to the clash with municipalities ... These matters are already covered by existing legislation. Simply put, the bill restricts rather than expands, the powers of traditional leadership[262].

Government too remained adamant. Minister Mufamadi maintained:

> ... the proposed bill is not the final word on the matter. It betokens an interim arrangements that permits the development of a permanent arrangement ... they cannot impose a long-term vision on the government now. They should keep the details to themselves and use it in the consultative process[263].

But a few days later government's standpoint shifted drastically. It introduced a second bill that was quite the opposite of the first bill. This bill granted chiefs development functions (See Annexure B). It turned out the bill emanated from a different government office, the Deputy President's Office. After the disappointment with the first bill, traditional leaders appealed to Jacob Zuma to intervene personally. They had become convinced that Minister Mufamadi "disliked and was bent on destroying them"[264] and Deputy President Zuma would be amenable to their concerns. As further evidence of his apparent disdain for chiefs, added Chief Xhwili: "Minister Mufamadi announced the election date whilst the negotiations where still on-going in the technical committee and

[261] Ibid.
[262] *Daily Dispatch,* 07-11-2000.
[263] *Daily News,* 06-11-2000.
[264] Interview with Chief Xhwili, 6.11.2000

despite the president's promise that the announcement would be made once this matter had been sufficiently concluded"[265]. The Minister had already postponed the announcement of the election date three times already, but finally went ahead on October 10, a day after the Joint Technical Committee had handed its report to the Presidency. According to traditional leadership the negotiations were still on-going as government still had to reply to the content of the report. So the announcement, according to chiefs, was improper and amounted to a violation of an agreement.

Indeed the second bill seemed to validate chiefs' perception of Zuma's predisposition towards traditional leaders. According to one of the chiefs involved: "The bill was drafted jointly by Zuma and chiefs over the phone the night before it was tabled for public discussion in parliament"[266]. Nonetheless, it suffered a similar fate as the first bill. But this time it was not due to opposition from either side, but due to technical problems. As a section 75 bill – i.e. a bill that falls within the competence of the both provincial and national governments – it had to be deliberated on by the National Council of Provinces (NCOP) before it was considered by the assembly. This presented an insurmountable problem. The NCOP had already adjourned for the year nor was there enough time left to convene an emergency session since it was less than twenty days before the December 5 elections and NCOP members were campaigning in their constituencies[267].

Even if the NCOP had met, the Congress of South African Trade Unions (Cosatu) and the South African Local Government Association (SALGA) argued that the bill would still not have qualified to be passed. They maintained that the bill did not meet the constitutional requirement as it sought to give municipal powers to chiefs and tribal authorities. This, according to SALGA and Cosatu, would be unconstitutional. For, the constitution regards municipalities and councillors as the only constituent elements of local government. Chiefs and tribal authorities are completely excluded from local government. To give chiefs developmental functions, therefore, would deny

[265] Ibid.
[266] Ibid.
[267] Report on the public hearing on Municipal Structures Second Amendment Bill, hosted by the Portfolio Committee on Local Government and Provincial Affairs and the Select Committee on Local Government Administration, Old Assembly Chamber, 16.11.2000

municipalities of some of their functions. This objection found favour with Minister Mufamadi:

> The constitution says municipalities are the local sphere of government and must be established throughout the country. National or provincial government cannot compromise or impede a municipality's ability or right to exercise its powers to perform its functions[268].

In the face of the two impediments, the bill was ultimately withdrawn. Chiefs were back to where they had started and more infuriated. Two days after the bill was withdrawn, the leader of the IFP, Chief Buthelezi, threatened to dissolve the Government of National Unity. A top IFP official reportedly said: "Our leader is definitely considering quitting government if President Mbeki does not make good on his earlier promises that the powers of the *amakhosi* [chiefs] would be guaranteed before the December 5 elections take place"[269].

Two days before the elections, traditional leaders suddenly and unexpectedly relented. After a meeting with President Mbeki, they promised not to disrupt the elections. Chiefs attributed this dramatic change to a presidential promise to amend the constitution in order to pass the bill early in the next year. A joint statement issued after the meeting with the President Mbeki stated that the amendment would be guided by the "principle of respect for and recognition for the critical role traditional leaders in the system of governance"[270]. Chiefs were cautiously appeased by this commitment, as chief Buthelezi responded:

> Never before has government come out with such a clear commitment to amend the constitution and recognise that traditional authorities should remain local government structures. However, this promise was made only on the eve of the election obviously to placate the disappointment and anger of traditional leaders. The value of the statement will depend entirely on the future goodwill of government and its leadership to implement it[271].

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[268] *Sunday Independent,* 18-11-2000.
[269] Ibid.
[270] Ibid.
[271] *Sunday Independent,* 03-12-2000.

The president of Contralesa, Chief Holomisa, expressing his faith in the integrity of the government, concurred: "We have no reason to believe that the government will renege on its promises. If we continue to negotiate in a good spirit, the existing relationship between the two parties will be sealed[272]".

Notwithstanding the assertion that negotiations was a political strategy of containment or of institutionalizing violence, the process of drafting the third bill as well as its content are instructive and highlights either the brilliance of government's strategy in dealing with chiefs or a potential disagreement within the government over how to accommodate chiefs. Of all the bills, the third bill was agreeable to chiefs and was drastically different from its predecessors. And, unlike its predecessors, it was not drafted by Minister Mufamadi, but by Deputy President Zuma[273]. Chiefs generally preferred to deal with Deputy President Zuma, rather than Minister Mufamadi as they thought the former was amenable to their concerns whilst the latter was simply hostile to them.

That Deputy President Zuma drafted the third bill points to a possible disagreement with Minister Mufamadi's handling of chiefs. After all, his legislation was drastically different from the previous two bills drafted by Minister Mufamadi. Or Zuma's intervention may have been part of a calculated political move designed to give an impression that government was sincere in placating chiefs, only for the bill to be withdrawn later on constitutional grounds. For, the Zuma-bill conceded municipal functions to chiefs when in fact the constitution recognizes only councillors and municipalities as the only individuals and body allowed to undertake municipal functions. This essentially made the bill unconstitutional - something Deputy President Zuma ought to have known given all the legal expertise in his office.

It was because of this constitutional breach, at the insistence of members of the Cosatu office in parliament, that the third bill was then withdrawn. But, Cosatu's objection was

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[272] *Daily Dispatch,* 05-12-2000.

[273] Jacob Zuma is a (Zulu) traditionalist. At one point, as Zulu tradition permits, he had three wives all of whom he married under Zulu custom. One wife passed away and he divorced another – Nkosazana Zuma. He is now left with one wife, but is in the process of marrying another wife, a Swazi Princess. See *City Press*, 17-11-'02.

not at all innocent. It was apparently orchestrated by Minister Mufamadi. Cosatu had no intention of making a submission to the hearing on the bill, but was urged to do so and advised, by Minister Mufamadi, to highlight the possible unconstitutionality of the bill[274]. It may well be the case that Mufamadi was re-asserting his prerogative as the Minister responsible for local government issues. Or Mufamadi (with Zuma) could have simply been executing a brilliant political strategy appearing to be addressing the concerns of chiefs so as to pacify them. Ultimately, chiefs would not disrupt the elections and their demands would still not be met. At the same time government would emerge untarnished as the Deputy President had seemingly conceded to chiefly demands only to be hindered by the constitution.

The sudden official strategy of appeasement had also been adopted by the normally hostile EC provincial government. Just like his predecessor, Max Mamase, had done before the 1999 elections, the EC's MEC for Local Government and Traditional Affairs, Gugile Nkwinti, visited Xhwili Tribal Authority during the campaign of the 2000 local elections. Answering accusations of seeking to undermine chieftaincy, Nkwinti answered in an uncharacteristically humbled manner for a member of the provincial government:

> We are not equal to chiefs. We're *amaphakathi* (chiefs' assistants). We have been elected by the people. We should not be misled by *Ooceba* (councillors) who say that they are above chiefs and that people should ignore chiefs. Chiefs will still be in charge here, working hand in hand with a councillor[275].

Premier Stofile too had adopted a conciliatory tone. He had nothing but compliments for chiefs, even for one as corrupt as Chief Goerge Matanzima (as noted in the previous chapter). At the latter's funeral in November 2000, Premier Stofile made glowing remarks:

> Although the ANC was opposed to the homeland system ... we would be liars if we say this man did nothing to improve the lives of poor people during his reign. We are now building a united South Africa fulfilling his dreams[276].

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[274] Interview with an employee of the Cosatu Office in Parliament, 16-11-2000
[275] Public gathering at the Xhwili Tribal Authority, 12-10-2000.
[276] *Daily Dispatch*, 27-11-2000.

Minister Steve Tshwete, temporarily suspending his usual candour and hard-hitting demeanor, was unusually mellow and complementary of the deceased: "I am very impressed that our people came in big numbers to honour this man. Matanzima lived, moved and had his entire being among this crowd"[277].



Chief of Xhwili, Mfundo Mtirara, addressing a local gathering, and his left and seated is an obscured view of MEC Gugile Nkwinti, 2000. Source: Taken by the Researcher

Contralesa leaders were not only placated, but also voted enthusiastically and encouraged their subjects to do likewise. Chief Nonkonyane stated: "I'm happy that I have voted after long negotiations about our rights as traditional leaders with the government"[278]. Prince Xhanti Sigcau, spokesperson of the Xhosa Royal House, added:

> We are convinced, because the president is taking this matter seriously. He doesn't want to see anyone disempowering traditional leaders ... If you don't vote, how are you going to criticise the government in power, how are you going to have a say? ... People have to remember that we didn't have the chance of voting before that is why they must cast their voters freely and wisely not forgetting the historical background of our country[279].

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[277] *Daily Dispatch*, 27-11-2000.
[278] Ibid, 05-12-2000.
[279] Ibid, 16-12-2000.



Chief Mtirara holding up an umbrella for the MEC Nkwinti, 2000. Source: Taken by the Researcher

But Contralesa remained cautious. Though they voted for the new municipalities, they still did not exercise their right to participate in the municipalities. Chief Holomisa said: "Now that the legislation is still under discussion it is not proper for traditional leaders to participate in the newly elected municipal councils"[280]. Some of his colleagues, however, disagreed. Prince Ncamashe-Burns, a member of both Contralesa's EC provincial committee and EC's House of Traditional Leaders, encouraged chiefs to work with TRCs and participate in training workshops held for councillors. He reasoned:

> We see no reason for traditional leaders not to be integrated into the municipal processes and work with democratically elected public representatives. We belong to the people, and in turn we have to lead them from an informed position[281]".

His colleague, Chief Nonkonyane, reasserted Contralesa's non-participation in the new local government structures:

> It is wrong for any person at this state to initiate such an action as critical issues contained in the Municipal Structures Second Amendment Bill

[280] Ibid, 14-12-2000.
[281] Ibid, 01-13-2001.

> about this issue are still pending ... This unfortunate step is undermining the very core issues that the traditional leaders are struggling to solve[282].

Government's attitude of appeasement, however, did not extend beyond the 2000 local elections. By the third quarter of 2001 the bill that was withdrawn had still not been passed, nor had a constitutional amendment been effected. According to the chairperson of the Portfolio Committee for Provincial Affairs and Local Government, Yunus Carrim, traditional leaders should not expect a constitutional amendment, for "the president never made such a promise"[283]. Instead a third bill has been introduced. This bill reverses the concessions that had been made in the second bill. It is almost the exact copy of the first bill that was fiercely opposed by chiefs (See Annexure C). A recently introduced elaborative legislation on chieftaincy, Traditional Leadership and Governance Framework Bill[284], reaffirms the marginal role allocated to chiefs at the local government level (See Annexure D).

The sense of urgency that government exhibited before the elections dissipated soon after the elections. And, unlike the pre-election times, traditional leaders are now without leverage by which to compel the government. Yet, despite deep discontentment with the ANC, both the president and provincial chairperson of Contralesa Chiefs Holomisa and Nonkonyane remained in parliament as ANC members. Moreover, another influential member of Contralesa, Chief Ndaba Mtirara, defected from the United Democratic Movement (UDM) where he also served as a member of parliament, to the ANC. Chief Ndaba soon made a member of the EC's provincial legislature, a body that had been particularly hostile towards EC chiefs (as noted earlier).

So, chiefs have continued to engage in political parties despite acknowledgement within Contralesa that it causes divisions among them. These divisions, for instance, reared as members of the EC region of Contralesa deliberated whether or not they should encourage their subjects to register for the 2000 local elections. Politically-aligned chiefs,

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[282] *Daily Dispatch,* 01-13-2001.
[283] Interview, 11.10.2000
[284] Notice 1850 of 2003.

who were under obligation to campaign for their parties, expressed themselves in favour of registration, whilst the non-aligned chiefs urged non-registration as a form of protest. An executive member, Prince Ncamashe-Burns, explained the cause of the disagreement:

> The reason why we differ in our views is that some of us are also politically active. If all of us were only traditional leaders, we would be speaking with a united voice. It's quite clear that the issue of registration or no registration will divide us. Let's rather explain the disadvantages of registration to our residents[285].

Political parties, particularly the ANC, recruit chiefs with the expectation that they would toe the party line. This means recruiting support for the party and conforming to party policies. Their disappointment at their prime recruits, Holomisa and Nonkonyane, during the tense discussions between government and the Coalition of the Traditional Leaders of South Africa, captured this expectation:

> Chiefs Holomisa and Nonkonyane cannot be relied on to advance party policies. Government realizes that the traditional leaders' delegation is actually fighting for their own [individual] interest and not necessarily for that of the Institution. ANC needs to be firm on discipline. ANC MPs who are part of the institution are not valuable to the organization and to government. The organization should remove problematic comrades including chiefs and other elements[286].

The ANC's recruitment of chiefs into the organization, therefore, sheds light on the party's strategy to mobilize support within rural Transkei. Evidently the party considers chiefs, *inter alia*, vital to their electoral fortunes in the countryside. But, it has done so rather reluctantly and has often been on a collusion course with traditional leaders. Why then did the party opt for rapprochement as opposed to outright marginalisation? Was this borne out of the realization that the ANC party-machinery was ill equipped to mobilize support independent of chiefs in rural areas? Let us answer this question in detail below.

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[285] Annual Meeting of the Eastern Cape's region of Contralesa, 15-09-2000, held at Transkei Teachers In-service and Training in Umtata.

[286] Minutes of the Study Group Meeting on Provincial and Local Government with the Minister, 11 October 2000.

From Exile to the Transkei Countryside: ANC Mobilises Rural Folk, 1990 -

The ANC returned from exile in 1990 to re-establish itself after roughly 30 years of banishment. Needless to say this exercise was set to meet with varying success throughout the country. Success at mass recruitment in the various regions of SA hinged on two crucial factors: pre-existing organizational foundation and public predisposition towards the organization. For a returning leadership not adept in mass mobilization, pre-existing organizational machinery and local activists were to prove vital to the ANC's re-establishment. Also, attachment towards (or lack of it), or perception of, the ANC was to determine whether or not people would be readily receptive to recruitment. If local communities were neither favourably predisposed towards the organization nor familiar with what it stood for, the organization would have to rely on local notables as intermediaries to build a following for the organization.

Whether the ANC employed its local party machinery or newly recruited local notables, in turn, influenced long-term sustainability of organizational support. If supporters joined the party on the strength of its organizational capacity based on its policies, values and objectives, then prospects of retaining the support in the long-term were higher. Conversely, if followers supported the party because they followed a particular individual, they were more likely to follow that that individual out of the party should he/she choose to do so.

The years 1990 to 1994 were a formative period during which the issues mentioned immediately above were settled and, consequently, laid a foundation for the future course and development of the ANC in Transkei.

Bantu Holomisa: An ANC Guide Through Rural Transkei

Transkei's political history, as discussed in Chapter Four, shows that mass based political organizations and activities were non-existent. Resistance politics was confined among the narrow circle of students at tertiary institutions and shied away from overt political issues. Lack of mass-based political activities meant that the ANC lacked the heroic and

venerable status it enjoyed in historically black politically active communities, which looked up to the organization's leaders as their own heroes and leaders. In Transkei, the ANC first came to public prominence in October 1989 at the re-reburial of the Thembu King Sabata Dalindyebo at the initiative of General Bantu Holomisa.

Dalindyebo's reburial had double implications and benefits for Holomisa. On the one hand, it could be interpreted as rectification of tradition, which was violated by KD Matanzima's initial improper burial of Dalindyebo. On the other hand, the re-burial carried immense political significance for Holomisa. By inviting members of the UDF, allowing for the coffin to be draped in an ANC flag and for a letter written by Tambo to be read, who, by the way, together with the ANC, were still banned in the rest of the country, Holomisa had effectively showed himself to be sympathetic to the organization. This endeared him to its support base within Transkei and beyond (later becoming one of the most popular leaders of the ANC).

Holomisa's popularity surged as he adopted popular measures effectively establishing himself as "a man of the people". He instituted a series of probes into corruption. A number of people, including George Matanzima were found guilty of corruption. Then he hiked the salaries of civil servants in Transkei to the same level as their "South African" counterparts – something they had long been clamouring for. His populist leadership style – open and consultative, unlike his predecessor, further endeared Holomisa to the public. One respondent explained:

> If anyone had a problem that person would go directly to Holomisa. He was always available. Whenever there were problems that needed more money from Pretoria, Holomisa would immediately go to Pretoria to seek money. Then he would come to report the outcome of his trip to Pretoria[287].

By the beginning of the 1990s, Holomisa had transformed his image from a popular Bantustan leader and an ANC sympathizer, to the protector and supporter of the ANC in Transkei. He released six MK cadres serving lengthy sentences and issued a moratorium on capital punishment giving two cadres reprieve from death. From a notoriously

[287] Interview with Umsebenzi, 16 May 1999.

repressive and a pariah society withing the circles of resistance politics, Transkei rapidly became known as a 'liberated zone' for members of the liberation movement to enter at will and move freely, when extra-parliamentary organisations and their leaders were still banned in most parts of SA[288]. Chris Hani, for instance, whom the apartheid government branded too militant and thus prohibited from entering SA, received stately treatment in Transkei – he was flown around in state aircrafts and his MK bodyguards were allowed to carry guns openly[289]. Other ANC aligned organisations were also provided assistance. One student leader noted:

> In one instance when the Transkei region of SAYCO had to attend a national congress in the early 1990s in Gauteng, during all that violence Holomisa, provided us military escort to protect us on the way. There was fear that, since we come from Transkei and therefore Xhosa speaking, Inkatha Zulu *impis* might attack us[290].

As if to declare his support of the ANC, Holomisa had also begun to echo its rhetoric. On the celebration of the "independence day" in 1989, for instance, he announced his intention to unban political organizations, notably the liberation movements, in defiance of the apartheid government. But he never followed up on this promise citing fear of military reprisals and financial squeeze by the Pretoria based regime: "...you can see what the SADF did to neighbouring countries which allowed these organizations [ANC and PAC] to function in their countries. We do not want to commit suicide"[291]. Though failing to out his promise in defiance of the apartheid government, by then it was abundantly clear to all that Holomisa was highly sympathetic to the cause of the ANC.

Once the legal restrictions were lifted off the ANC in 1990 and the organization embarked on a recruitment drive in Transkei, Holomisa increasingly became its face and crucial asset. The ANC capitalized on his popularity placing him on the forefront of its recruitment campaign. Mahlubandile Qwase, ANC activist in the 1990s and current ANC member of the EC legislature, explained Holomisa's import to the organisation in the early 1990s as follows:

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[288] Peires, J, "The Implosion of Transkei and Ciskei" in **African Affairs**, 91, 1992, 371.
[289] *The Star,* July 27, 1990.
[290] Interview, 09-12-2003
[291] *The Star*, July 27, 1990.

> Holomisa was very good at mass mobilization. I saw him in action traveling throughout Transkei. Not everyone has that skill. Each leader is gifted in one thing or another. And Holomisa's gift is mass mobilization.
>
> He had his own way of explaining the manifesto to the people. He had charisma. He could speak in the manner that local people understood, which is clear Xhosa with also those idioms and dramatic expressions. In voter education, for instance, he explained it to people in the simplest way such that you couldn't help but admire his skill[292].

The more prominent Holomisa became in ANC activities in Trankei, his regional standing was elevated almost to the same level as Nelson Mandela, another prominent leader in Transkei because of his royalty connection. Holomisa was like Mandela's lieutenant in Transkei. The reason for this, explained Qwase, was because:

> Holomisa introduced the ANC into Transkei. For instance Mandela, before he became president, used to go around with Holomisa in his helicopter. You would always find Holomisa alongside Mandela. Holomisa's popularity was such that, when Mandela failed to honour a public speaking engagement, people didn't mind having Holomisa as a replacement. This shows that they held him more or less on the same level as Mandela. People can protest if you promise them a "heavy-weight speaker", only to have a "light-weight" speaker. But, they never complained with Holomisa as Mandela's replacement, because he was also a "heavy-weight"[293].

But, Holomisa's rising stature within Transkei undermined the organization, particularly its regional leadership. He came to be seen as the sole leader of the organization, not part of the collective leadership. One leader put it as follows:

> Sometimes we would get information or instructions from national leadership via Holomisa. For instance, when we have meetings with Holomisa, he would brief us on things from the national leadership. And we would sitting there thinking ...these were things that should have been conveyed straight to us as the leadership, not Holomisa. Then Holomisa was not part of the elected regional leadership of the ANC[294].

Collective leadership was not the only organizational aspect that suffered in the face of Holomisa's rise to prominence, but the growth of grass-roots organization particularly in

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[292] 08-12-2003
[293] Ibid.
[294] Interview, 08-12-2003.

rural areas. Unlike his Ciskei counterpart, Brigadier Oupa Gqozo, who publicly denounced chiefs and encouraged the rise of civic organizations in rural areas, Holomisa was particularly protective of chiefs. This was because of his status as a chief of a tributary clan of the Thembu. Transkei chiefs received tacit support from the Holomisa regime and thus remained in control of the villages.

A chairperson of the Transkei Region of Sanco, Sthembele Cetywayo, complained that Holomisa's support emboldened emboldened chiefs to an extent that they dissuaded rural residents from associating with anything related to Sanco and the ANC[295], casting the two organisations as "enemies" who had come to replace them. Chiefs had a considerable influence on how rural residents received the two organisations because throughout the transitional period, 1990 to 1994, they remained responsible for maintaining law and order and dispensing land. Locals were thus reluctant to associate themselves with the "enemy" of chiefs for fear that they may be denied community resources, ostracized or simply attract chiefly wrath. The ANC in Xhwili, in order to gain popular following, as we will see below, not only dissociated itself from Sanco, but also worked closely with the chieftaincy and thus failed to develop an autonomous organizational network.

A further constraint on political activists to develop an organizational space independent of chieftaincy was the ANC-Contralesa alliance. To be able to organize in rural communities civic leaders would have inevitably had to confront chiefs, but were inhibited from doing so by the ANC. The mere fact of the alliance had redeemed "chiefs" turning them into "fellow-comrades" and thus could no be shouted down as sell-outs and stooges of the apartheid government. Official protection of chiefs and lack of organizational support to confront chiefly power left chiefs dominant within the public space in Transkei to the detriment of independent political organisation.

[295] Interview, 03-12-2001.

The prominence of charismatic leaders, such Holomisa[296], over the organization meant that supporters enlisted in the party more in support of the individual than the organization itself (as it would later become clearer when he formed the United Democratic Movement after his expulsion from the ANC). Such members tend to be less knowledgeable about the organization nor embraced its vision. An early sign of this was a public uproar sparked by the burning of a Transkie flag by an ANC youth in 1992. Qwase explaines the reason for the burning of the flag:

> By burning the flag, we were saying that we the Transkieans did elect to be independent. So we did not recognize the flag. This was a Bantustan and an appendage of the apartheid government. It can be led by a progressive regime, but we have not elected it. So there was nothing wrong with the burning of the flag[297].

The youth were essentially acting out ANC policies vis-à-vis the Bantustan system. But, though its overwhelming electoral support for the ANC later would later indicate that the it was supportive of the organization, the Transkeian public did not share the organisation's disdain of its "independent" status:

> ... ordinary people in Transkie were up in arms over the burning of the flag. People were not as politicized as others in the rest of the country. Politicisation only came recently in the late 1980s. Holomisa had started the process gradually, but people had not completely become politicized. So the burning of the flag did not sit well with them. They could not understand why we burnt the flag.
>
> At some point, when we went to offices of the local radio station here in Umtata to outline our program of action following the suspension of talks due to the Sebokeng massacre, we were bombarded with calls enquiring about the flag-burning issue. We had to defend this issue all over the radio, we never even got to discuss what we had gone there to discuss[298].

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[296] Holomisa later became one of the most popular ANC leaders receiving the second highest number of votes to the National Executive Committee of the ANC in 1994. In a further confirmation of his rising popularity within the ANC, Holomisa was appointed member of a committee[296] set up to advise the NEC on campaign strategies for 1994 elections. Partly through Holomisa, the ANC was attained an unchallenged dominance in the Transkeian politics. He swayed support, gained through populist policies, in favour of the ANC as evidenced later in the 1994 elections when the ANC received 84% of the provincial votes. Thus the 1980s was a decade of contradictions in Transkei. It started on a highly repressive note, but ended on a partially liberalizing one.

[297] 08-12-2003
[298] Ibid.

Reverence for charismatic leaders over the organization, meant that the post-apartheid democratic project would likely face: fickle support for the (modernizing) ruling party - voters could turn against it if their charismatic leaders left the party; and want of a popular democratic culture due to the absence of strong local organizations, in which it is ordinarily cultivated. To undercut the influence of the charismatic leaders the ruling party would have to win over the public independent of the local notables that initially brought them into the party. Let us now to turn the village of Xhwili to see how all these factors played out.

Chapter 6

Xhwili Village: Views and Observations from Below

Purpose of the Chapter

This chapter focuses on our case study of Xhwili village. It reports on how the institutional and legislative changes panned out in Xhwili with a particular attention on: power struggle between the local chief and the councillor; government strategies to entice local participation in the electoral process and the chiefs' counter-strategies there-to; residents' experience of the first five years under a democratic local government and their views and attitude towards councillors and chiefs; and the state of local organization and political participation. These findings are drawn primarily from interviews, observations in the village, surveys and political party documents and other primary sources.

Outline of the Chapter

The chapter begins with an outline of the new municipal structure, specifically in relation to the role and functions of councillors and chiefs. Thereafter, the focus moves on to the strategies that the ruling party employed to elicit local participation in the electoral process and the counter-strategies adopted by chiefs in resistance against that process. Lastly, the chapter discusses residents' views and attitudes towards their local chiefs and councillors, and their general experience under the new local government and disposition towards local democracy.

As we report on specific issues, we will see that the rural populace has been thrown into a quandary. Democratisation bestowed them, in addition to being subjects, another status – i.e. citizenship - with an accompanying new set of responsibilities and requirements. This entailed a different form of governance and rules to which subjects were unaccustomed. To them it sounded too foreign to their way of life, and yet promised more developmentally. But its procedures and structures did not provide sufficient guarantee that this system would indeed live up to its developmental promise. Rural folks thus became reluctant and suspicious citizens.

And yet they were not entirely contented subjects either. Traditional leadership had historically been eroded and was not what it should have been customarily. But they were still tied to the institution emotionally and culturally. Yet they remained open for political mobilization into the new political age. The extent to which they became politically conscious hinged on the strategies and methods adopted by the political parties that recruited them into their organizational fold.

Chief vs. Councillor: Dual Power and Struggle for Hegemony

The new legislation on local government transformed authority in Xhwili into a dual power structure: an elected councillor, on the one hand, and a chief, on the other. Municipal functions that had hitherto been exclusively executed by the chief were split between the two institutions, with the councillor assuming all official responsibilities as stipulated by legislation, except land allocation. Councillors executed the latter function jointly with chiefs. No other municipal functions were allocated to chiefs.

The Matyengqina tribal authority no longer had executive power to decide on municipal issues. Rather, decision-making over Xhwili rested with the newly formed Kei District Council for the first five years from 1995 to 2000. Directly responsible for the daily administration of Xhwili, as well as other rural communities around Umtata, was the Transitional Rural Council (TRC) comprising elected councillors. Of the total 22 members that made up the Umtata TRC, Xhwili two councillors came from Xhwili. But, because the 1995 elections were based on proportional representation, councillors were not officially designated to serve specific constituencies nor did the electors know whom exactly to approach in the council to attend to their concerns. For, voters had simply voted for the party unknowing who their councillors would be. Accordingly, parties employed their prominent leaders in the their election campaigns. Political parties, based on the level of support received in the elections, then selected local candidates for councillor positions.

The municipal structure changed in 2000 when proportional representation was combined with the election of ward candidates. This meant that voters cast their votes for both a candidate in their own ward and a party of their choice. Xhwili fell under ward 7, which also included Mqekezo and Lower Xhongora villages, and is under the jurisdiction of the renamed King Sabata Dalindyebo (Umtata) Municipality. Ward 7 was won by an ANC candidate, Gamalaziwa Ngcobozi, and the Dalindyebo Municipality fell to the UDM.

The division of labour between councillors and chiefs, though legally defined, remained contentious in practice. This was particularly so with respect to the allocation of land, which was the only joint responsibility. Xhwili headman, Ntande, who acted as a chief for most of the time in Xhwili (for reasons explained below), usurped this function for himself alone. As for the rest of the functions over which the council had direct responsibility, Headman Ntande did not meddle[1]. Those involved enabling residents to access state services particularly social grants and socio-economic development. But, whilst largely sidelined from official municipal duties, chiefs remained a *de facto* enforcer of law and order. The chief presided over cases that, as the locals would say, did not involve "spilling of blood" – i.e. theft and civil disputes.

Headman Ntande's exclusion of councillors from the land allocation process needs more exploring. For, it provides further insight into the reasons behind chiefs' resistance to relinquishing all municipal and development functions to elected councillors. Ntande was not alone in flouting municipal regulations, but was aided by officials the Department of Agriculture (known by locals as *abalimi*) who were responsible for demarcating and registering land plots in the departmental records. It is believed that the reason for Ntande's exclusion of councillors was to be able to extort money from land applicants. He apparently did so by demanding *busa* (a gift) from applicants in order to qualify for land plot. *Abalimi* got their share of the spoils by demarcating unregistered and oversize land plots, for which land applicants paid extra.

[1] Interview with Councillor Mhlonitswa, op cit. The researcher also confirmed this at one land dermarcation ceremony he attended in Xhwili in September, 19, 2000.

Treatment accorded to a*balimi,* at a land demarcation ceremony that the researcher attended, suggested that they were indeed held in high regard, far beyond their official status allowed them. They were provided comfortable seats and were the first to be served food and drinks. Not just any beverages were served *abalimi*, but the highly prized beer and brandy in adequate quantity to the satisfaction of each. The rest of the men were left to quarrel over inadequate seating space and a few bottles of beer and home-brewed beer. Headman Ntande also personally saw to the transportation of *abamili,* to and from Umtata. The headmen truly aimed to please *abalimi,* going beyond the call of duty.

Local government reforms, therefore, did not just entail loss of political power and status for chiefs, but also threatened to deny them of extra-legal means of augmenting their income. This was particularly crucial for headmen, who earned less than chiefs. This probably added to their determination to resist the reforms.

Overall, the powers and the services each institution had and provided, in turn, moulded its relationship with residents. In particular, both these factors partly pre-figured their standing among the populace and whether or not residents would be responsive to each institution and participate within their activities.

Voters at the Crossroad: To the Voting Booth or the Kraal

From the onset in 1995 right through its consolidation in 2000, rural democratization was mired in a climate of acrimony, with government on the one side, and traditional leaders, on the other, whilst rural residents were caught in the middle. As noted above, chiefs resisted their replacement by elected councillors and municipalities as the new local authorities in villages. The government refused to concede to their demand for a central role in rural municipality. As part of exerting pressure on government, chiefs sought to enlist the support of voters urging them to boycott the electoral process. The ruling party on the other hand urged residents to defy their chiefs and take part in the electoral process. Rural voters were thus confronted with conflicting messages accompanied by gloomy predictions of what would follow should they vote, on the one hand, and

promises of material benefits if they voted, on the other hand. Public support (or lack there-of) was to be the deciding factor, for both systems lay claim to being the representatives of public will. Public support would grant legitimacy to their claims, whilst lack of it would have the opposite effect.

Chiefs: Strategies Against Democratisation

Chiefs centered their anti-democracy campaign on: romanticizing tradition, manipulation of rural/urban stereotypes and forecasting adverse socio-economic consequences. Chiefs projected local government reforms not only as an attack on chieftaincy but also as an affront against African customs on which it is based. By extension, the reforms constituted an insult to the rural people who still adhered to their customs. The intention was to manipulate rural sentiments that urban people do not adhere to traditions and consider rural residents unsophisticated *(amaqaba)* because they still observe their customs. The reforms, therefore, were cast as an urban encrouchment into villages driven by urbanites' contempt for rural ways and thinking that they knew better than rural people.

Labelling the reforms as a threat to the existence of chieftaincy found some resonance particularly with senior residents, who have never known rural life without chiefs. They came in defence of chieftaincy as a way of life in rural areas:

> When I was born chiefs were already here, ruling like their fathers before them. So it's something that has always been here. A chief is like an employer, he owns the place. You can't vote him out. If he doesn't work with the people, we can only call him to order[2].

To some chieftaincy was as relevant now as it has been in the past. The fault lied with people whom disrespected chiefs:

> What has changed, are the people. Nowadays people don't want to be ruled. Instead, they want to rule. Where have you ever heard of people ruling themselves. There needs to be someone in authority everywhere. Even in urban areas people are ruled by councillors, mayors and *musipala* (municipality). So here we're ruled by chiefs.

[2] Ibid.

> It's the people who destroy the dignity of chiefs by refusing to obey them. It's like kids at school. If they don't want to listen to their teachers and consequently fail, that reflects badly on teachers. They are blamed even though it's not their fault[3].

An example of a good chief, one noted, was King Dalindyebo:

> We've had good Kings and headmen in this village. King Sabata, for instance, was a great King. He always sided with his people. For example, when the Bhunga sessions broke for lunch, he wouldn't remain in the building and eat the food that was provided for chiefs. Instead, he would go to a nearby shop and eat fish and chips with ordinary people. *U-Sabata waye yinkosi yabantu* (Sabata was a people's king)[4].

That the residents were hard-pressed to find an example of a good chief in recent history, but went back into history was itself an admission that even its ardent supporters acknowledged that this institution was not without weaknesses of its own. Being a chief is not a guarantor of good conduct. But, one was quick to correct: "There is nothing wrong with the institution itself. The problem lies with the individual who occupies the position"[5]. Nonetheless, the fact that residents were willing to point out character flaws in some individual chiefs indicated that they were not uncritically supportive of their chiefs. Moreover, that they could not find an exemplary chief among the current ones means they thought less of them. We further explore the impressions of Xhwili residents about their chiefs below.

Expanding on why residents must reject democratization, chiefs added that municipalities would lead to further hardships in the village. Some residents believed this, as one stated:

> Councillors are bringing *masipala* into the villages to take over our houses. If chieftaincy ends and the villages are taken over by *masipala,* we are going to loose our land. We're going to be just like the people in Umtata. You see Umtata was once a village, just like our village here. Then it was put under *masipala*, and look at them now. They do not have land. Their houses are built close to each other. As a result they have very small yards, which means that they cannot even plough to eke out a livelihood.

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[3] Interview with *Mdala,* 19-09-2000
[4] Interview with *Umsebenzi*, 20-09-2000
[5] Ibid.

> Yes, we do want *impucuko* (progress) that is promised by councillors. But this kind of progress doesn't seem like the kind that brings us benefits. Instead it promises to take away the little that we already have. It's not bringing prosperity, but poverty. So what kind of progress is that, tell me. Take for instance the issue of land. We would not be allocated land anymore. We'll have to pay for everything including water and rent. We would even have to pay for rubbish collection. So tell me, where are we supposed to get all that money to pay for all these things? This *masipala* is going to take the little money that we already have. They will leave us with nothing, with poverty, as opposed to this progress they are talking about[6].

In short, chiefs' strategy was two-pronged: To play on people's romantic attachment towards chieftaincy, whilst portraying democratization as a foreign intrusion driven by urbanites with contempt for rural ways of life; and to cast municipalities as a threat to people's livelihood. For this strategy to succeed, therefore, it meant that rural residents had to be convinced that: the proponent of the reforms – i.e. the ruling party - was indeed a hostile intruder determined to obliterate their way of life and customs; and that placing villages under councillors and municipalities would make life even more difficult in rural areas.

But, a nationwide survey[7] revealed that voters do not receive information on public and political issues solely from chiefs. Rural residents, in particular, in addition to chiefs, also get information from other sources including churches, political parties and election campaigns. This meant that rural folk evaluated the information they received from chiefs against that received from other sources and also against their own experience. These multiple sources information and personal experience enables rural voters to validate the merit of what are they told by chiefs. Residents are thus less susceptible to chiefly influence, open to other views and likely to make decisions based on material interests (which may contradict what they were told by chiefs), particularly those that are depended on social grants.

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[6] Interview with *Venkile*, op cit.
[7] Markinor, Project Nyulo: Political Issues (Set 1), Oct. 19, 1998.

The Ruling Party: Enticing Villagers to the Polls

The ANC built membership and, subsequently, electoral support for rural democratization on localizing itself and on the promise of a "better life" under municipalities. Localization meant that the organization built its image around locally recognized and admired individuals, associated itself with chieftaincy and organized its activities in a manner consistent with the beliefs and values of the residents.

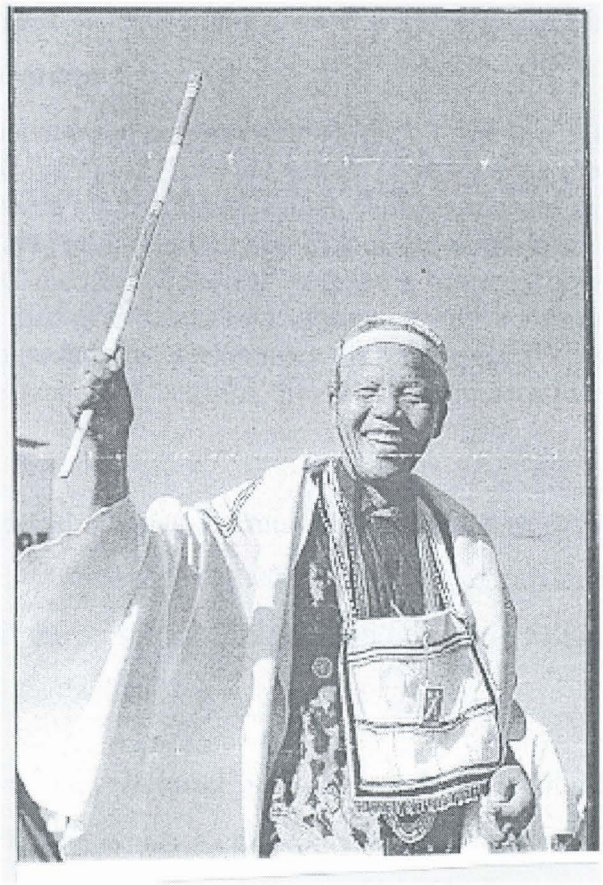
When the ANC started to establish itself in Xhwili it suffered from a lack of profile. Because Transkei did not experience widespread resistance politics, the ANC did not have a heroic status that would have guaranteed it of an instant following. It was relatively unknown in the rural parts of Transkei prior to 1990. Some rural residents even believed the propaganda by the KD regime that it was 'a terrorist organization'. To overcome this problem of 'unfamiliarity', the organization used local-born national leaders with whom local people could identify with. Among those leaders were, notably, Nelson Mandela, Winnie Mandela, Chris Hani and Oliver Tambo. These leaders created a link, later cemented by General Holomisa's membership in the organisation, that had been missing between the ANC and the Trankeians. Some residents attributed their support of the ANC to it being led by fellow Transkeians:

> We admire the ANC because some of its leaders come from region. Leaders such as Mandela, Winnie, Hani, Tambo, Govan, Thabo are our products that we are proud of them. So we can never abandon the ANC and its leaders because they are our people[8].

By highlighting the Transkei origin of some of its national leaders, the organization intended to reassure locals that it shared similar values as them. The intention was to present the organization in an unthreatening way, as a fellow protector of local values and institutions. It was for the same reason that in 1999, after succeeding Nelson Mandela as ANC president and possibly the next president of the country, Thabo Mbeki was introduced quite strongly in rural Transkei as a man with traditional and rural roots. The organization organized a traditional ceremony at his home village of Mpukane, in Dutywa, to, it was stated, reacquaint him with his ancestors (after his return from exile)

[8] Interview with Umsebenzi, 16-05-'99.

and, contrary to the cellebral image of the renaissance man projected in urban areas, Mbeki is commonly referred to by his clan-name, *Zizi*. Responding to statements that the "introduction" was a political ploy given that it coincided with an electoral period, the party stated that the timing was a pure coincidence. The reason the ceremony had been held in the last eight years that Mbeki had been back in the county, it was further stated, was that he was simply too busy. Yet, performing the ritual during an electoral period as he did, Mbeki was no less busy than in the previous eight years.



Former President and member of the Thembu Royal House, Nelson Mandela clad in traditional regalia, 1994. Source: Daily Dispatch

The organization went further publicly associating itself with chieftaincy and distanced itself from opponents of the institution, even when such opponents were its allies. In Xhwili, when the ANC initially established itself in 1990, it first informed the chief and dissociated itself from anti-chief allies such as the civics. ANC activists were even opposed to civic leaders coming into Xhwili. If civics were allowed to establish

themselves in Xhwili, they reasoned, the ANC would inevitably be associated with them because of the alliance that exists between the two organisations. One Xhwili leader explained: "We made a point of telling people that we were not sanco. We told them we were ANC and that we worked with chiefs. The ANC was for chiefs, we would say to them"[9].

The ANC's decision to associate closely with chieftaincy was borne out of the conviction that chiefs enjoyed public adoration and exercised enormous influence over their subjects' political choices. Mahlubandile Qwase, a key organizer in the early 1990s and currently an MPL, elaborates:

> Chiefs command a lot of respect from people on whether or not you're an ANC member. There are certain issues people meet about at the palace, when there's a criminal element, those issues are dealt with at the palace. These are real issues that you cannot run away from, even if you're a staunch ANC member. Take for instance a funeral, there's space for a king to speak, then at rituals there's separate drinks and meat provided for the king. So in community ceremonies they are given their place. In some areas they are respected because they also participate in developmental areas[10].

Another key ANC regional member Phumulo Masualle, a former MEC for Public Works and currently an MPL, expressed his bewilderment at such (underserved) veneration: "It does not matter even if the person is a drunk, people will still follow him. They'll say the palace has spoken and that's that"[11].

Because the ANC was new in rural areas and thus had not developed a sufficient organizational network with which local people were familiar, local activists thought it would be difficult for the organization to mobilize within the rural areas. Thus they deferred to the old chiefly networks that residents had become accustomed to. Qwase elaborated:

> If you call meetings, for instance, chiefs have their own system of organizing meetings, which is even more powerful than our own system of organizing. Their network is respected more than ours. A meeting called

[9] Interview with ex- Councillor Mhlonitshwa, 9-12-2003.
[10] Interview, 11-12-2003.
[11] Interview, 10-12-2003.

> by a chief is likely to have a more following than that called by us independent of the chief. Then it depends on which political party they are affiliated to and use their influence to benefit that party. That's the influence they have and we cannot ignore that[12].

Other than the advantage of using already existent resources, local leaders also believed that residents would not respond to new forms of mobilisation. Qwase reasoned:

> ...Rural people do things in their own way, different from urban people. In rural areas people look at leaders differently, your dress-code matters, age matters and in some areas gender matters as well. And we have to conform to that if we want to remain popular in rural areas[13].

To illustrate this (rural) distinction Qwase cited an incident:

> In 1994 for instance, when we were campaigning for the national elections here Susan Shabangu was part of the electioneering team deployed by the national leadership to the Eastern Cape. One of the places we held a meeting was Pondoland and there she was scheduled to be the main speaker. And this meant that she would be the last one to speak. But there was a problem with this.
>
> You see among the Mpondos a woman can never speak last and close a meeting. So, we had to make hush arrangements to have a man speak after her, even though that person didn't have to raise anything important but simply summarise what she had said. And we only found out about this once we were there. We didn't know of this in advance[14].

Chieftaincy thus came to form the bedrock for ANCs activities in Xhwili. The local councillors organized public meetings through the chief and held them at the tribal authority office with the chief present as an indication of his approval of the meeting. In one meeting, for instance, Chief Mfundo Mtirara showed his support of the government by insisting on holding an umbrella for MEC Nkwinti for the duration of the meeting. Thus councillors simply deferred to old institutions and ways of doing things: "... we had to use people who really understood how to deal with rural people ... So, we brought in chiefs into the ANC and traditional elderly people". Xhwili's own Thembu's King Buyelekhaya Dalindyebo was also drafted into the provincial legislature after the 1994 elections (he resigned about two years later citing health reasons).

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[12] Ibid.
[13] Ibid.
[14] Ibid.

For their support and association with the ruling party, chiefs, in addition to their salaries, receive perks from the ruling party. Phumulo Masualle put it thus:

> Quite recently I was told that traditional leaders have got themselves fancy cars like 4x4. And they got these from Mandela, who had apparently organized a sponsor for them. Government also does the same, can you imagine a 4x4 from Mandela and another from the local government department.

Others were not content with perks. They lobbied for developmental projects in their community. Phumulo Masualle cited an incident that took place whilst he was still MEC of Public Works:

> We had a trip as the executive council to the Eastern Pondoland. On arrival we first went to palace to announce our presence in the community, before starting our program. At the palace, the King requested a private meeting with the Premier. Later on we were to find out that the premier had made all kinds of agreements with the King, which he told us to implement. An MEC responsible for public works was told build a road here and there, one responsible for water told to install taps and so on so forth. This was despite the fact the executive council had its own developmental programme.[15].

Though the ruling party begun in 1994 by courting chiefs on the premise that they possessed influence to sway political support, the subsequent unfolding of events has cast doubts on the accuracy of this (supposed) correlation. The initial and notable event that dispelled this supposition was the electoral turnout for the inaugural local government elections in 1995. In the period leading towards the elections, chiefs, through their representative body, Contralesa, had issued a call to their subjects discouraging them from voting. Chiefs sought to undermine the electoral process in protest against what was beginning to emerge, judging by the emerging pieces of legislation on local government, as their marginalisation from rural municipality in favour of elected councillors. Their insistence to remain a core part of rural municipality had clearly not found favour with the ruling party. A widespread boycott of the electoral process, therefore, was to serve, according to Contralesa, as a resounding message to the ruling party that the rural populace was also opposed to the process. In that case, the process would be de-legitimised and the ruling party, in the face of an electoral boycott, which could also be

[15] Interview, op cit.

construed as a popular protest, would have been forced to heed "the voices of the people" and accommodate the wishes of chiefs.

But, rural voters defied their chiefs in Transkei. They turned out for the 1995 elections in large numbers, significant enough to disappoint chiefs. It must be pointed out though that this inference is not based on statistical data, for such is hardly available particularly on the 1995 elections. Rather, this conclusion is drawn from a no less believable admission made by Prince Zolile Burns-Ncamashe, a member of the Executive Committee of the Eastern Cape region of Contralesa, at the organization's annual general meeting in 2000. Burns-Ncamashe made this admission as the meeting was deliberating over what tactics should be adopted to pressurize government to heed its demands and was also responding to the suggestion made that they issue a call to boycott the coming 2000 local elections. A call to boycott the elections, stated Burns-Ncamashe, would go unheeded by rural residents just as was the case in 1995 when a similar call was issued. Essentially, Burns-Ncamashe, a chief himself, was admitting that chiefs lack political influence over their subjects. Rural voters exercise independent judgement, which they base on information from sources other than a chief, as noted above.

In the aftermath of the inauguration of the new rural local government in 1995, therefore, old assumptions were quickly dispelled and new realities affirmed and criteria was set to evaluate the efficacy of the new democratic institutions, and new possibilities were prefigured for the future state of political organization in Xhwili. The assumption that chiefs carried political sway over their subjects was shattered. Instead, rural voters showed themselves to be independent and made political choices based on their own calculations. And the promise of socio-economic development under democratic municipalities meant that their efficacy and utility would be measured by how well they lived up to that promise. The outcome of that evaluation would, in turn, weigh heavily on voters' decision to participate in subsequent elections. And the ANC's dependence on chieftaincy as a resource and network for its own organizational activities, signaled a reluctance to build independent organizational structures and, barring any radical changes, pointed to a future of a structurally weak organization.

In the meantime the electoral turnout for the inaugural local elections conjured up two questions: 1) Could the voters' defiance of chiefs have meant that the latter lacked credibility? 2) What were the specific considerations that drove rural voters to the polls?

Xhwili Chieftaincy: Chiefs without Moral Authority

Chieftaincy in Xhwili lacks the credibility to be trustworthy. Respondents across generations and gender are in complete unison that "chieftaincy no longer has the aura of dignity that was historically attached to the position". The cause of this is the recurrent instances of power-struggles and conduct unbecoming of chieftaincy. One elder put it succinctly: "*Ah! Kudala zabunyolukela ubukhosi iinkosi zalapha* (chiefs here are greedy for power, it's been like that for long now)".

To be sure, abuse of chiefly power and violation of custom dates to back to the 1950s. A prominent illustration of such customary violation was the installation of KD Matanzima as Paramount Chief of Western Thembuland. But, the blatant abuses that marked the post-1980 era had their immediate beginning in Dalindyebo's dethroment in 1980. This act also marked a symbolical ending of adherence to traditional custom that had been symbolized by Dalindyebo's reign. What followed therefore was a series of blatant contraventions of custom such as epitomized by incidents of abuse of power, power-mongery and self-aggrandisement involving Xhwili chiefs and the Thembu King.

Sabata Dalindyebo's Title: Heir vs. Usurper

The death of Chief Bambilanga in 1987 left the paramount chieftaincy of the Eastern Tembuland vacant. Chief Bambilanga had been appointed into that position in 1981 after Dalindyebo's dethroment. As Bambilanga's eldest son, Zondwa Mtirara, sought the position and was confirmed by both the Thembu regional authority and president Tutor Ndamase and set to be publicly inaugurated on April 15, 1988.

But, the subsequent overthrowal of George Matanzima's government by General Bantu Holomisa spelt a change of fortune for Mtirara's impending inauguration. Citing

submission of complaints and suggestions that Buyelekhaya Dalindyebo, Sabata's son and then still in exile, was the rightful heir of the throne of the Eastern Thembuland, the ruling military council issued an order stopping the inauguration ceremony and scheduled a public meeting for May 1988. At that public meeting, the Eastern Thembu regional authority would reconsider Mtirara eligibility for the paramountcy in the light of the objection and look at the merit of Buyelekhaya's case for the paramountcy.

However, that public meeting never took place as scheduled. Mtirara had successfully launched a legal action requesting the court to impose an interdict against holding such a meeting. In support of this motion, Mtirara contended that he had been designated paramount chief by the Thembu regional authority and confirmed by president Tutor Ndamase in accordance with section 66 (1) of the Republic of Transkei Constitution Act of 1976. Failure to proceed with his appointment would incite an upheaval within Eastern Thembuland.

In their defence, the military government and the Eastern Thembu regional authority, contended that Mtirara could not succeed his father, Chief Bambilanga, to the Thembu paramountcy, for the former was a mere regent. King Sabata's flight to exile and subsequent death did not disqualify his offspring of their right to the throne. Though exiled, Sabata remained the rightful King of Eastern Thembuland and his son was the heir. Chief Bambilanga was a mere gate-keeper (or a regent) until the rightful heir was able to assume his position. Now that it was becoming apparent that Dalindyebo's son – Buyelekhaya – would return home, Mtirara could only be a regent keeping the position *until* Buyelekhaya's return.

The court's verdict came down in favour of Mtirara. Transkei Supreme Court Justice, H.E. Davies, concluded: "The initiation of these steps and the peremptory summoning of meetings calculated to undermine the authority of the applicant while he was the lawful paramount chief were in my view undoubtedly an infringement of the applicant's rights"[16]. According to the ruling, the military council had not shown justifiable cause to

[16] *Daily Dispatch,* 21-06-'88

have the decision of the regional authority reversed. The appointment of chief Zondwa Mtirara had followed legal requirements. The judge put it thus:

> Once the respondent had designated the applicant as paramount chief, it became functus officio (its powers were exhausted and it could not reverse its decision) in this regard and likewise once the president confirmed such and appointment, he also became functus officio in this regard. To this end, no traditional ceremony was necessary to formalise Chief Mtirara's appointment. He was the de jure paramount chief of the Western Thembuland[17].

Not all was lost for the ruling council, however. The court ruling was specific only to the legality of Mtirara's appointment. It could still be challenged on traditional grounds, as the judge explained:

> I wish to emphasise that this judgement is not, and cannot be construed as being, a judgement (far less a final judgement) on the question raised in the affidavits and papers filed by the respondents, namely whether the customs of the Thembus were followed or whether there is substance in the various allegations concerning the rightful heir to the paramountcy made in such papers. Such evidence, considering the Thembus have inhabited this country for well over 300 years, may be considerable and specialised[18].

Convinced of the illegitimacy of Mtirara's designation as paramount chief and encouraged by the court's readiness to hear such a claim, Nomoscow Dalindyebo, Sabata's widow, and Buyelekhaya launched a civil action in early 1989. Passing judgement on the case in April 13, 1989, Justice Mitchell issued an order allowing the Thembu regional authority to review its decision to designate Mtirara as the paramount chief. And, the decision arising from that review process would be binding to all the parties concerned. On May 10, 1989 the 29-member regional authority, from all the three districts of Umtata, Engcobo and Mqanduli, met at the Umtata City Hall before a 2000 crowd of people in a 500-seat hall with hundreds more waiting impatiently outside. Chaired by chief magistrates Mr. M.D Nkomo and Mr H.D Hooper of Engcobo and Umtata respectively, the committee unanimously decided by a show of hands in favour of

[17] Ibid.
[18] Ibid.

revoking Mtirara's designation[19]. Following Mtirara's resignation, Buyelekhaya Dalindyebo, then 26 years old, was installed on the throne on May 28, 1989.



Standing in the middle is Paramount Chief of Eastern Thembuland and son of Sabata, Buyelekhaya and his brothers, 1992. *Source: Daily Dispatch*

But, Buyelekhaya's inauguration did not restore compliance with custom among Eastern Thembuland chiefs. In fact, Mtirara's resignation sparked yet another spectacle. This time it was between brothers fighting over Xhwili chieftaincy.

Brother Versus Brother: Zondwa and Ndaba Mtirara.

Whilst Zondwa Mtirara briefly presided as Paramount Chief, his younger brother, Ndaba Mtirara assumed the title of Chief of Xhwili. Both brothers had assumed their respective titles at the same time, as they both had been filled by their father, Bambilanga, who died in 1987 leaving them vacant. Zondwa took the paramountcy and Ndaba the chieftaincy. Now unseated from the paramountcy, Zondwa challenged his brother for the Xhwili chieftaincy. As Bambilanga's eldest son, argued Zondwa, he was the legitimate heir to the Xhwili chieftaicy.

[19] *Daily Dispatch*, 11-05–1989.

But, Ndaba refused to step aside for his brother though he had no legal or customary grounds to stand on. The ruling military council, just as it had done in Zondwa case and as if it had foreseen Zondwa's challenge, had only recognized Ndaba as a regent when he was initially put into the position. The junta did not consider Ndaba a legitimate heir to the Xhwili chieftaincy and Ndaba consented to the regency status. So when Zondwa challenged for the Xhwili chieftaincy, he had the government and the King on his side. However, it was not enough to get Ndaba to step down[20].

Traditional custom alone proved insufficient to settle the dispute. For instance, at a meeting of the Xhwili community called by Buyelekhaya to get people's backing for his decision, elders feigned ignorance about the identity of the true heir to the Xhwili chieftaincy. This was because none was willing to take sides against either contender, as people feared what might happen to them in the event that the person they opposed eventually became chief. Consequently, the matter erupted beyond the confines of the royal house into the public domain and the civil court.

Both Buyelekhaya and Ndaba conducted a fierce debate on radio stations marked by insults with one calling the other a liar - something supposedly beneath individuals of their standing. After a marathon legal wrangle, the court finally decided in favour of Chief Zondwa. However, the latter did not assume the title. Instead, he handed it over to his son, Mfundo. Though he launched the claim for chieftaincy, it appears that Zondwa did so rather reluctantly. As a civil servant, which Zondwa was when he challenged for chieftaincy, he could not hold a chieftaincy position as well. It seems that he was under pressure from his son, who perhaps also wanted to protect what they considered to be their birth-right.

Whilst Mfundo's appointment was legitimate, his subsequent conduct as chief has done nothing to erase the stain that had tainted Xhwili chieftaincy. Rather, Mfundo's ascension to the title and subsequent conduct only emboldened the stain on the image of the Xhwili chieftaincy.

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[20] Interview with Tishala, 15-05-'99

Chief Mfundo Mtirara: "A Chief in Name and Title Only".

Mfundo's succession, however legitimate, did not follow traditional protocol. It seemed to have been a private hand-over of office from father to son, without the traditional adherence to protocol and community involvement. One elderly man explained:

> Our new chief hasn't been introduced to us in a public forum, as is demanded by tradition. He may be recognised by Bisho as the chief of this village, but he still has to be introduced to us, his subjects. So you can say, traditionally, we still look upon his father as our chief[21].

Moreover, Mfundo was unmarried when he assumed chieftaincy. This constitutes breach of custom. A chief, another elder elaborated:

> ...cannot be designated a chief before he's married. He has to be married first, before, assuming the throne. For all we know, he may be one of these boys running around impregnating our daughters and deserting them[22].

Another breach of custom, according to Xhwili residents, was that Chief Mfundo does not reside in Xhwili among his subjects. Instead he lives at his parents' home in a smart suburb of Ellendale, just outside of the city of Mtata near the Univerisity of Transkei. This is where Mfundo was born and raised. He has never lived in rural areas and is hardly seen anywhere around Xhwili. According one senior resident of Xhwili:

> ... we hardly see him [Chief Mfundo] in our community, and yet he's supposed to be our chief. I don't think he would even know where each of us lives. He doesn't come here that often, but only when there are big occasions. He's said to be the legitimate chief, but his conduct doesn't show it[23].

Mfundo's chieftaincy, a form of absentee employment, is accorded to him by virtue of birth. His ascension to chieftaincy was similar to assuming office on administrative grounds, without the necessary of traditional sanction or ceremony. Mfundo's chieftaincy has so far violated every traditional rule. Respondents pointed to the present chaotic state of *inqila* (tribal authority) as a symbol of their Xhwili chieftaincy. The tribal authority has been closed since the dispute between Zondwa and Ndaba. The former apparently left

[21] Interview with Zizi, 20.09.2000
[22] Interview with Dlamini, 18.09.2000
[23] Interview with Gaba, 18.09.2000

with the keys. This has meant that cases and meetings are no longer heard at the tribal authority office, but at the headman's homestead – a violation of tradition.

In the light of Mfundo absenteeism, traditional duties are fulfilled by his uncle and headman – Ntande Mtirara. It is to this man that the subjects of Xhwili reassuringly refer to as *inkosi yethu* – our chief. He lives among his people and is therefore always available to tend to their needs, as is customarily required of a headman. As one school-boy put it:

> There are always disputes over who is the rightful chief in this village. Jongikhwezi is the only chief we know in our village. He's the only one who really acts like a chief[24].

However, Ntande's attendance to his duties did not make him any more virtuous. During one of the researcher's visits, there was a case involving a woman who had been beaten up (and who miscarried as a result) by another woman. The victim was apparently a mistress to the husband of the women who had attacked her and was pregnant by him. The headman, who was scheduled to preside over the dispute, was rumoured to have been bribed with a sheep by the husband, to decide in favour of his wife.

When he does show up for duty, Mfundo's decisions are not considered to be any different than his uncle's or his predecessors'. Rather, he is seen as a continuation of the corrupt rule that has characterized Xhwili chieftaincy since his grandfather's rule. One elder to sighed in resignation: *OH! Inzalo kaBambilanga kudala yanyoluka, ifuze kanye yena* (Bambilanga's offspring is greedy, just like Bambilanga himself was)[25].

A Persistent Legacy of Greed and Corruption

An example of Mfundo's unseeming tenure was one aspect of his handling of a case over the Headmanship of the nearby village of Qweqwe, which also falls under the jurisdiction of the Matyengqina Tribal Authority and therefore under the Mtirara chieftaincy[26].

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[24] Interview with a group of students of the Milton Mbekela Secondary School at Qunu, which is nearby Xhwili, 19-10-2000

[25] Interview with elder Mgadi, 20.09.2000

[26] Interview with Councillor Mhlonitshwa, 20.09.2000

In the early 1990s, Chief Ndaba appointed an illegitimate candidate, a man called Skutshwa, to the headmanship of Qweqwe village. The legitimate candidate was a man called Bhula to whose family the headmanship of Qweqwe historically belonged. Chief Ndaba knew this and never challenged Bhula's right to succession when the issue first arose. In fact he set a date for Bhula's inauguration ceremony. On the day of the inauguration, members of the community gathered to witness and celebrate the occasion, but Chief Ndaba never showed up[27].

It later turned out that, on the same day, Chief Ndaba held his own ceremony at his palace where he inaugurated his own candidate – i.e. Skutshwa. The latter had no claim to the headmanship of Qweqwe. He was just a prominent businessman in the village. Since Skutshwa had no legitimate grounds and was a businessman, it was widely believed that Chief Ndaba installed him in return for a substantial bribe. Wealth bought Skutshwa the title, whilst Bhula was denied his hereditary right because of his impoverishment. This became a source of tension and divided the Qweqwe community into two camps. Bhula's protest to Chief Mfundo had come to nothing.

The dispute was raised at a public meeting attended by MEC for Local Government, Gugile Nkwinti, in Xhwili in 1999. But the manner in which the dispute was raised at the meeting cast aspersions on the integrity of the new chief, Mfundo, as an objective mediator. The suspicion first arose when, at the initiation of Chief Mfundo, the dispute itself came up for discussion at the meeting, when it was not part of the agenda and did not even come up for consideration when the agenda was compiled. Meeting organizers were thus taken by surprised. Not only that, but Chief Mfundo went on to call Skutshwa, the usurper, and his supporters to address the gathering and the MEC. Though Bhula was also in attendance, Mfundo did not call him address the meeting.

Some attendants felt that Chief Mfundo's conduct at the meeting was impartial in favour of Skutshwa. For, as an objective mediator, he should have also invited Bhula to give his side of the story to the meeting. And in inviting Skutshwa alone, whilst snubbing Bhula

[27] Interview with tishala, 25-05-99

some residents believed that he was siding with the former. And since Skutshwa had no legitimate grounds for the position, it was believed that the chief favoured him only because he was bribed. And when addressing the meeting, Skutshwa was less keen to have outside mediation. The community of Qweqwe, Skutshwa stated, knew exactly who they wanted and could perfectly decide on their own without the intervention by either the Paramount Chief or the MEC. Skutshwa was confident that, left to themselves, the Qweqwe community would reaffirm his appointment. It seemed, just as he had done with Mfundo and his predecessor Ndaba, Skutshwa had used his relative wealth to build himself a power-base in Qweqwe. He feared that an outsider, like the MEC or the Paramount Chief, given their objectivity and adherence to custom, would uncover his illegitimacy[28].

But, though touted as a neutral mediator who would decide according to tradition, King Buyelekhaya has not been a modicum of just rule either.

Thembu King: Un-royal Conduct

In the last few years King Buyelekhaya Dalindyebo has compiled a trail of violating the law. Dalinyebo's conduct has been unbecoming of someone of this stature and title.

Dalindyebo's frequent appearances in court first began in 1995. He was accused of arson, kidnap and assault. He allegedly went on a rampage assaulting and burning houses of people who had disagreed with him[29]. This was followed by another charge of arson in 1999 when Dalindyebo burnt an electric pole. For three days Umtata and the surrounding areas as far as Flagstaff were without electricity supply. The damage cost Eskom R100 000 to repair. When asked to explain his behaviour, the King responded that the poles stood on his land and he had not been requested to grant consent for their installation[30]. That the King never spent a day in prison suggests that the charges were either thrown out or he got away with a fine.

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[28] Public Meeting, 10-05-'99.
[29] Daily Dispatch, 31-7-'97.
[30] Ibid, 1-14-2000.

Fearing that the position of Paramountcy was proving cumbersome for the young and inexperienced king, Nelson Mandela suggested a formation of an advisory council to advise the king and was: "... given the task of helping the Thembu tribe to regain its past glory. The advisors are also expected to sort out all existing problems and help develop not only the Sithebe tribal palace but also the tribe as a whole"[31]. Some of the fifteen member committee included Nkosinathi Kuluta, mayor of Mqanduli; Themba Sangoni, a lawyer and an advisor to Mandela on administrative matters in the Eastern Cape, and Fikile Xasa regional education advisor in the Transkei.

By 2000 the advisory council had still not succeeded to reign in the way-ward King. This time Dalindyebo invaded a government building, Enkululekweni Ministerial Council, and turned it into his own office complex. The King believed that:

> The department of public works does not own or control the premises. This is the contention of the Thembu royal house in the letter to Mandela and Zuma. The land on which the complex was situated belonged to the Thembus and therefore it was the only group with the authority to use the facilities[32].

Pleas to have the King and his staff vacate the building came to nought. Police had to physically eject them out of the building[33].

In light of the cases cited above, one respondent concluded that chieftaincy has certainly not only changed, but has also degenerated. One old man went further to conclude: "We can already see that the future of the chieftaincy looks bleak. When the old generation has died, the young generation will definitely reject chieftaincy"[34]. Because of such several misconducts, Xhwili chiefs lack the moral authority to exercise influence over the political choices of their subjects. Xhwili residents, across generations and educational level, find chiefs' words untrustworthy since they seem concerned only with their own selfish interests, not that of their residents and community. Thus chiefs were unlikely to get voters to support them by abstaining from the polls.

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[31] *Daily Dispatch*, 25-09-'98.
[32] Ibid, September 17, 2000.
[33] *City Press*, September 19, 2000.
[34] Interview with Swayiswayi ...op cit.

Moreover, the option of abstaining from the polls was further muted by the fact that it was never made into an electoral issue by the major opposition party in Transkei after 1997, the United Democratic Front, as part of its criticism of the ruling party. Rather, all parties were urging voters to cast their votes with the only contentious issue being which party to vote for. Since the inaugural elections, therefore, the focus was shifted away from whether or not rural voters should vote to which party they should to vote for. And this decision ultimately rested with their individual assessment of the various parties and what they were likely to gain from voting for one party as opposed to another.

What Enticed Xhwili Voters to the Inaugural Local Polls

Expectations of material development played a key role in rural voters' decision to vote. These expectations were raised by promises of development, under the slogan "A Better Life for All", issued by the ruling party. The ruling party couched the participation of voters in local elections as a decisive factor in changing their own social circumstances. Voters were told that, through their votes, they could determine their plight. The ANCs manifesto for the 2000 elections, for instance, in the same vein as the 1995 elections manifesto, read that voting was effectively an act of joining "...the fight against poverty and underdevelopment". Voting, the manifesto emphasised, would "make local government work to fight poverty, provide free basic services". The new local government would specifically provide "a free basic level of services like water and electricity to every household", create "jobs where we live" and work "for social and economic development"[35].

Promises of material development found a receptive audience in Xhwili residents, as they do with rural residents nation-wide (see Table 2 below). For, in the Eastern Cape alone, the rate of unemployment in 1999 stood at 46.7% second only to the Northern Province at 50.2%. In Ward 7 specifically, where Xhwili is located, only 744 persons were employed in 2001 out of a labour force totaling 8 025[36]. Inevitably, the quality of life had consequently suffered with tragic consequences. For instance, within the first six months

[35] www.anc.org.za
[36] Census 2001, www.statssa.org.za

of 2002, 166 children, in former Transkei, died of malnutrition[37]. And whilst rural residents may boust of access to subsistence land, this has nonetheless not extricated them out of poverty. Tilling land is conditional on having money to hire equipments and purchase other material needed for farming. And because of high unemployment money is what most people do not have and this has meant that:

> ...people no longer cultivate their land even though they have plots of land because they don't have money. In order to plough you need to hire a tractor and buy seeds. For land that has been completely dormant for a considerable period of time, its costs R150 for a tractor to till it and R80 just to refresh land that has been in use. Where should we get all that money from? These days people no longer do things for free even in the villages. Those with cows that you can use to plough, hire them out. *Ubulali sebaphela* [hospitality has died off]. Villages are increasingly becoming just like townships[38].

As a result of lack of supplementary income, most fields are not cultivated nor can people sell or rent out their plots to generate income. The sale of communal land is forbidden by customary law. Some residents even consider life easier in urban than in rural communities because they supposedly have more income-earning opportunities than:

> Urban areas are even better these days. At least there you can still do small jobs like doing washing for your neighbour, clean someone's house or take care of a child. There are opportunities like that to make a bit of money. But here in rural areas, there is absolutely nothing that one can do to make money[39].

The level of desperation in Xhwili is reflected in the kind of jobs residents are willing to do to earn an income. In one instance an old woman, in her late 60s to early 70s, pushed a wheel-barrow with two cases of filled bottles of beer for a distance of approximately 4-5 kilometers. For this she got R2. The payer justified the R2 as appropriate by rural standards. From that R2, he reasoned, the old lady would at least buy a candle – something which she would have otherwise not been able to afford had he not given her that job. Also, the payer added, he could not have given give her more than R2, as he also has to make money as a *spaza*-owner (small informal shop) or else his business would go

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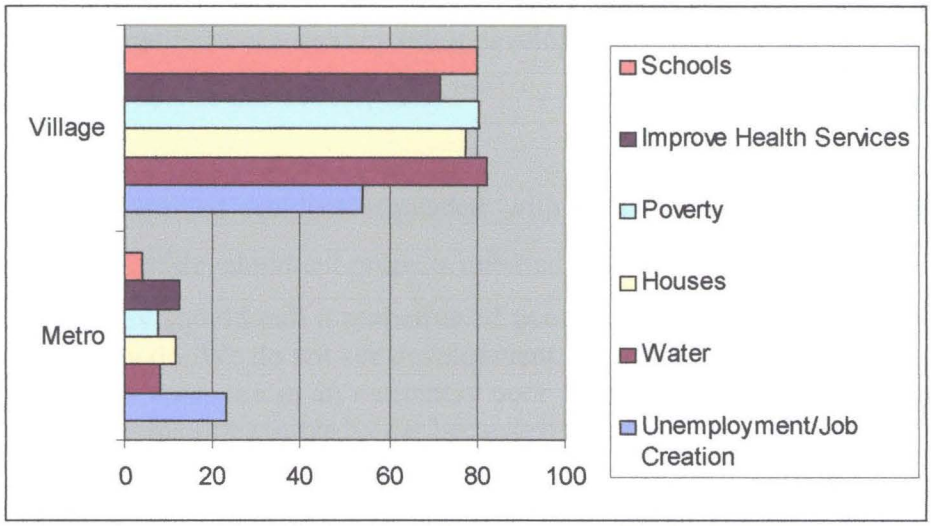
[37] www.sundaytimes.co.za/2002/09/15...

[38] Interview with a group of unemployed women, 22-09-2000

[39] Ibid.

bankrupt. Another 'piece job' in Xhwili involves washing someone's blankets. For washing eight blankets, for example, one gets R10.

Table 2: Most Important Problems Government Should Address.



Source: Markinor: Project Nyulo – Demographics (Set 2), Oct. 1998, Electoral Institute of Southern Africa (EISA).

In short, developmental issues are uppermost in the minds of rural voters. To rural voters, where amenities such as tap water, electricity, telephone and tarred roads were a novelty, these changes would not just be improvements, but the very onset of progress, or *impucuko* as the locals would say in their *lingua franca*.

Inter-Electoral Period, 1995 - 2000: Voters' Scorecard

In the light of dire need and electoral promises, socio-economic development and poverty alleviation were to be the main criteria by which rural voters rate the efficacy and utility of the new local government. Those ratings, in turn, were to weigh heavily on their future participation in local government elections.

Development! What development?

Residents' evaluation of councillors vis-à-vis bringing the promised development was particularly gloomy. This has even earned them an unflattering title of "ceba", which denotes a twig of a tree. A young male resident, rather cynically, captured popular sentiments of the people of Xhwili: "We do not understand this idea that we should vote for municipalities because they bring development. And I'm told that we have councillors here. So, where is this development?"[40]

One disillusioned resident expanded with a more detailed, but still gloomy assessment of development projects initiated by councillors:

> They should call a gathering of people and tell us exactly what it is that they do. We do not see development any where here. We do not have taps. Our roads are in an extremely poor condition. When it rains heavily they become impassable by car because of the mud and water-dams[41].

Reflecting back on her record as councillor during the first term of 1995 to 2000, Councillor Mhlonitshwa, who was also chairperson of the Umtata TRC, confirmed her poor record in Xhwili:

> There isn't much development that has taken place here. The major thing was the construction of this road here, then followed by a water tank and a water pump. But the tank has fallen apart due to poor maintenance and the pump is also broken. The major thing really is the road. But the road is only useful when it's not raining. When it rains heavily, because it's a gravel road, it becomes too slippery and muddy and therefore you can't use it by car ... There weren't enough funds for development really[42].

Lack of development in Xhwili has induced skepticism over ANC's promise of a "Better Life for All". Provincial MEC Gugile Nkwinti was subjected to such skepticism whilst campaigning for the 2000 local elections in Xhwili. Rising to speak after the MEC's speech, one attendant commented:

> Your colleague, the MEC of Agriculture, was here just before the national elections in '99 as you are here yourself just before the local government

[40] Interview with *Venkile*, 23-09-2000
[41] Interview with *Ndevu*, 23-09-2000
[42] Interview, 04-12-2001

> elections. We took him around to see our schools, which are in a dilapidated condition. He promised to give us R100, 000 but nothing has come to date ... This government only makes promises, but never does anything.
>
> Nothing happens in our area. Perhaps it is because we're not educated. We're used to government not honouring its promises. Even if you don't do anything with our requests now, we wouldn't be surprised. We're used to being disappointed by your government[43].



Xhwili Residents washing clothes in a muddy pond, 1999. Source: Taken by the Researcher

Xhwili residents were not alone in their discontent with local government. Local government received low rating on performance throughout the country. Rural residents, more than urbanites, judged government performance on social delivery and concluded that a lot still needed to be done on that front (see Table 3 below). In a survey conducted over a three-year period from 1997, 1998 and 2000 Black respondents gave local government fluctuating performance rate of 32%, 47% and 31% respectively. Rating on the local government's level of responsiveness to public opinion over a period of several years was equally low (see Table 4 below). Resultantly, an even less proportion of

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[43] Public Meeting in Xhwili, 12-10-2000

residents expressed trust in local government elected leaders to "to act in their interests in the great majority of cases where democratic [they] are unable to canvass public opinion"[44](see Table 5 below).

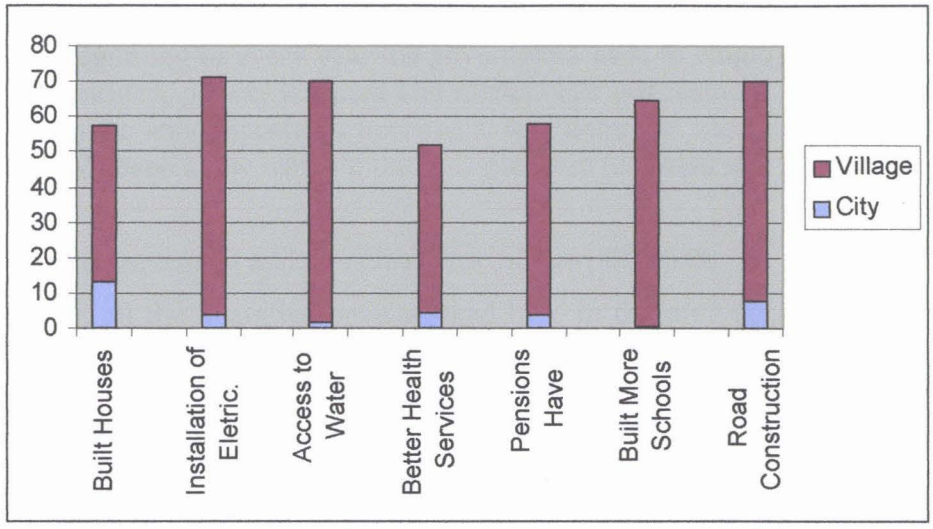


Xhwili Residents fetching drinking water from a spring, 1999. Source: Taken by the Researcher

To be sure, Xhwili residents echoed a sentiment that was widespread throughout Umtata. The ruling party is held responsible for the increasing rates of unemployment in Transkei. This is because unemployment in the unskilled mining sector, which was the main employer for most Transkeians, was on the rise as the ANC assumed power in 1994 and continued on the same trend thereafter. One respondent lamented: "There are no *joins* [recruitments to the mines] anymore since the new government took over. Instead people are being retrenched"[45]. The work force in gold sector alone plummeted down from 458 634 in 1990 to 195 681 by 1999. The coal sector saw a similar trend with its work force reduced to 21 155 by 1999 from 51 267[46] in 1990.

[44] Mattes, R, op cit.
[45] Interview with novenkile, op cit.
[46] South African Institute of Race Relations, Survey 2000/2001, 2001, p.352.

Table 3: Most Positive Things Achieved by Government Since 1994, By Residence



Source: Makinor: Project Nyulo – Demographics (Set 2), Oct.1998, Electoral Institute of Southern Africa (EISA).

Table 4: Local Government Responsiveness to Public Opinion, By Race

	Sept/Nov 1995	June/July 1997	November 1998	July/Aug 2000
Total	58	36	45	31
Black	72	42	51	33
White	25	18	26	19
Coloured	39	22	34	32
Indian	27	10	24	25

Source: Mattes, R, et al, (Oct.2000), "Views of Democracy in South Africa and the Region: Trends and Comparisons, **The Afrobarometer Series, IDASA**

Table 5: Trust in Local Government: 1995-2000, By Race.

	Sept/Nov 1995	June/July 1997	November 1998	July/Aug 2000
Total	33	31	39	23
Black	41	35	44	25
White	14	19	23	11
Coloured	26	23	28	22
Indian	14	14	21	14

Source: Mattes, R, et al, (Oct.2000), "Views of Democracy in South Africa and the Region: Trends and Comparisons, **The Afrobarometer Series, IDASA**

Skilled employees too ascribed lack of jobs and retrenchments directly to the new government. In particular, loss of employment from, and the halt in recruitment into, the

provincial public service has become a major source of discontent. One respondent put it thus:

> The relocation of most government departments to Bisho has denied us the main of source of employment. In the past, almost without fail, at the beginning of every year the government used to employ new civil servants - soldiers, police, teachers and clerks. The government did not even have to make announcements because it was common knowledge here in Umtata. We even knew which month people were recruited and where to go[47].

Another respondent added with a sense of bewilderment:

> In all the years we have worked here in the civil service starting with the *boers*, then Matanzima and later Holomisa, we have never heard of civil servants being called supernumeraries. Its only when the ANC came into power that some of us were suddenly referred to as supernumeraries. It does not make sense.
>
> You cannot work for all these years and all of a sudden you are told that you are a supernumerary and can be fired at any time. In the past we use to be so secured in our jobs. Government was the most secured place one could ever work at. You could never expect a twenty-four hour notification of retrenchment. In these days even educated people like teachers lose their jobs[48].

The resultant decline of buying-power, arising from unemployment, also had an adverse effect on the service industry. One manager of a fast-food outlet explained:

> Here in Umtata the dawn of democracy hasn't brought us much. The relocation of government offices, following the amalgamation and creation of one administration for the Eastern province, from here to Bisho left most people without jobs and hit the business community quite hard. Shops used to have long queues of customers but now we have very few customers. People have been deployed elsewhere[49].

Thus the feeling existed that Bisho is preferred over Umtata. This has led to some feeling that the ANC government targeted Transkei for particular punishment, as expressed by one former civil servant: "Perhaps the reason why the government cannot create jobs is that it does not have money, but then where did the previous government get the money

[47] Interview with Sangoma , 16-05-'99.
[48] Interview with Sangoma, 16-05-'99.
[49] Interview with a Manager - Wimpy food-outlet, 15-05-1999.

from"[50]. An insinuation is thus made that there is a reason other than the one provided by government for Transkei's bad fortunes.

One respondent, a victim of retrenchment, posited Transkei's inactivity in the anti-apartheid struggle as the reason for "its punishment". The ANC is said to be employing its "own people" who were politically active. The respondent elaborated:

> Even if you do not agree with someone, you have to appreciate that person's experience... We understand that each party has its own people but they do not have experience. Now you can go into any government office, you will find officials faced with piles and piles of work they do not what to do or don't know how to do. All these people were appointed because they were in the struggle. If they had retained us, now there would houses and they would not be struggling to achieve their two-thirds majority[51].

In sum, Transkeians were less convinced that democracy results in development. Xhwili residents were even more unequivocal in that assessment. Contrary to being agents of development, councillors are perceived as corrupt. Another attendant stated as much at the afore-mentioned meeting of MEC Nkwinti and the community:

> Projects are supposedly launched at Unitra for developing rural areas. But we've never seen development here in rural areas. Perhaps they've eaten the money. Educated people are good at eating money. They eat it and write down wrong information to justify their theft. But uneducated people can't write, so they are easily caught.

Some respondents draw a correlation between lack of development and corruption, even though such causal relationship is not backed up by evidence, at least in the case of Xhwili. One respondent explains how this conclusion is reached:

> If they [councillors] don't embezzle the money, then why aren't we seeing development in our village. Why aren't roads maintained and taps installed? We know in the past a chief would be given money by the government to construct a road, only for him to embezzle that money. But when one looks at a map, you would see that road reflected when it does not exist in reality. The same thing is happening now[52].

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[50] Interview with an ex-civil servant, 10-05-'99
[51] Interview with tata, 12-05-'99.
[52] Public meeting in Xhwili, 12.10.2000

Respondents simply believe that corruption, because of their homeland experience, is an ingrained part of political culture in Transkei. But, statistical evidence indicates that their perception is not entirely groundless. In a survey conducted provincial-wide on whether or not residents have had personal experience with government corruption and in what instances, 5% said they have encountered it in welfare and 5% said they "are most likely to pay bribes or do favours to get assistance finding housing and land. To be sure, this is not consigned to the Eastern Cape province. A similar proportion, in some cases even more, of residents in other provinces reported encountering corruption. For instance, in the area of services alone, 11% of the residents in the KZN reported an encounter with corruption, 11% in Gauteng and 10% in the Free State[53]. Notwithstanding widespread occurrence, most people nation-wide – i.e. 67% - surveyed over a three-year period of 1996, 1997 and 2000, consistently cited the Eastern Cape as the most corrupt all provinces[54].

The personal experience of some and the public perception of corruption, is also validated by views expressed by Eastern Cape public servants on corruption. A substantial section of them exhibit a predisposition towards corruption. A survey undertaken in 2001 by the Rhodes University-based Public Service Accountability Monitor (PSAM)[55] showed that 48% of the officials in the administration thought that accepting bribes (or gifts as they refer to them) was either "not wrong at all" or "wrong but understandable". Only 39% thought it was wrong and should be punishable, whilst 13% expressed no opinion on the matter. Such considerable official predisposition to corruption indicates that rural folk do encounter corruption in their interaction with the public servants.

Moreover, though an overwhelming 82% of the EC public servants expressed themselves against public officials soliciting a bribe and thought doing so should be punishable, their

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[53] Mattes, R, et al, (Oct.2000), "Views on Democracy in South Africa and the Region: Trends and Comparisons", **The Afrobarometer Series, No. 2, IDASA.**
[54] Ibid.
[55] Allan, C, et al, Government Corruption Seen from Inside: A Survey of Public Official's Perceptions of Corruption in the Eastern Cape, Public Service Accountability Monitor, Research Series No. 1, 2002. p.23-5.

understanding of corruption is worrisome. They thought it acceptable to receive bribes offered unsolicited, but unacceptable for a civil servant to actively solicit one. Be that as it may, this does not rule out the possibility that officials have come to expect "gifts" from the public in order to provide a service.

Official pronouncements and initiatives have also signaled that government considers corruption a problem in the province. In March 1998, Premier Makhenkesi Stofile established an Anti-Corruption Forum (ACF) made up of representatives from government, business, criminal investigation and civil society. Then a provincial anti-corruption workshop was held and was followed by an anti-corruption campaign, which involved members of the Legislature and their constituencies. Out of that campaign, came the formation of a statutory body called the Network Against Corruption (NAC) comprising members of civil society and statutory oversight bodies. The NAC was to encourage members of the public to report corruption, which it would then investigate[56].

But the campaign ran out of steam before it even produced results. Ironically, it was the very occurrence of corruption, which it intended to eliminate, that sapped it of life. The catalyst was a case of conflict of interest and a potential abuse of public office involving the MEC for Health, Dr. Bevan Goqwana. The latter, whilst in public office, owned a private medical practice and an ambulance service. This was a breach of government policy that barred public officials from holding private interests in the same field as their official responsibility. Suspicion was thus aroused that Dr. Goqwana could have used his office and powers in a manner that benefited his private business. It was with this in mind that, at the request of the NAC, the speaker of Parliament requested the Premier to institute a Commission of Enquiry to investigate or refer the matter to the Public Protector for investigation.

Contrary to his declared commitment to fight corruption, the Premier responded by accusing "the Speaker and the NAC being "partisan" and of becoming a "political critic

[56] Allan, C, et al, op cit, p.58-9.

of Government no matter what the facts are""[57]. Thus the Premier effectively declared himself hostile to the NAC. Soon calls for the disbandment of the NAC followed from "members of the ACF, who were closely aligned to the Premier". Both the NAC and ACF subsequently became moribund. The PSAM report notes that:

> In the past year [2001] neither body has met and no public anti-corruption activity has been undertaken by either the Eastern Cape Executive or Legislature. Government driven anti-corruption campaigns in the province have ground to a halt[58].

In the meantime, corruption continued to make provincial headlines involving prominent politicians and figures. In one case, it emerged that the Premier's wife, Nambitha Stofile, was a director of two companies "which have been awarded a number of contracts with provincial government departments which fall under her husband's responsibility"[59]. In another case, the Premier made it unbearable for the Head of Education Department, Modidima Mannya, to fight corruption in the department. In the wake of the suspension of 11 senior officials for possible involvement in corruption, Mannya received death threats, yet the provincial government withdrew his bodyguard. He was thus forced to resign his job and flee for safety. Mannya later withdrew his resignation upon receiving reassurances about his safety from the MEC for education, Stone Sizane. But, the Premier overruled his MEC and refused to re-instate Mannya. Instead, Stofile accused Mannya of maladministration and financial mismanagement. Mannya responded by taking Stofile to court for defamation of character, a charge the Premier opted to settle out of court and thus effectively admitting to the falsity of his accusations. Mannya was never reinstated nor was his probe into investigation in the Education Department resuscitated[60].

It is thus not surprising that councillors had to fend-off accusations of corruption. In light of the regularity of such incidents and the seeming inability of the provincial government, or reluctance as some may see it, councillors have found it difficult to dissociate themselves from accusations of corruption. Because they are part of government, even though they themselves have never been found guilty of corruption, they too are seen as

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[57] Allem, C, op cit, p.60.
[58] Ibid, p.61.
[59] Ibid, p.63.
[60] Ibid, p.63-73.

corrupt. Their only defense has been to ascribe allegations of corruption to "a misinformation campaign" orchestrated by chiefs and the gullibility of the rural-folk:

> This was all aimed at casting councillors in a bad light, because chiefs don't want councillors here. Chiefs are using the people to fight their battles. People are prone to believe an authority figure like a chief. If he tells you not to listen to a particular person, then that's it. They won't listen to you. They don't make up their minds on their own[61].

The aloofness and impersonality of the new municipal system also added to the public perception of its failure. Residents, particularly elders who were familiar with, and dominated the proceedings of, the tribal authority felt marginalized under the system due to their unfamiliarity with both the institution as well as the personalities involved. Looked upon for advice on customary and community issues, elders enjoyed a privileged position within the tribal authority, had easy access to the chief and were generally accustomed to how traditional institutions functioned. In contrast, the new municipal system was founded on universal norms, constituted and functioned differently. The difficulty arising from the novelty of this new system was further compounded by the general lack of accessibility of councilors between 1995 and 2000. One elderly resident complained:

> We can only vote for someone we know. The problem is voting for someone you don't know. We need people we know like the chief. We don't know the councillors personally nor do we know how they work[62].

To be sure, the general inaccessibility of councilors was, in part, a consequence of a structural problem. The inaugural local elections were contested under a system of proportional representation. Voters voted for a party, which, in turn, selected candidates for councillor positions in a council. Voters had no knowledge who among the councillors was directly responsible for their community. And councils were under no legal obligation to assign each of its councillors to specific areas in their jurisdiction to serve.

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[61] Interview with Councillor Ngcobozi, 10.12.2001
[62] Ibid.

It was therefore left to the discretion of councillors to assign themselves constituencies. But this was not stringently enforced. Councillors in Xhwili failed to establish public presence. Before the 1994 elections, Councillor Mhlonitshwa recounted:

> There was a lot of participation in public meetings when we making promises about development that would follow after the elections. So people were excited. We were still going to the polls, it was like going to battle and people attended in large numbers.

After the 1994 elections, Councillor Mhlonitshwa went on to add, the number of meetings and the rate of attendance dropped drastically. Public meetings were held if and when there was a project to be launched. Since public meetings were tied to new projects this meant that "if there was nothing to report for over a period of six months to a year, there would be would be no meetings for that period of time". This was not a phenomenon peculiar to Xhwili though, but rather a widespread one throughout the country (See Tables 6 and 7 below). Since there was no legal compulsion to report regularly to their constituencies, councillors simply became inattentive.

Table 6: Type of Official Contacted & Official Meeting Attended, 1999/2000

Official/Meeting	Total	Black	White	Coloured	Indian
Local Councillor	2.6	3.1	0.2	1.2	5.3
Council Meeting/Hearing	1.2	1.3	0.6	0.5	0.9
Local Council Official	1.0	1.2	0.6	0.0	1.0
Political Party Official	0.9	1.2	0.0	0.5	0.0

Source: Mattes, R, et al, (Oct.2000), "Views of Democracy in South Africa and the Region: Trends and Comparisons, **The Afrobarometer Series, IDASA**

Table 7: Levels of Political Activism, 1999/2000

Political Event	Total	Black	White	Coloured	Indian
Attended Political Rally	33	39	14	19	4
Addressed Community Problems	30	35	13	12	5
Contacted Any Influential Person	10	11	6	6	5
Write Letter to Newspaper	7	6	13	4	0
Contacted a Government/Party Official	6	7	2	2	9

Source: Mattes, R, et al, (Oct.2000), "Views of Democracy in South Africa and the Region: Trends and Comparisons, **The Afrobarometer Series, IDASA**

In the case of Xhwili, councillors intentionally avoided public interaction and discussion with residents, for fear of criticism arising from failure to fulfill their promises. Councillor Mhlonitswa explained:

> We were also not keen to hold meetings when we had nothing to report, for this only subjected us to criticism. So, to some degree, if there was nothing positive to report, we avoided public gatherings because we would not get good reception from the people. People got tired of hearing the same things again, which tended to be excuses of why development hasn't come.

A dismal performance vis-à-vis socio-economic development, impersonality and aloofness of the municipal system in the years following the 1995 elections earned the new democratic local government an unfavourable assessment among Xhwili residents. Some residents even gave Headman Ntande a better rating than Councillor Mhlonitswa: "We do not know what these councillors are doing here. But with our chief still in charge here, we know that we will always have access to land"[63]. Ntande handed out land plots to build a hut and, though not easy without a supplementary income, for subsistence farming. Land allocation is an important occasion marked by an accompanying ceremony. Everything comes to a halt in the village as everyone attends the ceremony. Each household contributes money to a collective fund. During one of the researcher's visit, each household had donated R5. The money was used towards purchasing foodstuffs, a sheep and beverages. At the end of each of the two days it took to demarcate the plots, the entire community gathered for a feast[64].

Elderly men, who are retired and live mostly on pension grant, were particularly praise-worthy of the Headman's role in allocating land plots, for they rely on subsistence farming as a supplementary source of livelihood. Just at the beginning of their adult life and looking for job opportunities, young people and women in general were less concerned about securing land plots, but rather preferred councilors who spoke a new developmental language that encouraged innovative and new economic projects and opportunities, and were responsible for processing applications for social grants (whose main beneficiaries were women – this is explained further below).

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[63] Interview with *Ndevu,* op cit.
[64] Observations from a land allocation ceremony, November 15-16, 2000.

Whilst largely complementary of Headman Ntande regarding land allocation, elderly residents, however, were not entirely pleased with him. They charged that his rule was also fraught with corrupt. Land application was not decided according to the customary criteria of a lengthy residence, good standing and character within the community. Rather, it was decided in a fashion similar to an auction. Only those who could offer the chief the highest gift, locally referred to as *busa*, had their applications approved. The minimum *busa* expected required of land applicants was generally understood to be R150, two bottles of brandy and two cases of beer for a homestead and more for cultivating land. In reality, however, only those who presented the highest offer of *busa* got the land, leaving out those with minimum or no financial resources at all.

Yet, Headman Ntande remained the only visible and immediate authority in Xhwili. And, in the face of the councillors' inaccessibility, given that their offices are located away from the village in town and they hardly convened public meetings, residents feared that marginalisation of their ubiquitous Headman would leave a power vacuum in Xhwili. Even the young generation, who could not perceive any meaningful role for the Headman in community development, recognized him as an authority figure in the village. For, though lacking municipal powers and functions, Headman Ntande remained a de facto law enforcement agency in Xhwili, as noted above. On resident put it as follows:

> No nation can ever stand without a chief. You need to have an authority figure in any society to ensure the welfare of people and community. Here the first port of call whenever something happens, is the chief. We arrest the culprits, take them out court and whip them very hard. Just recently some boys stole chickens and we gave them a strong hiding. I can tell you now those boys will never steal again, not here anyway. So if you don't have a chief here, who's going to make sure that things are in order. There will be lawlessness, like you have in the townships[65].

The experience of the Xhwili residents with local government democracy could, in short, be described as a disappointment. Local democracy fell far short of delivering its most flaunted promise of socio-economic development. The added reluctance of councillors to hold regular public meetings where they would account why promises had not materialized made them appear uncaring and residents felt neglected.

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[65] Interview with *Mdala*, op cit.

In the meantime, Headman Ntande remained on a relatively favourable footing among residents. To be sure, Headman Ntande had not done anything outstanding to earn this standing. This was a rating earned by default. His rule was fraught with imperfections, but they were less compared to that of the councillors. Unlike the latter, the headman had not promised anything by which he would later be measured. To his credit, notwithstanding his corruption in doing so, Headman Ntande still provided plots of land on which residents could build their homesteads, and, if unable to develop a big field, have a small garden to grow vegetables. Moreover, Headman Ntande remained the de facto authority to which residents looked upon and indeed approached to dispense law and order in an isolated rural community far removed from statutory law enforcement agencies located in the city. On balance, therefore, though imperfect, chieftaincy in Xhwili remained on a better standing than councillors as the inaugural term of local government neared its close.

What Now? Do We Turn Back Or Continue Marching Forward, 2000 Local Elections

Four years into the inception of the democratic rural local government, the standoff between chiefs and the ruling party was still continuing. Chiefs were unrelenting in their demands for a central role in rural municipality. Their persistence was met with equal determination from the ruling party to forge ahead with rural democratization. Chiefs had not given up hope that they might still block local government reforms by rallying the rural populace against the polls. Hence, as the second local government elections in December 2000 loomed, chiefs, in their ongoing deliberations with the ruling party, warned that failure to accommodate their demands would have a disruptive effect on the looming polls. The government attempted to mollify the national coalition of chiefs through continuing negotiations as noted earlier in the chapter, albeit not conceding to their demands thereby pouring scorn on their threats. Once more, rural voters, as was the case in the inaugural elections, were to be the final arbiters of whether the democratic march would remain on course or be reversed. This time, however, unlike in the 1995 elections, they would base their decision on the actual track record of councillors, not on faith and electoral promises alone.

Deciding Factors: Deprivation Versus Promise

Xhwili voters still longed for socio-economic development. Of the two institutions, the one that showed potential to fulfill that longing stood to receive their support. Voters had to assess if, on the one hand, the poor developmental record of the first term of local government was conclusive to declare it incapable of social delivery. On the other hand, residents also had to consider, given a chance to assume central authority as was their wish, whether or not chiefs would perform better than their democratic counterparts.

To their credit, chiefs were lauded for providing land plots. Subsistence land provided some relief in light of the widespread unemployment. It was the last defense against poverty. But, without an income to purchase and hire supplements and instruments, residents could not optimally utilize that land. Land, therefore, as a source of livelihood was severely limited. Residents were looking for other sources of livelihood beyond a plot of land that chiefs provided. For this reason, one respondent notes:

> We cannot have chiefs alone, for they have shown themselves to be incapable of mobilising funds for the development of our own areas. All along our village has been ruled by chiefs and yet there is nothing that has happened so far. Our areas still remain undeveloped. Chiefs should only look into issues of land allocation and arbitrate over disputes among people in the area[66].

To young people in particular the fact that chiefs do not have the requisite skills for the development of their community, made them totally redundant, as one pointed out:

> Chiefs shouldn't be born to rule. Instead people must be allowed to elect their own leaders because this allows us to elect the educated people who are able to get things done. But graduates also leave our areas. There are very few educated people left in our areas. Nothing is happening here so they leave for urban areas where there are opportunities.
>
> But elected people should be allowed to deal with issues of development because they know these things. Some of our chiefs are uneducated and thus do not know anything about issues of development[67].

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[66] Interview with a group of students of the Milton Mbekela Secondary School at Qunu, near to Xhwili, 19-20 October 2000.
[67] Ibid.

In the absence of a supplementary income and poor subsistence, social grants had become the major source of livelihood in rural villages. Evidence on national expenditure on social welfare since 1994 indicates that the government had prioritized provision and access to social grants as a way of offsetting the effects of the rising unemployment. By 2003, for instance, expenditure on social grants had reached R34, 8 billion from R10 billion in 1994. Similarly, the number of recipients jumped from 2, 6 million in 1994 to 6, 8 million in 2003[68]. Though not a function of local government, councillors were central in assisting senior residents, the disabled and mothers without income to apply for grants. This was a function previously performed by chiefs because of the illiteracy of most residents and the long distance traveled to the city to submit their applications. Under the new system, the councillors assumed this intermediary role. And, whilst admitting failure on the developmental front, Councillor Mhlonithswa was quick to point out that they prioritized residents' access to social grants:

> The only thing that really kept us in touch with the people were welfare services such as disability, pension and children's grants. People came to us for assistance to access these services on regular basis. So, those who were really pleased with our work were people who needed welfare services[69].

And councillors manipulated their resident's dependence on grants. They claimed that government provided residents grants because of its inherent goodwill, not because residents were entitled to them by virtue of citizenship. An ANC candidate campaigning in Xhwili for the 2000 elections explained:

> We sell democracy to people in the best way they understand it. You have to work within their own understanding of things and terminology. You have to talk of things that are practical and affect people in their daily lives. In our case, for instance, we tell people to vote for the ANC to ensure that they continue to get services like pension, disability and poverty grants. This is delivery and is a priority for rural people. If you give them these services, then they'll vote for you. These are important particularly at this point in time because of the high rate of unemployment. Oftentimes they are the only source of income in an extended family of more than six persons at times[70].

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[68] The Presidency, (Oct.2003), Towards a Ten Year Review.
[69] Interview with Councillor Mhlonitshwa, 9-12.2003.
[70] Interview with Councillor Ngcobozi,09-12-2001

Recipients of social grants believed the candidate. Pensioners, for instance, see participation in the democratic process as a prerequisite for securing the welfare services. One elder explained: "You see government pays our pension, so you have to agree with them. If you don't then they will withdraw your pension"[71]. Abstention from the polls or even not supporting the ruling party, is thus seen as snubbing the government to which it might reciprocate by withdrawing social grants. Elders and women are thus among the major beneficiaries of this emerging post-apartheid welfare state, which explains why, in general, they are more likely to attend meetings called by the ruling party and to vote than any other group[72].

But, the ruling party still had to deal with public skepticism arising from failure to deliver on promises of socio-economic development. It pleaded for patience. ANC candidate in the 2000 elections, Gamalaziwa Ngcobozi explained his plea to voters as follows:

> People ask us of the whereabouts of all the development that the ANC promised them. In answering this question I often made the example that government is like a father earning R500 per month with a family of five children. All the children make demands to the father for this and that. And because of his low income, the father cannot afford to buy for everyone at the same time. He can only buy for one at a time. Ultimately though, each child does get something.
>
> Government operates in a similar fashion, I would tell people. It has limited resources and thus cannot provide everyone all at the same time. It has to rotate its resources from one person to the other. People do see that development is taking place in other villages. So we tell them that it will come here too, just in the same way it came to other areas. They simply have to be patient. And people know that, just as the father with his children, the government does care and will finally provide[73].

Pleas for patience were bolstered with examples of development that had taken place in other villages. As part of its wide campaign strategy, the ANC manifesto, for instance, read:

> In six years we have brought:
> - A million new houses

[71] Interview with swayi, 19-10-2000
[72] Lodge, T, "The South African Local Government Elections of December 2000" **Politikon, 2001, 28, 1,** pp. 21-46.
[73] Interview, 05-12-2001

- Over 500 clinics and free medical care for pregnant women and children under 6
- 24 000 better classrooms; 1 million more children in school
- Electricity to 2.5 million houses
- Pensions and child welfare grants for all
- Tarred roads in former black and rural areas
- Clear water to 6 million people
- Land distribution programmes in place
- Over 1.8 million new telephone lines[74]

Nelson Mandela, a key campaigner for the ANC, in Transkei went further than trotting out figures. In his campaign trail in the 2000 elections, for instance, Mandela was accompanied by chiefs who vouched for the material improvements that had taken place in their own villages. Mandela would cite a presidential project in one village, then ask the chief of that village to stand up as testimony of the "good work undertaken by government". As further indication of the government's commitment to improving the lives of rural people, Mandela elaborated that development projects have also been established in some parts of Western Thembuland. The territory was then under the jurisdiction of Kaiser Matanzima, a man Mandela has publicly denounced as a traitor for toppling Sabata Dalindyebo and collaborating with the apartheid government. This was intended to demonstrate that, if Mandela could care for people under his old foe, then he does really care for everyone. In time, development would extent to all rural communities.

Pointing out improvements in other villages resonated with Xhwili residents. They too vouched to have seen such developments firsthand and credited councillors.

> I can vote for *ooceba*, because there is at least something happening. Progress will come because of *ooceba*. Already there is a clinic at Elukhwethu and there's a hospital being built at Qunu, and ambulances do come here. If you step outside at night and look around at the surrounding communities, you will see that are lit up. So there's development happening. Voting is a good thing to do. We'll elect people we think can do the job and outvote those that have failed[75].

[74] www.anc.org.za
[75] Ibid.

Perceptions of improvements elsewhere, particularly in Ward 7 as a whole, were borne out by Census 2001 indicators on social development. For instance, the number of households with electricity grew steadily from 133 in 1996 to 924 in 2001; and those who got water from a public tap rose from 153 in 1996 to 351 in 2001, and 213, compared to none in 1996, had such taps located within 200 meters of their households[76]. Such developments were undoubtedly miniscule considering the abundant demand, but were nonetheless improvements that countered perceptions that the ruling party was uncaring hence the lack of development in Xhwili. Residents were forced to think of other reasons for that failure. One respondent posited limited time as one reason:

> Perhaps it is because they have not had enough time to put their plans in place. So we must try the councillors and see what they can bring us.
>
> We have seen that in other areas like Qunu, for instance, there is actually development because of *ooceba*. So if they work hard, they will bring development just like in Qunu[77].

Another resident ventured a different reason:

> We cannot blame democracy for lack of development in our area. If democracy was bad, obviously they [other communities] would not have all that development. The question then becomes why have we not seen all these improvements in our area. I think the problem lies with our representatives here. We need to elect representatives who will go out to lobby government to develop our area. *Umlambo awuzi mntwini ngumntu oya emlanjeni* (if you want something you have to go get it, not wait for it to come to you).

Development in other communities, added one resident, should actually spur people on to vote because this shows that elected leaders have a vision and are implementing it:

> You see the best visionaries are those that have already started implementing their vision, not those who have not implemented anything but criticise. You see it is very easy to criticise but difficult to build up something. So people who have already built up something indicate that they are capable of building. So how can you prefer one who has done nothing except criticise over the one who has actually done something[78].

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[76] Census 2001, www.statssa.org.za
[77] Interview with a group of students ... op cit.
[78] Interview with tishalakazi, 14-05-'99.

The new electoral system introduced in 2000 also reassured Xhwili residents that things would be different than in the previous years. Voters voted for both the party and a ward candidate. And all candidates contesting the ward were local people. The eventual victor on ANC platform, Gamalaziwa Ngcobozi, in particular buoyed expectations of looming change. Ngcobozi is an elderly man of reputable standing among Xhwili residents. His previous jobs as a building inspector in the Department of Public Works for 35 years and a road constructor after his retirement in 1997, put him in the public limelight. Ngcobozi earned respect from his involvement in the tribal affairs of the area. He was once an interim chairperson of the Xhwili Tribal Authority and also served in the King's Tribal Council. All this played a crucial role in his election[79].

Ngcobozi echoed the value system of his fellow residents, particularly seniors. Though insisting on the centrality of elected councillors in rural municipality, Ngcobozi pleaded for co-operation with chiefs. Confronting chiefs, Ngcobozi believed, was potentially disruptive because chiefs still contributed to the well-being of Xhwili:

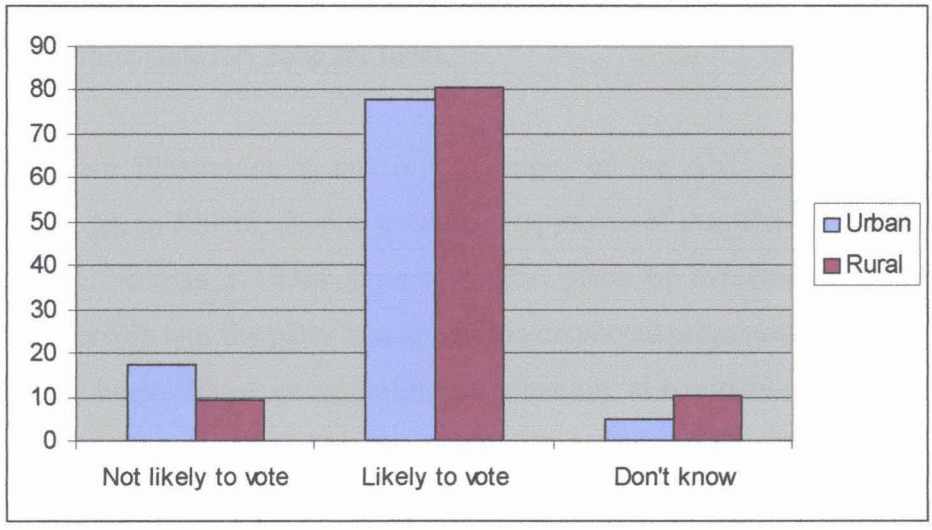
> ...councillors also have to work hand in hand with chiefs. Both should bring development in the area. Councillors should not act in a manner that threatens a chief. A chief needs only to be shown some recognition and respect as the chief of the area. Then things will be okay because chiefs will also be given credit for development that takes place here. If you exclude them, then they will disrupt your plans.[80]

So, discredited and with insufficient patronage to disperse, chiefs faced insurmountable odds in their battle with elected councillors for the "hearts and soul" of the Xhwili populace. To be sure, in the 2000 elections, the rivalry was not pushed to its final conclusion. Just before the elections, as noted earlier in the chapter, chiefs withdrew their threats to disrupt the elections and actively pledged their support to the electoral process and issued a public call to residents to vote. Notwithstanding this turn-around, it is highly unlikely, as evidenced by views cited above, that residents would have heeded their call for a poll boycott had they persisted in their opposition. As noted earlier, residents defied a similar call in 1995 and were still generally eager this time round to vote. According to the Independent Electoral Commission's report of the 2000 elections, 51.29% of the

[79] Interview with Councillor Ngcobozi, 5.12.2001
[80] Interview, 10-12-2001.

registered voters voted in Xhwili's ward 7. This was a comparatively good voter turnout given that the 2000 poll was generally marked by a relatively low turnout of 48.07% nation-wide[81]. This bore out survey findings made earlier in 1998 that rural voters were generally more eager to vote than urbanites (see Table 8 below). And, as noted earlier, those who turned out to vote are more likely to have been the elderly and women, since they have largely benefited from the intensified provision of the numerous social grants. As for young people, most of whom only have high school education and less, government failure to generate new employment opportunities hardly provided them with an incentive to cast their votes.

Table 8: Eagerness to Vote by residence.



Source: Markinor: Project Nyulo – Political Issues (Set 1), Oct.1998, Electoral Institute of Southern Africa (EISA).

It must be noted though that, whilst a member of Contralesa, the absentee Xhwili chief, Mfundo Mtirara, had, in the interviews with the researcher, expressed a different view in support of the electoral process (long before Contralesa changed its stance and supported the elections). Seeming to be following Nelson Mandela's cue, Mtirara noted that the role of chiefs in local government should be fashioned along the lines of a constitutional

[81] www.elections.org.za

monarch which assumes a ceremonial role whilst surrendering executive power and daily administration to the elected statutory bodies[82].

Regardless of the political views of their chiefs, it is certain that Xhwili residents are less influenced by chiefs in their political decisions. Of the social groups, elderly men, since they look upon the chief for land allocation, may be slightly open to chiefly influence. But, even this is mitigated by the fact that the same group relies on government grants, for which they credit the new democratic order, to purchase supplements to cultivate the land. Therefore, elders, like any other group, may be influenced by chiefs as to the choice of a candidate depending on their actual performance or promise, but would certainly not be influenced against participation in the polls. Lacking any stake in the old subsistence economy controlled by chiefs, women and youngsters are closed to chiefly influence but are likely to form their political decisions independently based on what the new democratic state has done for them.

A further illustration of this is the victory of the ANC ward candidate, Gamalaziwa Ngcobozi, in Xhwili, despite a subtle disapproval of the ANC expressed by the Headman Ntande, who is a UDM supporter. One piece of evidence of the headmans' UDM membership was the party's memorabilia displayed prominently in the sitting room of his Xhwili home. Showing his political inclination, at one public meeting attended by MEC Nkwinti, as noted earlier in the chapter, the headman was unrestrained in his criticism of the ANC councillor for failing to live up to their promises and seemed to suggest that nothing better could be expected of them in future. That an ANC candidate eventually won the ward, which was also contested by a UDM candidate, indicates that Headman Ntande's negative demeanour towards the ANC had no bearing on the voters of Xhwili.

Another example, though less convincing as an illustration of chief's lack of political influence, yet instructive as an indicator of the voters' self-agency, is an incident that involved the former chief of Xhwili, Ndaba Mtirara, and a group of elderly residents in a public meeting organized by the chief for the benefit of the researcher. The chief, a UDM

[82] Interview, 16-12-2000.

supporter and later its MP, opened the meeting lamenting the poor performance of councillors in Xhwili. The elders concurred and went further saying they did not want the councillors to replace their chief as a municipal authority.

But, a short while after the meeting had ended and whilst driving to a political rally that was to be addressed by MEC Max Mamase at the tribal authority office, the researcher was stopped by the same group of elders, who were at the meeting earlier on, for a lift to the same rally. They pleaded with the researcher not to inform their former chief that they had attended the rally. The elders seemed concerned that the chief would construe their attendance of the political rally for support of the new political authority and thus disapprove. That the elders still attended the rally knowing that the chief would disapprove indicated that they ultimately exercised freewill, independent of the chief's influence. It is quite possible that the elders' decision was based on the calculation that, given that Ndaba was no longer a seating chief of Xhwili, he does not have authority to act against them even if he found out about their attendance. At the same time, the fact they still insisted on the chief not knowing, indicates that they still revered the former chief who, in any case, still remained an influential member of the Thembu royalty. Be that as it may, they were still determined to do as they wished.

In short, Xhwili residents relate differently to the two institutions depending on their utility and resonance with their value system. Chiefs lack moral authority due to their repeated violation of customary norms, but are still considered vital because of their utility and cultural resonance. They fulfill a practical purpose of administering law and order and are an outward manifestation of their identity. In other words, chieftaincy is part of Xhwili residents' identity, whose significance transcends its attendant benefits of providing security and (partial-) material needs. But, chiefs lacked authority to influence residents' political decisions – i.e. against the polls - because of their own moral ineptitude, and because residents thought it unwise to spurn political institutions that catered for their material needs, something that chiefs were unable to meet optimally.

Conversely, ability to provide patronage is one significant factor that has enticed Xhwili residents into the democratic process. The new democratic government, assisted by the new elected councillors it legislated into existence, provides the only source of income for poor rural residents. Political manipulation and ignorance has pushed residents further to support the democratic councillors, as they think receiving social grants is contingent on electoral participation. Residents, seniors and the illiterate in particular, are spurred into political action less by their ethos than consideration for material benefits. Status and position, according to this category of residents, is achieved by birth, not attained on merit. Such prescriptive values, however, carry less sway among young and educated residents. In addition to prioritizing development, they also ascribe importance to meritocracy as a determinant for status and position. Moreover, growing up under a corrupt chieftaincy, when "good chiefs" such as Sabata are only a distant memory often recalled by their parents, has left this generation with even less admiration for this institution. Therefore, they are far more supportive of their replacement by elected councillors, with whom they identify because of the shared experience of formal education and, to some degree, world-view.

Is it About Bread Alone?

The over-emphasis on development over all else in evaluating democracy among Xhwili residents is not confined to this community alone. Rather, it corresponds with views held throughout the country. In a national survey conducted in mid-2000 to ascertain what aspects were ""essential", "important," "not important" or "not at all important" in order for a society to be called democratic", respondents cited economic aspects as essential by a far higher margin than political aspects (see Table 9 below). This is, as shown in Xhwili, a reflection of the meager socio-economic conditions under which residents live.

Residents' past experience, particularly blacks, was also influential in their understanding of democracy. Asked to define democracy in the same poll, the highest number of respondents said democracy mean civil liberties, followed by "equality/justice" and thirdly "Government by the people, For the people, of the people". If this meaning "could be seen as a reference to what they were deprived of under the [past] regime",

then it is less likely to be shared by Xhwili residents and Transkeians in general. For, the majority of Transkeians hardly experienced life within the homeland as a state of bondage, akin to black life within "apartheid white South Africa".

Table 9: Conceptions of Democracy By Race, 1995-2000

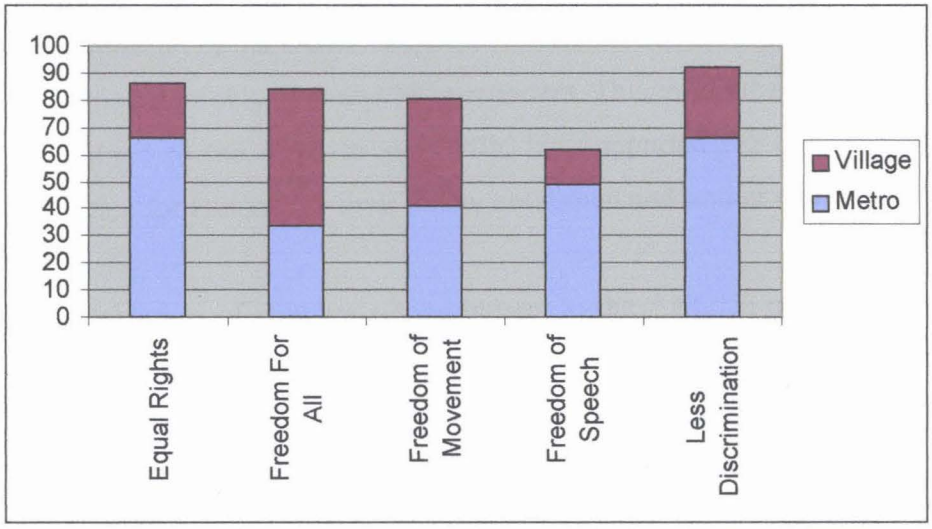
Democratic Components	Black		White		Coloured		Indian		Total	
	'95	00	'95	'00	'95	'00	'95	'00	'95	'00
Majority Rule	36	45	14	13	20	24	14	18	30	38
Freedom Criticise	20	37	43	27	28	31	34	35	25	35
Regular Elections	21	40	44	32	27	29	31	31	27	27
Multipartyism	15	27	52	40	30	32	27	27	24	29
Water, Shelter and Food	N/A	71	N/A	50	N/A	62	N/A	69	N/A	67
Jobs	N/A	76	N/A	54	N/A	79	N/A	74	N/A	73
Equal Education	N/A	68	N/A	48	N/A	72	N/A	66	N/A	66
Income Inequality	28	41	11	9	21	22	11	29	23	35

Source: Mattes, R, et al, (Oct.2000), "Views of Democracy in South Africa and the Region: Trends and Comparisons, **The Afrobarometer Series, IDASA**

A point can be made of course that, because the homeland government was a repressive authority, therefore the absence of political uprising was a result of repression, not a reflection of consent to the regime. This would be true to some extent, but there is a strong indication that the average less educated and older generation of Transkeians, who grew up in a largely politically dormant community, came to identify quite strongly with thier "independent status". The above-cited incident of a public furore over the burning of the then Transkei flag, by the politically conscious and generally educated youngsters who were inducted into political activity in the late 1980s as Transkei opened up, indicates the passion felt by the public over what they considered a desecration of their symbol of sovereignty and patriotism.

To Xhwili residents, therefore, democracy entailed less of a freedom, than to "black South Africans", because they had enjoyed it all along under their "independent homeland". Of all the apartheid laws, they were mostly adversely affected by the restrictions on movement, which affected them as migrant labourers. This explains why they rated the general freedom and freedom of movement higher than any other post-apartheid reforms (see Table 10 below).

Table 10: Response to Scrapping of Apartheid Legislation by Residence



Source: Markinor: Project Nyulo – Demographics (Set2), Oct. 1998, Electoral Institute of Southern Africa (EISA).

That said, it does not mean that Transkeians were entirely ignorant of the emancipatory implication of democracy. When asked for their meaning of democracy in this study, Xhwili residents cited the "release of Mandela from prison" and his eventual election to presidency. In other words, and to underscore the point made immediately above, they defined freedom in relation to others who had been denied of it, not in relation to themselves. They did not include themselves within the category of those who had been liberated, nor did they say what this freedom allows them to do, which they had previously not been allowed. Democracy, therefore, did not entail a granting of civil liberties to the Transkeians to the same extent as the South Africans.

The emergence of democratic political institutions and the onset of electoral politics have not nurtured a democratic ethos and practices either. Evidence shows that voters, particularly in Transkei, are likely to the swayed by personalities than commit to a particularly party out of conviction. An example of this was the outflow of supporters from the ANC into the newly formed UDM following Bantu Holomisa after his expulsion from the ANC in 1997. The ANC suffered a sharp drop in the Eastern Cape from 83% in the 1994 elections to 73,8% in 1999, whilst the UDM experienced a proportional gain of 13% of the provincial vote and averaged 1.5% in other provinces[83]. So, almost all of the UDM's supporters came from Holomisa's hometown of Umtata and were most probably former-ANC supporters. This meant that these supporters were never committed to the ANC to start with, but supported the organization out of personal adoration for Holomisa - their fellow townsman and former ruler.

The fickleness of member's commitment to the ANC, in particular, owed to its patron-based nature in Xhwili and in rural areas in general. Rather than build the organization and nurture a culture of membership participation, accountability and consultation, the ANC local leadership, as noted earlier, centered its mobilising strategy on personalities instead. The party relied on the credibility of local notables to persuade people to join the party, as opposed to the party machinery recruiting through educating the masses about its own history, policies and objectives for the future. Phumulo Masualle, a former MEC of Public Works and currently an MPL put it thus:

> We were experiencing a boom and everyone was excited. We didn't develop organizational structures to sustain the support. People simply joined en masse, and we didn't bother develop educational material to educate our membership. This was crucial for us to do because people here do not have an organic relationship with the organization. Now people come in and out. Today they are members. The first moment they have a quarrel with the leadership they leave the organization and join another organisation[84].

Organisational weaknesses further manifested themselves in poor leadership accountability and interaction with membership. The councillor (and the ANC branch) in

[83] www.elections.org.za
[84] Interview, 10-12-2003.

Xhwili rarely convened public meetings between 1995 and 2000. As for the local ANC branch, it was as good as moribund. To be sure, this was a widespread phenomenon whose scale the ruling party also found worrisome. The ANC's Mid-Term Report and Review, delivered at the National General Council in 2000, noted:

> The number of branches in all our provinces grew towards the 1997 Conference and continued upward in 1998, but declined towards the end of the year. The growth seems to be related to vigorous recruitment efforts by provincial leadership structures and membership in preparation for provincial conferences. This membership declined immediately after the provincial conferences, and grew again as regions were preparing for the their own conferences towards 1999 elections[85].

Whilst largely the result of conceding public space to chieftaincy, poor local organization, one ANC senior regional leader believes, is also a reflection of the leadership style of present ANC leadership. The leadership is prone to a top-down style that is more amenable to working through chieftaincy than it is with organizational structures. The regional senior leader explained:

> The organization is command-driven. There's a culture of the national leadership sending briefing-notes down to the lower leadership. And the notes would read: this is what you must do, you must have meetings and these are the talking points. Chief's big-man style of leadership fits quite well into this command-driven leadership style of the ANC. Chiefs announces and everyone else follows suit, the premier and the president do the same thing. There's no difference. They all fit quite well into each other. They are all mutually reinforcing[86].

In sum, local government reforms, beginning in 1995, overhauled traditional leaders and authorities as central figures and institutions of local government in rural areas. The new local government comprised modern institutions founded on democratic principles of elections and accountability and was intended to undertake socio-economic development of rural communities. The democratization process received a mixed response from Xhwili residents.

Chiefs decidedly opposed it, whilst residents supported it though remaining critical of the new institutions. Chiefs attempted to mobilize public support behind their opposition to

[85] www.anc.org.za
[86] Interview, 14-12-2003.

the process, but failed because, *inter alia*, they lacked moral authority among rural residents. Central to the resident's support of the process was the socio-economic improvements (or at least the promise of them) that had taken place in rural communities. Material benefits played a singularly important role, particularly in swaying the support of elders, who tended to be uneducated and emotionally attached to the traditional institution. As for the younger generation, their support of the process transcended its material benefits to their belief in the value system upon which the institution is based. They believed that leaders should be elected on the basis of merit.

The electoral support for the democratization process, however, belied the vibrancy of democratic organization, practices and culture in Xhwili. The levels of community participation within local organizations, particularly the ruling party, and the accountability of councillors towards the electors were extremely poor.

Chapter 7
Analysis and Conclusion

Purpose of the Chapter

This chapter provides an analysis of the research findings and concludes the study. Firstly, it weaves together the different themes into a coherent analytical whole in order to draw out implications and the meaning of the research findings as intended in the study. Then it ends off by highlighting the implications of the research findings for the existing literature.

Overview of the Purpose of this Study

In the main, the study sought to explore the experiences and attitudes of rural people towards the process of rural democratization between 1995 and 2001. To achieve this, the researcher asked the following questions: Do rural people prefer chiefly rule to democratic councilors or vice-versa? What conditions determine whether not rural people support or oppose either elected councilors or chiefs? What was government's rationale for replacing chiefly rule with elected councilors? How has government implemented the new democratic changes and promoted popular participation therein? How have chiefs reacted towards the new changes?

To answer these questions the researcher selected a village of Xhwili, situated outside Umtata in the Eastern Cape Province, as a case study. Xhwili was selected primarily because it is a typical South African rural village. It was also selected because it is a predominantly Xhosa-speaking community and thus makes for easier communication with residents, as the researcher is also Xhosa speaking and familiar with the local customs. Xhwili was recommended by one of the respondents, Chief Phathekile Holomisa believing that the then chief of Xhwili, Ndaba Mtirara, an outspoken and educated individual, would be more co-operative than other chiefs who otherwise less familiar with research and less articulate.

Interviews were conducted with approximately 400 Xhwili residents, both individually and in groups, when the researcher spent a period of roughly three months in Xhwili between 1999 and 2003. Valuable data was gathered from 1) community and political meetings, 2) archival research as well as through 3) a review of key official documents compiled by a government task team and the Portfolio Committee on Provincial Affairs and Local Government (for which the researcher was responsible for writing up the reports from parliamentary public discussions and from study tours to other African countries in 2000).

A Brief Review of Key Research Findings

Data collected during the study yielded 3 main findings: 1) tradition is not inimical to change and is subject to political manipulation; 2) democratization has elicited a mixed response from the rural people determined by their varying socio-economic status and age; and 3) chiefs and the ruling elite are in a tension ridden relationship, yet mutually beneficial to each partner.

Outline of the Chapter

The chapter begins by refuting the assertion that tradition is inimical to change. In doing this, we refer back briefly to the nineteenth century Transkei. For, this period is the point of origin for this contradictory notion of tradition and modernity that was to be echoed in the subsequent years right up to recent history. It is thus appropriate that we challenge the very source of the argument to fully appreciate subsequent policies and discourse that rested on the same juxtaposition. As for the alleged immunity of rural people to present day democratization, the chapter will underscore that this is not borne out by reality in rural areas but is intended to preserve political hegemony of chiefs. Thus argument about the conservatism of tradition is a sham aimed to hide political intentions.

Thereafter, the chapter accounts for the continued existence of chieftaincy in the new political dispensation despite its collaboration with the apartheid project under the guise

of preserving African tradition. In particular, the chapter shows that chieftaincy owes its current privileged status, though short of what chiefs demanded, to a myriad of reasons, which are mainly practical and ideological. Lastly, despite their dubious record, the chapter will stress that chiefs still do derive consent for chiefly rule from their subjects. This consent is not just a residue of past loyalty that was coerced through control of patronage and sheer despotism but emanates from personal identification with the institution of chieftaincy.

Traditional Discourse: Pretext to Bolster Colonial Rule and Economic Interests

The contemporary argument that rural people and societies are incapable of change, as advanced by opponents of the democratic project, dates back to the time of British colonialism. It was later usurped, but changed slightly by apartheid architects. Rather than allow for those who had already embraced the modern lifestyle and institutions to continue on that path, apartheid architects stripped all Africans of access and participation in modern institutions arguing that they were innately a traditional people that belonged within their own traditional institutions. Even then, as is the case presently, such claims were proved to be false and were motivated by political and economic imperatives.

The initial intention was to disfranchise Xhosas. The disfranchisement campaign originated with Afrikaner politicians who were disadvantaged by the rising population of franchised Xhosas whose votes swung the balance of power in the Cape in favour of the Liberals. The Liberals whose main motivation was to turn Xhosas, then mostly self-sufficient, into labourers, later joined Afrikaners. With economic and political considerations on the ascendant, the colonial authority changed the objective of its native policy from civilization to control. Traditional institutions were re-imposed with the intention to attain such control.

Traditional rule, however, was not fully restored as chiefs were marginalized in favour of, at least initially, elected headman. This was not because the officialdom still had faith in the civilising mission. Rather, it still mistrusted chiefs suspecting that they had not yet

been fully pacified and, if given central role in local administration, might use their positions to incite resistance or obstruct government policies. So, the officialdom opted for the modern and co-operative elected headman, but still insisted on the administration of customary law and later turned the headmanship into a hereditary office whilst continuing to consider merit.

Afrikaners later emulated the British, but without the accompanying pretenses that characterized British colonialism. They did not feel the need to couch their political designs in the language of civilization. Rather, in adopting the Bantu Authorities Act (BAA) and later the Bantustan system, the apartheid government opted for what appeared authentic thereby eliciting the consent of some of members of the traditional ruling elite, who stood to gain both power and privileges. The BAA brought chiefs back into the centre of village administration and allowed for full administration of customary law without the added caveat requiring it to be sensitive to civilized standards. The intended objective, it was argued, was to enable full actualization of African tradition within its own natural setting, a village. The logic was that Africans were innately tribal and not suited for life in the modern cities and institutions.

But, here too the claim to traditional authenticity was a sham. Customary law was not allowed to express its "natural self". Rather, it was manipulated to express only that which accorded with maintaining apartheid. Where they threatened to undermine apartheid power, customary laws were strangled. Customary rules of succession and administration, for instance, were not always observed. Political loyalty determined whether or not an otherwise traditional leader was appointed or kept his position. According to apartheid logic, only collaborating chiefs were traditional and defiant ones were easily declared untraditional. So, the act of collaborating with the apartheid government conferred the mantle of tradition and legitimacy on an usurper, whereas non-compliance easily made a genuine chief untraditional and thus a victim of deposition.

Essentially, the apartheid Bantu Authority Act was no more authentic than the British District Council System was progressive. It was the apartheid government's response to

the same "problem" that had confronted the British - "native control" - and provided a pretext for maximum exploitation of African labour. Claiming that each African ethnic group would be free to express its political will and cultural self, the Bantustan system granted the apartheid government with a delusion of (moral) justification to deny Africans of franchise in "South Africa" thereby maintaining white political hegemony.

Without a viable economy of its own and predominantly a home for migrant workers, Transkei also served as a labour reservoir for the "South African" employers. Denied residence and only granted short-term contracts, migrant workers never qualified for full benefits that are normally granted workers thereby enabling employers to make savings on labour costs. They paid migrant workers a pittance claiming that they only needed enough to sustain themselves whilst on contract, but upon their frequent returns home workers have no use for money since they lived on land. In other words, the traditional economy under the homeland system was a form of subsidy for the capitalist "South African" economy.

The so-called self-rule in 1963 and independence in 1976 simply masked the afore-mentioned political and economic motivations. The primacy of these motivations outweighed even the pretence of Transkeian democracy. Billed as a democratic institution in which Xhosas would exercise unhindered franchise, in practice the *Bhunga* was never intended to reflect popular will and allow for democracy to flourish. The apartheid-imposed constitution of Transkei allotted the appointed traditional leaders more seats than elected leaders – i.e. 64 to 45. Balance of power was thus fixed in favour of traditional leaders. The intention was to ensure that the *Bhunga* never passed a motion overturning Transkei's self-rule. Clients of the apartheid state, pampered with absolute power and salaries – chiefs could never revoke the Bantustan system.

Institutional manipulation was not the only safeguard for the Bantustan. Electoral meddling at the local level bolstered it. Political space was not open and free. Though party agents for either the ruling or opposition parties, chiefs largely supported the ruling TNIP because it secured their unchallenged power, through the Bantu Authorities Act,

and material well-being. Chiefs issued instructions to residents as to who they should vote for. Residents, particularly the illiterate ones who had to declare their votes, hardly defied chiefs, for such an act would jeopardize their access to local resources or invite some form of backlash from the chief.

Ultimately, chieftaincy and the political system were intertwined. Neither an independent political machinery existed nor was there space for independent political action. Political organization and action was mediated through chieftaincy. Eventually, the KD regime resolved to rid Transkei of even the sheer pretence of democracy. Opposition parties and figures critical of the homeland system were ruthlessly repressed, imprisoned and banished by the early 1980s.

Not only was the official repression successful in stamping out opposition from within, but also achieved an equal measure of success in throttling the emergence of resistance politics in general. Extra-parliamentary activities were a mere inkling confined to a narrow existence at campuses under the banner of Azansco. Even there political resistance was not overtly political, as student, having experienced it initially in 1985 in reaction to a class boycotts, feared the wrath of the KD regime. Beyond the confines of campus life, political activism was suppressed to the underground. A few individuals were involved in inconspicuous under ground political work. Mass-based organizational network and political activities were effectively non-existent nor was there any historical record or memory of them ever being established in Transkei.

Official corruption and despotism flourished in the face of unchallenged political power and lack of reprisals from the apartheid government. To be sure, political corruption had surfaced early on in the 1960s, but the public only grasped its scale when it made headlines in the 1980s following the corruption probes instituted by the Holomisa government. Politicians were not the only ones who enjoyed carte blanche to indulge their greed, but chiefs as well. They did not observe customary rules in cases of succession or land allocation to their residents.

The legacy that Transkei would carry over into a united and democratic SA, therefore, could be summarized as follows: A fusion of chieftaincy and party politics without free space for independent political action; an absence of mass-based organisations and anti-apartheid protest politics; a morally inept and discredited chieftaincy; and corrupt political institutions highly distrusted by the populace.

Making Sense of the Local Response to the Democratic Project

Evidence from electoral turnout and opinion polls indicate an overwhelming acceptance of local democratization. However, rural voters were not unanimous in their feelings and attitude towards the democratic institutions. One group voted out of ideological conviction and for material benefits, whilst another was motivated by the latter consideration only, but ideologically in tune with the old system of chieftaincy. The variation stems from generational and socialization factors.

But, before probing the influence of the afore-mentioned specific variables it is crucial to note that democratization was never going to elicit a passionate response across the Transkeian populace because of their political history and apartheid experience, and an ingrained historical distrust of political institutions and personalities.

Political History and Apartheid Experience

Transkeians' politico-historical and apartheid experience did not make them ready-made supporters of the democratic project. Apartheid, to start with, did not have a directly adverse effect on Transkeians. To the extent that it denied them the option of permanent residence in SA and forced them to carry passes, failing which they incurred imprisonment or fines, was a negative experience. But, apartheid was not an omnipresent experience in their lives, but a somewhat periodical one, which they could escape. In the main, they considered themselves an independent and free people as evidenced by the public uproar that followed the burning of the old Transkei flag in 1992.

The dawn of democracy, therefore, did have the emotional effect of deliverance from bondage to freedom. Unlike black South Africans, who experienced apartheid first-hand as an ever-present brutal experience and thus were natural proponents of democracy, the Transkeian public would have to be convinced and won over to support the process. The value of democracy was not readily evident among the Transkeians, as it was to their South African counterparts. Lack of a sustained and open political agitation against the KD regime only added to this political indifference towards democracy. Those who agitated for political change were largely based in "South Africa" and unknown in Transkei. The political agitators, where they commanded a hero-worshipping following in "South Africa", in Transkei they were simply unrecognizable names that still had to prove themselves.

Political Corruption

The recurrence of official corruption post-1994 kept alive the historical public distrust of the officialdom, which added to the difficulty of winning support for the democratic project, particularly because it was presented as a panacea to their socio-economic ills. Residents do not trust that civil servants and politicians serve the public good. On the contrary, it is widely believed that they use public office to serve their selfish interests. This public distrust of public officials is a legacy of the former Transkei, where corruption was endemic. That legacy of entitled corruption was carried over to the new Eastern Cape provincial government. This was inevitable given that the new administration was an amalgamation of the erstwhile Ciskei, Transkei and Cape Administrations and retained roughly the same personnel. Naturally, corruption outlived Transkei as shown by evidence of corruption among current civil servants.

Complacency of the political leadership to stamp corruption out and, in some cases, even their implication, further fuelled the public perception of corruption in the Eastern Cape. Promises of an efficient, clean and accountable government, said to be the foundation of a democracy, thus ring hollow in the ears of Xhwili residents. To them it is simply a case of the "same old wine in a new bottle". Hence, residents could easily ascribe lack of

development under the new system to the corruption of the councilors, even though they had no evidence of such happening. This evidently impacts negatively on the credibility of councilors, which in turn, spoils their relationship with voters.

Thus the perception of political corruption made the task of winning the public over to the democratic project even harder. It meant that the new rulers would have to prove themselves to earn public trust. Support for the democratic process would largely depend on the evaluation of the residents' own personal circumstances and how they would be impacted under the new democratic system. Let us now turn to the varying responses shaped by generational and socialization factors we alluded to earlier.

Generational Gap and Value System

The generational factor explains the varying disposition towards chieftaincy. Both young and old generations acknowledge the moral ineptitude of chieftaincy, but differ when it comes to its continued relevance. The older generation – from the age of forty onwards – wants chiefs retained in the land allocation role, whilst the younger generation is indifferent to being dismissive towards chiefs. The differentiating factor is the historical memory of a good chief, which the old generation has, but absent in the younger generation. This is due to the varying historical context within which each generation's ideas took shape (or are taking shape).

A telling example of the influence of the historical memory among the old generation is the view that: "There's nothing wrong with the institution of chieftaincy, the fault lies with the individual who holds the position". This indicates that old residents have experience or fresh memory of a time when chiefs were accountable and respected the needs and wishes of their subjects. Xhwili residents cited Sabata Dalindyebo as one such chief. They evidently could not find an example of a "good chief" among the contemporary ones or even among the recently past ones such as the Matanzima brothers. According to the old generation, therefore, all the post-Dalindyebo chiefs, and certainly the present chief of Xhwili, do not qualify for the title of a "good chief". By contrast those not yet born or simply to young during Sabata's time, therefore, have no memory of

a "good chief", but know and have experience of one kind only, a "bad chief". To them chieftaincy, has no redeeming value.

Beyond the outstanding character of just one individual chief, the institution itself played a key and positive role at one point in the lives of the old generation. A local authority prior to the reforms, chiefs aided residents to access state resources such as pension and also acted as commissioners of oaths for crucial documents such as a death certificate without which a bereaved family, for instance, could not secure funds from an insurance policy of the deceased. Chiefs also controlled access to land, which was crucial for constructing a homestead and provided a source of subsistence to either supplement or in lieu of an income.

Nowadays, given the rise of unemployment and even though largely left uncultivated, old residents see subsistence farming as their last defense against grinding poverty. This maintains the importance of chiefs because of their continuing exclusive control, until recently that is, over land allocation. Granted, residents disapprove of the corrupt manner in which chiefs go about executing this function. But, they want them retained nonetheless, for they are anxious over what would happen if the system were to change. And, chiefs, in their attempt to turn residents against democratization, exacerbated this anxiety misleading residents into believing that municipalities would reduce the size of plots to resemble those owned by urbanites where residents "do not have space even for a small garden". Thus historical memory of a "good chief", a previous administrative role in the lives of residents, and anxiety over change militate to against a complete erosion of respect for the chieftaincy among the old residents.

Conversely, young people have no vested interests in the retention of chieftaincy and its rural economy. Rather, their value system, age and relative education predispose them towards a democratic system and migration to urban areas. Young people are despondent about living in the rural areas upon finishing school due to lack of job opportunities, hence there is a trend to leave for urban areas. And, with the demise of apartheid, there is no legal obligation to return to the countryside. Only socio-economic development would

keep them in their rural homes. And for that development to happen, they argued, elected councilors had to be placed in exclusive charge of rural areas, as most of them are educated and knowledgeable about developmental issues.

As for chiefs, since "most of them can't even sign their own names", young people dismiss them as ill-equipped for leadership. Influenced by their educational background, they define leadership on the basis of merit citing education as a key requirement in leadership. Education, young people believe, equips a leader to pursue a developmental agenda, from which job opportunities would possibly come. According to them, chieftaincy preserves an economy that offers no opportunities for people of their young age and relative education on the eve or just starting their working lives. And, unlike the older generation, the younger generation is also emotionally detached from chieftaincy. Because they grew up at the time when corruption had become the only defining feature of chieftaincy, they do not have a memory of a good chief. All they know is that chiefs are technically incompetent and morally inept.

Yet, though differing in disposition, the rural community of Xhwili responded positively towards local democratization as evidenced by the electoral turn-out and public opinion surveys. Why do they vote? After all, they, particularly the elders, also have the option to disengage from the electoral process? Or, is there really a choice?

Socio-Economic Conditioning: Voting for Bread

A likely result from distrust of public institutions is disengagement from the political process and institutions. Voters come to believe that government is uncaring and consequently conclude that it is futile to continue holding out any hope of social redress. Thus voters turn inward and become self-reliant. Evidently, Xhwili voters, despite their distrust of politicians and civil servants, have turned out to vote in large numbers. This seeming contradiction is explained by a combination of a total lack of means for self-reliance, the state's relative abundance of welfare services, and the residents' perception of voting as a necessary condition to gain social grants.

Part of the former Transkei homeland, life in Xhwili was characterized by a symbiotic relationship between land subsistence and wage labour. One was insufficient as a source of sustenance without the other as the size and quality of land was too poor and wages too little to provide sufficient livelihood (as noted above from a 1940s report by the Chamber of Mines). Wages could be used to buy supplements for land production. Termination of the wage labour thus disrupted land production. Unemployed and without any independent source of livelihood, rural folk have come to rely almost exclusively on social grants – i.e. pension, children and disabled grants.

It is this vulnerability and excessive reliance on social grants, coupled with ignorance, which the politicians have exploited in their drive for votes. Some voters were duped into believing that receiving a pension was conditional on voting. Abstention from the polls, in other words, would possibly cause withdrawal of grants or disapproval of grant application. This is of course false. But, illiterate voters, both recipients and their dependants, believed it to be true. Touted as delivery by canny politicians, provision of social grants thus diluted criticism of an uncaring government and the actual lack of social delivery. National government has also bolstered the perception of a caring government through annual increases of social grants and constant reminders to potential recipients to apply. Indeed the national government, in the face of increasing unemployment, has made provision of welfare grants a priority and has increased them almost every year. Receiving social grants thus gave electorates in a stake in the political system and thus kept them engaged in the political processes.

The combination of actual provision of social relief and the promise of development in the case of Xhwili residents has lessened their resistance towards democracy. This was bolstered by the ruling party success in endearing itself to the local populace. They attainted this through a deliberate process of localizing its leadership and image so as not to seem threatening to the rural populace.

Localisation of the ANC

The ANC as an organization lacked presence in Transkei's rural areas because of its historical urban-bias and the added difficulty of the ban accompanied by brutal suppression of extra-parliamentary activities by the KD regime. This meant that the organisation lacked an organizational network, and a sentimental and popular appeal as a liberator among Transkeians. To gain a popular following, therefore, it had to validate or localize itself.

The process of localization, firstly, entailed accentuating the linkage between the Transkeian community and the ANC leadership. This was done through constant reminders of the Trankeian origin of prominent ANC leaders like Oliver Tambo, Chris Hani, Walter Sisulu, Thabo and Govan Mbeki, and Winnie and Nelson Mandela. The intention was to show that the organization is led by some of their own and therefore is for them as well.

Of all the Transkei born leaders, Mandela played this role particularly well. Mandela's distinction was that he embraced rural life and personified its values. He built a house in his home village, Qunu, where he is a regular presence and spends Christmas holidays. A member of the Thembu royalty, Mandela plays an active role in Thembu affairs and has publicly defended the chieftaincy against demands that it be abolished or completely downgraded. Mandela, therefore, became the ANC's reassuring face to the Transkeians, rural residents in particular, that the organization valued them and would not disregard their values and institutions.

By excessively using Mandela's persona in its recruitment drive among Transkeians, the organization essentially showed a preference for the employment of charismatic leaders over mass-based educational programme as a form of membership recruitment. In other words, the organization established itself in Transkei as a patron-based party. The centrality of yet another charismatic figure, Bantu Holomisa, in Transkei was another indication of the vertically based mobilization strategy that the party had adopted. In such

an instance, educating the membership about the policies and values of the party played second fiddle to hero-worshipping of charismatic leaders. The priority was to organize electoral support behind the party, whichever way.

To be sure, unbanned as it was in 1990, which turned out to be just four years before the first non-racial and democratic elections were held, perhaps the party could be forgiven for not undertaking the more cumbersome process of winning over the populace through the strength of its policies. The urgency of winning political power militated against that option. In any case, the populace proved amenable to vertical over horizontal mobilization. Transkeians have no history of mass-based organizational involvement, but have a particular fondness for charismatic leaders.

Whilst less cumbersome and yielding immediate benefits, relying on charismatic leaders militated against the party building a sustainable organizational network and committed membership. Holomisa's expulsion from the ANC, for instance, saw a substantial group of members leaving the party to join his new party, the UDM. Earlier, Holomisa, unlike his Ciskei counterpart Oupa Gqozo, had sided with chiefs who, fearing that the two organization sought to annihilate them, were hostile against the formation of ANC and civic structures in rural Transkei.

Not that the ANC, in particular, was ever adamant on building strong and independent organizational structures in rural areas. In line with its belief that recruiting notable leaders sways popular support in favour of the party, the organization aligned itself with local chiefs. Party leadership simply conceded public ground to chieftaincy believing that the populace would not be responsive to political action organized independently of the institution, a belief partly based on the historical intertwinement of the party–structure and chieftaincy in Transkei. This was the same belief that saw the party recruit nationally prominent chiefs such as Nonkonyane and Holomisa to the serve as its MPs, in return for serving as party agents in rural areas.

However, political-chiefs have not been entirely compliant with the political directives. They have at times either echoed or led opposition to rural democratisation. This demonstrates the precarious position that political-chiefs occupy. They serve two somewhat opposing interests – traditional leaders and the politicians – to whom they are expected to periodically, demonstrate loyalty in order to retain credibility. In leading the anti-democratisation protests, the political-chiefs are expressing real discontent from some sections of their chiefly constituency. Thus they reassure this section that, though consorting with politicians, they have not switched sides and remain true to the interests of royalty.

Simultaneously, the political-chiefs are reminding the ruling party of their continuing utility to them. That is, they represent a constituency that remains relatively resentful of the rural democratisation process, hence they were co-opted into the organizational fold as a measure to pacify royalty. If the political-chiefs were completely discarded by the ruling party, they could easily arose that discontent into a full-blown confrontation. Prospects of this happening may well be nil, particularly in light of their failed attempts to elicit popular boycott against the 1995 elections. But, the ruling party evidently takes the threats seriously hence it has been reluctant to adopt a strictly hard-line stance - i.e. expulsion – against the political-chiefs for defying party discipline or not performing their expected duty of party mobilisers. It has not only retained political-chiefs in parliament, but also increased their number despite occasional threats and doubts over their commitment to organizational discipline.

The retention of the some-times defiant political-chiefs may well suggest that the party needs them more than they need the party. The governing party's indulgence of political-chiefs is, at some level, an indication that it is determined not to see a recurrence of what happened earlier in other African countries where government and chieftaincy hostility broke into political instability and disruption of local administration. The ruling party obviously thinks chiefs, particularly the KZN based group, have the capacity to sow such gloom. Hence they have been particularly responsive to chiefly demands during electoral seasons. The salary increases for EC based chiefs in 1995 and 1999 and the flurry of bills

just before the 2000 elections are examples of such responsiveness. Although none of the bills was eventually passed because chiefs considered them inadequate and due to constitutional objections, and the consequent presidential promise of a constitutional amendment never materialized, the mere fact that government responded shows it is sensitive not to totally alienate chiefs. Rather, government has opted to follow the current continental trends of accommodation and inclusion in local administration, as Botswana and Uganda, among many other African countries, have done.

Similarly, chiefs are equally sensitive not to push their relationship with the ruling party to a breaking point. If that were to happen, they fear that they may not have the support of the rural masses on whose behalf they purport to speak and without whose support their threats ring hollow. The failure of the 1995 boycott, particularly in the EC, was an ample early notice that chiefs do not enjoy the support the purport to have among the rural folk.

In other words, chiefs push just hard enough to get some compromise concession, and resist pushing too hard for fear that government might adopt a hard-line stance and pour scorn on their threats, in which case chiefs would not be able to follow through. And failure to follow through with their threats would permanently weaken chiefs, as their future threats, having being proven to be hollow, would fall on completely deaf official ears. By the same token, government shies away from daring chiefs to act on their threats for fear that they might just have the capacity to do exactly that. Rather than leave them completely out on the cold, the ruling party draws chiefs into a negotiation process and, at times, appeases them with some marginal concessions. The chiefly-government relationship, therefore, has settled into some state of equilibrium.

Implications for Existing Scholarship on Rural Democratisation

During the literature review in 1999-2000, the researcher identified a number of key arguments and debates on chieftaincy. For instance, McIntosh[320] highlighted developmental gains entailed in a democratic rural government without delving into the potential complexity of implementing such a system in the face of chiefly opposition and alleged popular resistance. Maloka[321] downplayed the seriousness of chiefly opposition arguing that they lacked popular support and legitimacy to disrupt the democratic project. Thus the ANC should simply go ahead and not heed their complaints. Not true, asserted Oomen[322]. Chiefs, according to Oomen, could not be discarded easily, for they are political brokers. The ANC, she concluded, needs them to build its political fortunes in the rural areas. Housten[323] added that that the relationship between chiefs and government and the success of the process would depend on the political history, culture and objectives of the various provincial governments where there are chiefs. Myers[324] also maintained that chiefs were still influential in rural areas. He attributed this to their symbolism as an embodiment of ancestral spirits. According to Peires[325], though, chiefly influence in rural areas was on a decline. This was due to the loss of patronage. But, Peires concluded, chiefs were still adored by their subjects for reasons he did not elaborate. Zungu and Vilakazi[326] simply exalted the virtues of chieftaincy, whilst denouncing democracy for its vices and predicted a popular uprising against the democratic project in rural areas.

The findings of this study confirmed and expanded some of the above findings, whilst also refuting others. Chiefs are not easily discarded as Maloka maintained, nor are they simply adored as Peires concluded. The ANC needs chiefs because it thinks, as Oomen

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[320] McIntosh, A, "Towards A New Rural Local Government System in South Africa: ...", op cit.
[321] Maloka, E, **African Communist**, Issue 136, 1994.
[322] Oomen, B, "We must now go back to our history": Retraditionalisation in a Northern Province Chieftaincy", op cit.
[323] Houston, G, "Traditional Leadership and the Restructuring of Rural Local Government", op cit.
[324] Myers, J, "The Spontaneous Ideology of Tradition in Post-Apartheid South Africa" op cit.
[325] Peires, J, "Traditional Leaders in Purgatory Local Government in Tsolo, Qumbu and Port St Johns, 1990-2000", op cit.
[326] Vilakazi, H and Zungu, S, "On traditional Leaders and the New Constitution" op cit.

and Housten point out, they have an electoral value. But, this relationship, as this study has showed, goes beyond an electoral pact. The ANC needs chiefs for their symbolism of African authenticity, which the ANC has sought to capture in its African Renaissance project. So, further to Housten's perspective, the chiefly-ANC relationship is not determined by the provincial dynamics, but also driven by a broader nationalistic imperative.

The study also confirmed Peires' insightful observations, but showed that chiefs are not just simply adored as he and Myers conclude. The chiefly-subject relationship is contradictory and far more complex than that. Chiefs are adored mostly by the older generation. To this generation, chiefs offer the security of land access and continuity with the familiar past. Yet, the same generation holds chiefs in contempt because of their moral bankruptcy, which has seen them violating the virtues of customary law. The younger generation, relatively educated and in search of opportunities, sees chiefs as backward and as a hindrance to the realization of the promise of a better life.

Most importantly, the study has provided a valuable insight into the mobilization strategy of the ruling party adopted in Transkei and its rural parts. In particular, the study has illustrated that the governing party relied on charismatic leaders as main agents of mobilization over recruitment through educating the populace about party policies and values. Whilst electorally beneficial in the short-term, this strategy undermined the long-term sustainability of the support tying it to the provision of material benefits and the continuing presence of charismatic leaders. In cases of such leaders defecting, support dwindles and some of those who remain behind do so largely for material reasons, not out of conviction and thus likely to withdraw should such benefits not materialise.

The rural membership is likely to remain untrained in democratic values and practices of the ruling party. For, given the reliance on chiefly structures as the party's organizing agents and the subsequent organizational weaknesses of the party structures, there is no incubator to cultivate such practices and values.

Generalisability of the Research Findings

Research findings contained herein were derived from a village located in the Eastern Cape Province. For that reason, the findings, in the main, bear specific relevance to that Province because of its peculiar (British colonial) history and historical memory, which are different from other rural provinces of SA. For instance, the KZN chiefs may face less official pressure to make way for the democratic project because of their historical links with the IFP-controlled provincial government. Concomitantly, elected councilors may encounter serious difficulty in asserting their authority in the face of chiefly resistance and, most importantly, without the backing of the provincial government. Only those working in areas controlled by pro-democracy chiefs, like Chief Mlaba, may find it relatively easy to assert their municipal authority and fulfill their functions.

So, community mood, whether hostile or receptive, influences popular attitudes to the democratic project. In the Eastern Cape, the political and institutional weakness of chieftaincy, arising from (provincial) official hostility, legislative changes and divisions from within, have undoubtedly made it difficult for chiefs to have a markedly anti-democratisation influence over their subjects. In other words, the political climate in rural areas is decidedly agreeable to popular participation in the democratic rural government structures. Conversely, the overwhelming official hostility towards democratization in most rural KZN may discourage popular participation in the local democratization project.

That said, there are variables that are common to both provinces. For instance, breach of customary law (or the despotism), incompetence of tribal authorities to lead socio-economic development, which may be accomplished under a democratic local government, may predispose the rural folk towards rural democratization. Under a different provincial government, the rural populace may even respond similarly to the Eastern Cape. And, like the Eastern Cape where Mandela has been employed prominently to garner support for the democratic project because of his royal connection and familiarity with the local people, Jacob Zuma has done the same for KZN. Zuma like

Mandela, has the requisite traditional credentials that appeal to the rural folk. He is a polygamist, was born in a village and is often seen in attendance at traditional gatherings clothed in traditional regalia. So, whilst the study was specific to the Eastern Cape, it illuminated dynamics that are possibly at play in other rural provinces as well not only the Eastern Cape.

Lastly, this study also highlighted a potential area for further research that is, the dilemma and awkwardness of the ANC in dealing with tradition and chiefs. Admittedly, the problem is a universal one and has long been identified by scholars of nationalist movements. But it is worthwhile to pursue an empirical study to see how it has affected this particular nationalist movement and how they are grappling with it. Tentative findings contained in this study indicate that the need for ideological legitimisation and electoral pressure to pander to rural constituencies, have forced the ANC to adopt ethnic-based strategies despite its claims to universality. Zuma's deployment to KZN to deal with fellow Zulu speakers and Patrick Lekota's 1994 redeployment from that province, despite years of political activity and prominence there, to the Free State, where he had little record of political activity, seemingly on account of his native Sotho language, are just some examples. It is thus worth exploring this subject further. Moreover, more research is required to establish the scale of the existence of the underground network and its attempts, if any, at building mass-based organisations. It would also be important to establish the extent of the usefulness of such underground networks in building the movement once it was unbanned in 1990.

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ANNEXURE: A

GENERAL EXPLANATORY NOTE:

---------- Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Local Government: Municipal Structures Act, 1998, so as to make provision for the functions of traditional authorities; to make provision for municipal councils to delegate functions to traditional authorities; to make provision for the role of traditional leaders in certain community matters; and to provide for matters connected therewith.

Be it enacted by the Parliament of the Republic of South Africa as follows:-

Insertion of sections 81A and 81B in Act 117 of 1998

1. The following sections are hereby inserted in the Local Government: Municipal Structures Act, 1998, after section 81:

"**Functions of traditional authorities.**

81A. The functions of a traditional authority that observes a system of customary law include the following:

(a) To collect and administer all fees and charges which are, according to custom, payable to the traditional authority within the traditional area of that traditional authority;

(b) to receive fines and fees collected with regard to the exercise of customary law;

(c) to administer any funding allocated to it from any source;

(d) to make recommendations in connection with the appointment of headmen;

(e) to perform such functions as may be delegated to it by a municipal council;

(f) to provide direction and leadership in cultural activities;

(g) to be the custodian of culture and customs;

(h) to attend to matters relating to witchcraft and divination within its communities;

(i) to carry out all orders given to it by competent authorities;

(j) to make known the requirements of any new laws to the community;

(k) to convene meetings of community members;

(l) to promote the interest and well being of residents in its traditional area;

(m) to control the holding of initiation ceremonies;

(n) to facilitate the gathering of firewood;

(o) to coordinate first fruit ceremonies;

(p) to coordinate rainmaking ceremonies; and

(q) to coordinate the clearing of fields to ensure good harvests.

Role of traditional leaders in community affairs

81B. The role of traditional leaders includes:

(a) Officiating at the opening and closing ceremonies of municipal councils;

(b) presiding over the opening of customary proceedings;

(c) liaising, on behalf of municipal councils, with communities in respect of matters which affect the communities concerned;

(d) presiding over traditional, customary and wedding ceremonies;

(e) participating in burials;

(f) mediating during ancestral worship; and

(g) presiding over the inauguration of headmen.".

ANNEXURE: B

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Local Government: Municipal Structures Act, 1998, so as to provide for the retention of powers, functions and role of the institution of traditional leadership; to provide for powers and functions of traditional authorities in local government matters; to foster and harmonise partnerships between traditional authorities and municipal councils so as to enhance the culture of co-operative governance between traditional authorities and municipal councils; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Substitution of Part 6 of Chapter 4 of Act 117 of 1998, as amended by Schedule 3 of Act 32 of 2000 and section 5 of Act 33 of 2000

1. The following Part is substituted for Part 6 of Chapter 4 of the Local Government: Municipal Structures Act, 1998:

"Part 6: Traditional Leadership

Powers and functions of traditional authorities in local government matters

81. (1) Despite anything contained in any other law, a traditional authority observing a system of customary law continues to exist and to exercise powers and functions conferred upon it in terms of indigenous law, customs and statutory law, which powers and functions include—

(a) the right to administer communal land;

(b) communicating decisions of the municipal council affecting its area to the people living in the area;

(c) communicating to the municipal council the views of the people living in its area;

(d) promoting the development of its area and the people living in the area;

(e) participating in development planning;

(f) alerting the municipality to any hazard or calamity threatening its area or the well-being of people living in the area;

(g) making recommendations to the municipality on any matter affecting its area;

(h) exercising any power or performing any other function assigned to it by notice in the *Provincial Gazette*, by the MEC for local government acting in accordance with a policy framework issued by the Minister.

(2) A municipality must consider a recommendation made in terms of subsection (1)*(g)* and inform the traditional authority of any decision taken.

Relationship between Traditional Authorities and Municipal Councils.

81A. (1) Traditional authorities and municipal councils must exercise their powers and perform their functions in a manner that respects the functional and institutional integrity of one another.

(2) Traditional Authorities and municipal councils must—

(a) co-operate with one another in areas of common interest; and

(b) endeavour to amicably resolve any dispute.".

Short title

2. This Act is called the Local Government: Municipal Structures Second Amendment Act, 2000.

ANNEXURE C

BILL

To provide for the retention of the powers, functions and role of traditional authorities; to provide for the role of traditional authorities in local government matters; to foster and harmonise relationships between traditional authorities and municipal councils so as to enhance the spirit of co-operative governance between traditional authorities and municipal councils; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Definitions

1. In this Act, unless the context indicates otherwise-

"**Minister**" means the national Minister responsible for local government;
"**municipal council**" means a municipal council referred to in section 157(1) of the Constitution;
"**traditional authority**" means a traditional authority envisaged in section 211(2) of the Constitution.

Role of traditional authorities

2. (1) A traditional authority continues to exist and to exercise powers and perform functions conferred upon it in terms of indigenous law, customs and statutory law consistent with the Constitution, which powers and functions may, without derogating from the powers of a municipal council, include-

(a) such local government powers and functions as a municipal council may delegate to it in terms of subsection (2);
(b) the fostering of good relations and a better understanding between the municipality and the people living in the area of the traditional authority, and for this purpose-
   (i) promote an appreciation for the customs, traditions, beliefs and systems of customary law that are observed in that area;

(ii) educate people living in that area about programmes of the municipality affecting them, including the municipality's community participation programmes; and

(iii) facilitate co-operation between the municipality and the people living in the area;

(c) communicating decisions of a municipal council affecting the area of the traditional authority to the people living in that area;

(d) communicating to a municipal council the views of the people living in the area of the traditional authority;

(e) participating in development planning;

(f) alerting a municipality to any hazard or calamity threatening the area of the traditional authority or the wellbeing of people living in that area; and

(g) making recommendations to a municipality on any matter affecting the traditional authority's area of jurisdiction.

(2) Subject to section 160(2) of the Constitution, a municipal council may, within a framework determined by the Minister, delegate any of its functions to a traditional authority within its area of jurisdiction.

(3) A municipal council must consider a recommendation made in terms of subsection (1)(g) and inform a traditional authority on any decision taken.

Relationship between traditional authorities and municipal councils

3. (1) Traditional authorities and municipal councils must exercise their powers and perform their functions in line with the spirit of co-operative governance as contained in the Constitution.

(2) Traditional authorities and municipal councils must co-operate with one another in areas of common interest.

Short title

4. This Act is called the Traditional Authorities' Powers and Functions Act, 2001.

Functions of traditional councils ANNEXURE: D

5. (1) A traditional council has the following functions:

(a) facilitating involvement of the traditional community in the development or amendment of the integrated development plan of a municipality in whose area that community resides;

(b) supporting municipalities in the identification of community needs;

(c) recommending appropriate interventions to government that will contribute to development and service delivery within the area of jurisdiction of the traditional council;

(d) participating in development programmes of municipalities and of the provincial and national spheres of government;

(e) promoting indigenous knowledge systems for sustainable development;

(f) administering the affairs of the traditional community in accordance with custom and tradition;

(g) assisting, supporting and guiding traditional leaders in the exercise of their powers and the performance of their functions;

(h) participating in the development of policy and legislation at local level;

(i) entering into service delivery agreements with municipalities regarding the provision of services to rural communities;

(j) promoting the ideals of cooperative governance, integrated development planning, sustainable development and service delivery;

(k) alerting any relevant municipality to any hazard or calamity that threatens the area of jurisdiction of the traditional council in question, or the wellbeing of people living in such area of jurisdiction; and

(l) exercise and perform those powers and functions conferred by customary law, customs and statutory law consistent with the Constitution.

(2) Provincial legislation may regulate the exercise of functions by a traditional council by requiring a traditional council to –

(a) keep proper records;

(b) have its financial statements audited;

(c) disclose the receipt of gifts; or

(d) adhere to a prescribed code of conduct.

Partnerships between municipalities and traditional councils

6. (a) Partnerships between municipalities and traditional councils must be strengthened through legislative and other measures.

(b) Any partnership envisaged by paragraph (a) –

(i) will be based on the principles of mutual respect and recognition of the status and role of the respective parties; and

(ii) must be guided and based on the principles of cooperative governance.

Support to traditional councils

7. A provincial government may adopt such legislative or other measures as may be necessary to support and strengthen the capacity of traditional councils within the province to fulfil their functions.

Withdrawal of recognition of traditional communities

8. (1) (a) The withdrawal of the recognition of a community as a traditional community as provided for in section 3 must be done in accordance with applicable provincial legislation.

(b) The provincial legislation referred to in paragraph (a), must provide for the withdrawal of the recognition of a traditional council at the same time that the recognition of its traditional community is withdrawn as provided for in paragraph (a).

(2) The withdrawal of the recognition of a community as a traditional community must be considered where –

(a) the community concerned is requesting that its recognition as a traditional community be withdrawn;

(b) the community concerned is requesting that it be divided into separate traditional communities;

(c) the provincial government concerned is requested to review the position of a community or communities that were divided or merged in terms of past racially discriminatory measures prior to 1994; or

(d) two or more communities are requesting their merger into a single traditional community.

(3) The provincial legislation referred to in subsection (1), must make provision for consultation with the provincial house of traditional leaders concerned and any community that may be affected, before the withdrawal of the recognition of a traditional community may be effected by way of notice in the Provincial Gazette in question.

Merger or division of traditional communities

9. The Premier of a province must, in terms of section 3, consider the recognition of separate traditional communities or a merged traditional community where –

(a) the division of a traditional community or the merger of two or more traditional communities have been requested; or

(b) a review of the division or merger of communities envisaged by section 7(2)(c) indicates that newly constituted traditional communities must be recognised.

PART 3: LEADERSHIP POSITIONS WITHIN THE INSTITUTION OF TRADITIONAL LEADERSHIP

Recognition of traditional leadership positions

10. The following leadership positions within the institution of traditional leadership are recognised:

(a) kingship;

(b) chieftainship; and

(c) headmanship.

Annexure E

A Sample of Interview Questions

1. How is life in the village since elected councillors were introduced?
2. What specific things have elected councillors done for the village
3. How do elected councillors compare with chiefs?
4. Do chiefs still have a role to fulfill in the village?