# Traditional leadership, land and party politics: Problematising the role of traditional leaders in post-apartheid South Africa

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## Abstract

This article critically examines the evolving role of traditional leaders in post-apartheid South Africa, particularly in land governance, resources management and party politics. Despite their constitutionally protected status, traditional leaders have become increasingly involved with political parties, raising essential questions about their role in democratic governance. They have often been criticised for aligning with political parties, raising questions about their impartiality in a democratic society. This study employed literature review methodology, oral histories, document analysis, and other historical materials to examine the role and neutrality of traditional leaders in party politics in post-1994 South Africa. The analysis draws on interviews conducted with nine traditional leaders and key informants, as well as an examination of newspapers, policies, and historical records. The findings reveal that traditional leaders are not merely custodians of land and culture but active participants in the political sphere, often aligning with political parties to secure influence and resources. This involvement is evident in rural areas, where traditional leaders exert considerable control over land allocation and serve as intermediaries between political parties and local communities. The research highlights the power dynamics, suggesting that the entwinement of traditional authority and party politics may have significant implications for democratic governance, rural land rights and local development. It highlights how political parties leverage traditional leaders to secure electoral support, particularly in rural areas where amakhosi significantly influence land allocation and social governance. These dynamics challenge the democratic principles of fairness and transparency, raising concerns about the potential for political manipulation. This study adds to ongoing debates on the contested role of traditional leaders in South Africa's political landscape, urging reconsideration of their position within modern governance frameworks.

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## 1. Introduction

The role of traditional leaders, particularly *amakhosi* (chiefs), has been a subject of significant debate and scrutiny in post-apartheid South Africa. The transition to democracy brought promises of equality, land reform and political inclusivity, but the position and influence of traditional leaders have remained complex and, at times, critical. Traditional leaders are often viewed as custodians of culture and heritage. They are also significant political actors within their communities, raising questions about their supposed "neutrality" in democratic governance and party politics.

The historical condition of South Africa provides critical insights into the current challenges involving traditional leaders in party politics. Under colonial and apartheid rule, traditional leaders were chosen and manipulated to serve the interests of the colonisers, a practice that entrenched their authority within a distorted structure of governance (Beall et al., 2005). After 1994, the democratic government sought to redefine the role of traditional leaders by integrating them into the new political order while attempting to respect their traditional authority. The Constitution of South Africa recognises traditional leadership and affirms its place in the democratic state. However, this recognition also challenges balancing traditional authority with democratic principles (Republic of South Africa, 1996), which has also become a topic of significant debate among scholars.

The participation of traditional leaders in party politics is a particularly controversial issue. Traditional leaders wield substantial influence over their communities, which can translate into political support for parties or candidates. This influence is rooted in their control over land allocation and dispute resolution, which makes their endorsement highly valuable in electoral contexts (Ntsebeza, 2005). While some argue that traditional leaders should remain neutral to ensure fair and unbiased governance, others insist that their association with politics is inevitable and beneficial (Keulder, 1998; Koenane, 2017). It is beneficial given their deep understanding of local issues and their potential role in mediating between the state and rural populations (Oomen, 2005).

The neutrality of traditional leaders is frequently questioned, especially when their political affiliations appear to serve personal interests rather than those of the broader community. Evaluating the *amakhosi's* supposed neutrality on the political ground is crucial. This involves a critical analysis of how their historical roles, current functions and political engagements intersect with the broader democratic aspirations of the country.

## 2. Research Background

Historically, traditional leadership can be categorised into four phases: precolonial, colonial, apartheid, and post-apartheid (Koenane, 2017). Traditional leaders generally exercised considerable influence over rural communities, especially regarding land allocation and local governance. However, the advent of democracy brought a reconfiguration of political power structures and the integration of traditional leadership into a modern democratic structure. This integration has raised questions about the purported neutrality of traditional leaders in party politics, mainly because, in the current dispensation, they interact with political parties. Traditional leaders have long been pivotal in many African societies' social and political organisation. Before the colonial era, *amakhosi* were the primary authority figures, and they were responsible for administering justice, managing communal land, and maintaining social order. Their authority was derived from customary law and ancestral lineage, and their power was often seen as political and spiritual.

The transition to democracy in 1994 brought a complex redefinition of the role of traditional leaders. The new Constitution recognised the institution of traditional leadership, but it is essential to say that it subjected it to the principles of democracy and human rights. The Traditional Leadership and Governance Framework Act of 2003 sought to integrate traditional leadership into the democratic system. The Act also outlined the roles and responsibilities of traditional leaders within the context of elected local government structures (South African Government, 2003). Despite these structures, the practice of traditional leadership has remained contentious. Traditional leaders retain significant influence over rural communities regarding land allocation. This role remains a critical issue in post-apartheid South Africa. The legacy of land dispossession under apartheid means that land ownership and distribution are highly politicised topics, and traditional leaders often play a central role in local land management (Ntsebeza, 2005).

The question of neutrality among traditional leaders is complex. On one hand, traditional leaders are expected to act as non-prejudiced custodians of tradition and culture. On the other hand, their deep-rooted influence in local communities makes them attractive friends for political parties seeking to secure rural votes. Studies have shown that political parties mobilising rural support often invite traditional leaders. Political parties have maintained strategic relationships with traditional leaders, sometimes providing them with resources and support in exchange for political loyalty (Oomen, 2005). This relationship has raised concerns

about the erosion of traditional leaders' neutrality and their potential role in perpetuating party dominance in their areas.

The debate over the neutrality of traditional leaders continues to be relevant, particularly in the context of ongoing land reform initiatives and rural development policies. The neutrality of traditional leaders in the new democratic South Africa remains a contentious issue. Inkosi Phathisizwe Chiliza is a typical example of the nature of traditional leaders in the new dispensation; Inkosi Chiliza is a traditional leader of the Emadungeni clan. At the same, he is the representative of the newly formed uMkhonto Wesizwe Party (MKP) in the South African Parliament (full-time occupation). This action raised concerns from members of the Emadungeni clan, questioning the neutrality of Inkosi Chiliza in dealing with political disputes among his people and the availability of Inkosi to attend Emadungeni clan matters. Another example is the late induna of the Khula village in Mtubatuba, who emerged on the 6th of May 2015 as the Party Representative in the Inkosi Mtubatuba Local Municipality, representing the African National Congress. He was a former member of the IFP in his ward and a traditional leader (induna). While traditional leaders continue to wield significant influence in rural areas, their interactions with political parties challenge their role as impartial custodians of tradition. As South Africa continues to grapple with issues of land reform and rural development, the debate over the role and neutrality of traditional leaders is likely to persist, and it requires scrutiny and dialogue.

## 3. Literature Review

### 3.1 Traditional Leadership

A traditional leader can be described as an individual who holds communal political rights bestowed by cultural norms and values (Nthau, 2002). By their lineage, this individual occupies a leadership position in a specific area and is appointed according to local customs and traditions, thereby wielding traditional authority over the people there (Keulder, 1998). Such a leader can be an *induna* (headman), *inkosi* (chief), *Ingonyama/Isilo* (king in isiZulu), or *Morena* (king in Sotho) of a particular community. Historically, traditional leaders were not elected but inherited their positions, a practice that persists despite efforts by the democratic government to democratise this institution. Keulder (1998) points out, however, that "the colonial intervention in the hereditary principles of appointment and the dynamic nature of tradition" raises a crucial question: "who are the traditional leaders?"

Traditional leaders are tasked with managing the political affairs within their jurisdiction. Traditional leaders were charged with maintaining peace, overseeing land administration, "maintaining local culture, leading ceremonies, applying customary law, and promoting the wellbeing of their communities" (Keulder, 1998). Nonetheless, "chiefs did not act alone." Delius notes that "they were advised by councillors who were men highly regarded by their peers, drawn from both the ruling lineage and from subordinate groups in the chiefdom" (Keulder, 1998). These councillors were crucial in advising the leader on land administration, boundaries, conflicts with neighbouring clans or communities, collecting fines, traditional court proceedings and judgements, and other significant matters within the area or community. In contemporary society, traditional leadership offers a form of local governance. Traditional leadership boasts a long and rich history in the African context (Ayittey, 1996). Its roots extend from the pre-colonial era through the colonial and apartheid periods. Lekgoathi and Schoeman (2013) warn against perceiving this institution as "harmonious and egalitarian" before the colonial expansion in Africa. They contend that "conflict was a significant feature of African societies." This challenges the common belief that African societies were egalitarian and idyllic before colonial conquest. Beinart (2001) agrees, noting that deep-seated divisions existed among Africans, which facilitated an "easy" seizure and occupation by colonisers. He argues that these divisions often allowed colonialists to settle with the cooperation of some *amakhosi*. Despite this, it is undeniable that colonialism sought to undermine and weaken traditional leadership. Colonial authorities violently suppressed these institutions, and by the late nineteenth and early twentieth centuries in South Africa, traditional leadership had been forcibly diminished to prevent any potential political power. Consequently, "new" non-customary roles were imposed on traditional leaders to serve colonial interests in South Africa (Beinart, 2001).

### 3.2 Traditional leaders under colonial and apartheid rule

The Department of Native Affairs further established districts and rural locations for administrative purposes. In these areas, the headman was a key figure, serving his people under the oversight of a "master." They acted on instructions from the Native Affairs Department, which were often against the will of their subjects. Most headmen aligned with state officials in implementing unfriendly policies in rural locations (Mager & Velelo, 2018). The idea that all *amakhosi* were merely puppets of the state is highly debatable, as there has always been a

sense of resistance, and not all of them were despots as mainstream literature often portrays them. Therefore, a one-size-fits-all approach to understanding traditional leadership and its relationship with colonial and apartheid governments is problematic and requires reassessment. *Amakhosi* did not only become salaried officials during the apartheid era. As early as the early 1900s, some traditional leaders were already on the Union government's payroll and were regulated by it intermittently until at least the apartheid period when this practice became widespread.

The introduction of the Bantu Authorities system further eroded the legitimacy and independence of traditional leaders, causing them to rely more on colonial authorities than on the wisdom of the communities they governed. The apartheid administration tightened its control over traditional leaders, transforming them into what some scholars have termed "puppets," "stooges," or "collaborators" (Oomen, 2005; Ntsebeza, 2005; van Kessel & Oomen, 2005). With the Bantu Authorities system, the state recognised more amakhosi, many of whom had their authority questioned. There is a perception that the state-supported and recognised members of royal families who showed unwavering loyalty to the state, often favouring collaborators over legitimate successors in cases of succession disputes (Mager & Velelo, 2018; Lawrence & Manson, 1994; Mzala, 1989). The apartheid state maintained final authority over the appointment of *amakhosi* to prevent the risk of any local functionary becoming a resistance leader, ensuring the power to remove such individuals from office immediately (Myers, 2008). With the passage of the 1951 Bantu Authorities Act, genealogies became a tool for apartheid's social engineering, as government officials embedded genealogy in their project of ethnicisation.

The apartheid administration perfected the system of indirect rule by recognising many more *amakhosi*, thereby weakening the institution of traditional leadership and further dividing African people for easier control (Beinart, 2001). These *amakhosi* became critical players in homeland politics, increasing discontent and frustration among their subjects. As a result, they became despots and "oppressors" of their people. It is essential to compare various case studies to understand the extent to which *amakhosi* became collaborators and puppets of the apartheid system. Additionally, the question of political consciousness among traditional leaders is significant: to what extent were *amakhosi* aware of the broader political dynamics in South Africa? Finally, the issue of national unity arises—could *amakhosi*, divided by clan, ethnic group, and province, have had the capacity to resist apartheid laws effectively?

It is not surprising that during the apartheid era, many *amakhosi* did little to challenge the concept of "chief," a term that many traditional leaders have rejected since 1994. Prominent leaders such as the late King of the Zulu nation, Goodwill Zwelithini KaBhekuzulu, Inkosi Mangosuthu Buthelezi, and Inkosi Mwelo Nonkonyana, chairman of the Congress of Traditional Leaders (Contralesa) in the Eastern Cape, oppose using the term "chief" for traditional leaders in the new democratic dispensation. They believe that "chief" is "improper, insulting, and degrading" (HeraldLive, August 13, 2018). According to HeraldLive (August 13, 2018), CONTRALESA leaders at both provincial and national levels agreed that the term "chief" should not be used for traditional leaders as it perpetuates colonial and apartheid legacies. Delius (2018) concurs that the term "chief" was imposed by outsiders (colonisers) and thus has a colonial connotation. Consequently, terms such as *induna*, *inkosi*, and king or *Ingonyama* will be used for this study. Additionally, a traditional leader or ruler refers to anyone who holds communal political rights and traditional office in a particular area, appointed by the customs and traditions of that area. This individual or collective should have political authority over the people of that area and may also include leaders whose legitimacy is disputed either by the people they preside over or by members of traditional councils constituted by norms, customs, traditions, and legislation governing the appointment of traditional leaders and the constitution of traditional councils. Relevant legislation includes the Traditional Leadership Governance Framework Act 41 of 2003, the KwaZulu Amakhosi and Iziphakanyiswa Act 10 of 1990, and other pertinent statutes.

The need for documentary evidence about pre-colonial societies in Southern Africa often obscures the accurate picture of how these societies functioned and lived. However, historians have used oral literature and archaeological findings to shed light on the organisation and functioning of these societies. Delius notes that available evidence indicates significant mobility among Africans during the seventeenth, eighteenth, and nineteenth centuries. The availability of land largely drove this mobility. Traditional leaders who could provide land to their followers attracted and retained their allegiance. Additionally, leaders who could ensure security and effective political leadership became popular, while those who were incompetent lost their support as followers shifted their allegiance to other leaders who could offer land, security, and effective leadership (Delius, 2018). Traditional leadership has a long history in Africa and has proven to be a resilient but penetrable institution. The apartheid regime

managed to corrupt this institution to such an extent that many began advocating for its elimination.

In the homelands, chiefly authority was maintained. The government used traditional leaders to control the black population, making these leaders neither autonomous nor accountable to their subjects. The apartheid administration created a system of divide and rule, using despotic and unpopular *amakhosi* to control Africans. Although mainstream literature often portrays traditional leaders as stooges of apartheid rulers, evidence shows that not all traditional leaders were collaborators. Those who resisted were violently suppressed and deposed from their positions.

The apartheid government attempted to overhaul and restructure the traditional leadership system in rural areas. This restructuring by apartheid administrators eroded the legitimacy of *amakhosi* while significantly expanding their powers in areas under their jurisdiction. Ineke van Kessel and Barbara Oomen argue that the remote rural areas of South Africa, comprised of reserves, played a significant role in the state's efforts to "establish tighter control of African labour" (van Kessel & Oomen, 2005). The government utilised traditional leaders to regulate the movement of Africans, as they were given the authority to administer passbooks and issue or renew permits (van Kessel & Oomen, 2005). The amakhosi widely misused these *powers*, leading Ntsebeza to conclude that they were "unaccountable, undemocratic, and despotic" (Ntsebeza, 2005). Van Kessel and Oomen (2005) agree with Ntsebeza, noting that "chiefs were no longer accountable to their subjects but to the Department of Native Affairs." This new practice by the traditional leaders contradicted the common tradition that Inkosi *yinkosi ngabantu/kgosi ke kgosi ka batho* (meaning a chief is a chief by the people who support and pay allegiance to him), as they neglected their followers and became functionaries and "puppets" of the oppressive regime.

It is essential to recognise that a blanket approach to the issue of *amakhosi* becoming agents of apartheid could be problematic, misleading, and unfair to those traditional leaders who lost their positions for defying apartheid policies. Not all traditional leaders were willing to collaborate with the apartheid government, and there was always some resistance (van Kessel & Oomen, 1997; Buthelezi et al., 2018). The Native Affairs Department undermined traditional leaders who resisted incorporation into the Bantu Authorities system. For instance, in Sekhukhuneland, King Sekhukhune was dethroned and exiled for opposing the Bantu Authorities system. His powers were removed, and some *matona/izinduna* who were willing

to collaborate with the apartheid authorities were recognised as traditional leaders, leading to the emergence of new *amakhosi*. The case of Sekhukhune illustrates resistance and that not all traditional leaders merely became puppets of the state (van Kessel & Oomen, 1997; Buthelezi et al., 2018; Comaroff & Comaroff, 2018).

Oomen (2005) observed that junior leaders took advantage of the opportunities presented by the Bantu Authorities system, elevating themselves to superior positions as homeland leaders. Notable examples include Inkosi Mangosuthu Buthelezi in KwaZulu, Lucas Mangope of Bophuthatswana, and Kaiser Daliwonga Matanzima of the Emigrant AbaThembu in Transkei. None of these leaders were "paramount chiefs" or kings in their respective homelands, yet they became leaders of the Bantustans or homelands under the Bantu Authorities system. For instance, Inkosi Buthelezi was the leader of the Buthelezi clan, not the Zulu nation, yet he became the leader of the KwaZulu homeland (Mzala, 1989). These leaders often used violence to suppress opposition, as seen in KwaZulu, Transkei, Bophuthatswana, and KwaNdebele. In 1983, at the University of Zululand where Inkosi Buthelezi was chancellor, five students were brutally killed by amabutho (war regiments) during the oNgoye Massacre. These warriors attacked students indiscriminately, demanding they sing praises to Inkosi Buthelezi (Mzala, 1989; Ntsebeza, 2005).

This exemplifies the ruthlessness and brutality of confident leaders determined to maintain their rule and authority, even at the cost of bloodshed. Similar examples abound in KwaZulu, where violence was used to enforce control. For instance, in 1983, members of the Inkatha Youth Brigade assaulted Mhlabunzima Joseph Maphumulo unconscious in the Bantustan assembly building (SAHO, 22 July 2022). In 1991, Maphumulo, leader of the Congress of Traditional Leaders of South Africa (Contralesa), was viewed as a threat by Inkatha supporters and accused of dividing the Zulu people. His homestead was burned down due to his association with Contralesa, and on 25 February 1991, he was attacked and assassinated (SAHO, 22 July 2022). Maphumulo's murder was linked to his perceived alliance with the ANC, making him an enemy of the Inkatha Freedom Party (IFP) led by M.G. Buthelezi.

### 3.3 Functionalism Theory

The debate on whether the institution of traditional leadership has a role in a democracy remains polarised between traditionalists and modernists (Koenane, 2017). These two schools

of thought diverge sharply on the role of traditional leaders within a democratic framework. Traditionalists argue that traditional leadership is essential in a democracy and can be effectively integrated into modern governance systems. In contrast, modernists express scepticism, questioning the compatibility of conventional leadership with democratic governance structures (Koenane, 2017).

Functionalism provides a valuable theoretical framework for this study, as it focuses on the functions performed by social structures—such as institutions, hierarchies, and norms – within society (Gomez-Diago, 2020; Archibong, 2014). This perspective in sociology views society as a complex system where various parts work together to promote social solidarity and stability. Functionalism has deep historical roots, tracing to Aristotle's inquiry into the ultimate causes of nature and human actions concerning their purposes or utility (Fisher, 2010). The theory gained further prominence with the rise of Darwin's evolutionary theories, which influenced thinking about human behaviour and the idea that survival is tied to the functionality of a system's various components (Fisher, 2010).

The functionalist approach underscores the importance of order, stability, and equilibrium in society (Shen, 2024). From this viewpoint, the inherent functions of social systems guarantee social order and stability. However, functionalism has been critiqued for overlooking the significant influence of the environment in shaping the foundational structures that support these functions (Shen, 2024). Functionalists assert that social patterns should be understood not primarily through their origins but in their consequences and tasks within a given society. In this view, society operates like an organism, with each part fulfilling specific roles to ensure the whole functions properly (Audu & Osuala, 2014).

In the context of traditional leadership, functionalism is especially pertinent as it relates to maintaining order and stability within rural communities and their relationship to land and local governance. Historically, Traditional leaders played a critical role in managing land and mediating conflicts, which are relevant in post-apartheid South Africa. Functionalists contend that the social stratifications and divisions of labour, often reflected in traditional leaders' roles, contribute to society's overall stability by ensuring that different functions are performed efficiently. This theoretical lens is essential for understanding the place of traditional leadership within the contemporary South African political landscape, where land administration, local governance and party politics intersect and questions about the role of traditional leaders remain contested.

# 4. Methodology

This study employed a qualitative research approach, encompassing literature review methodology, oral histories, document analysis, and other historical materials to examine the role and neutrality of traditional leaders in part politics in post-1994 South Africa. The qualitative design was chosen for its ability to provide a nuanced understanding of participants' perspectives and experiences, which were crucial in unpacking complex socio-political dynamics.

### 4.1 Sampling Technique and Inclusion Criteria

It was not possible to have a nationally representative sample, nor was it possible to cover all regions of South Africa. Specific rural areas or regions were targeted as the main interest was to examine the role and neutrality of traditional leaders in party politics in post-1994 South Africa. The Gqeberha (Eastern Cape), South Coast (KwaZulu Natal), Zululand (KwaZulu Natal) and Legokgwe (Mpumalanga) were the closest and therefore less expensive to cover. Even then, it was not possible to interview all people in these four regions. A purposive sampling technique was used to select participants. The inclusion criteria required individuals who (i) were directly involved in traditional leadership structures, local governance or community development, (ii) represented general community members and (ii) were residents of rural areas affected by traditional governance and political interactions. The selection of participants from these areas ensured diversity in perspectives while addressing the study's focus on the interplay between traditional leadership and modern political structures.

**Table 1**

*Demographic characteristics*

| Participant | Role | Area | Age Range | Educational Qualification |
|---|---|---|---|---|
| Dr M. Duma | Community Leader and expert in traditional affairs | South Coast | 60-70 | PhD Development Studies |
| Dr NM Nzuza | Lecturer and expert in Zulu culture and tradition | Zululand | 60-70 | PhD African Languages and Culture |
| Mr Ernest Mlambo | Environmental and social activist with expertise in local governance and nature conservation | Northern KwaZulu Natal | 50 - 60 | |

Nine participants were included in the study. Table 1 presents the participants' demographic details relevant to the results and discussion sections. Six participants were anonymised as per their request for confidentiality purposes.

### 4.2 Data Collection Methods

Semi-structured interviews were used as the primary data collection method to gain in-depth insights into participants' perspectives and experiences on the involvement of traditional leaders in party politics. These interviews were conducted individually, allowing participants to share their experiences and perspectives in a confidential setting. The conversational nature of the interviews encouraged participants to express themselves freely. Interviews followed a set of open-ended questions designed to elicit detailed responses about their roles, interactions, challenges, and perceptions of governance in their respective communities. Each interview lasted approximately 30–60 minutes and was recorded with participant consent. The recordings were supplemented with detailed note-taking.

### 4.3 Use of Secondary Sources

In order to contextualise findings and strengthen analysis, the study incorporated document analysis of newspapers, policies and historical records and used historical literature review. These secondary sources were selected based on their (i) relevance to traditional governance and post-apartheid political developments and (ii) credibility and reliability (peer-reviewed historical accounts, government policies, reputable newspaper articles). This integration provided robust triangulation that combined firsthand accounts from interviews with documented historical and policy analyses. The study, however, used three heuristics in handling evidence to establish its authenticity or accuracy: corroboration, sourcing, and contextualisation. Corroboration entailed comparing documents to determine whether they provided the same information. Sourcing involves identifying the author, the date of document creation, and the place it was created. During contextualisation, the researchers identified when and where an event took place.

### 4.4 Ethical Considerations

Participants were informed about the study's objectives, procedures, and rights, including the right to withdraw at any time. Written informed consent was obtained, and

participants were anonymised using pseudonyms to maintain confidentiality. Data were securely stored in our one drive, with access restricted only to the researchers.

## 5. Findings and Discussion

### 5.1 Land Issues and Administration

Under colonialism and apartheid, traditional leaders were used to be prefect of land. During this time, their role was to look after land for colonial masters. This was the way the colonial system recognised them. They did not have a say in land and administration of land. This system did not benefit people represented by these *amakhosi*, but it benefitted colonial masters. For instance, they were used to collect poll taxes from their people. This claim is supported by Ntsebeza (2005), who noted that this system transformed traditional leaders into what he termed puppets, stooges, or collaborators. In line with Ntsebeza, Buthelezi & Skosana (2018) claim that during apartheid, Africans in remote rural areas of South Africa were governed by traditional authorities under customary law. Meanwhile, at least 87 per cent of the land was controlled by the apartheid government under European law, described as white South Africa.

This task differs from the traditional system of governance, which, among other things, tasks traditional leaders to maintain peace and oversee land administration. According to Duma (personal communication, 10 October 2024), it was during this time that traditional leaders lost their role and influence over the people they represent. The legislation further intensified this process, and the Native Land Act of 1913 further established districts and rural locations for administrative purposes. In these areas, the headman worked under the authority of the colonial master. According to Duma (personal communication, 10 October 2024), these headmen under the democratic dispensation were recognised as traditional leaders.

The process of selecting headmen was unfair because the colonial masters selected or appointed people who collaborated with them irrespective of their position in their societies. These headmen needed to be more neutral in land affairs. Even under democratic dispensation, the role of traditional leaders is still questionable. According to Nzuza (personal communication, 9 October 2024), South Africa only experienced the transition from apartheid to democratic dispensation, but the role of traditional leaders in land affairs remained the same. In as much as the South African Constitution recognises them, there is no clearly defined role

that they must play under this dispensation. The only role they play is to serve the interest of political leaders, which is similar to headmen under colonial and apartheid systems.

In terms of land affairs, The Restitution of Land Rights Act 22 of 1994 intends: to provide for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913 as a result of past racially discriminatory laws or practices; to establish a Commission on Restitution of Land Rights and a Land Claims Court; and to provide for matters connected in addition to that. [Long title substituted by s. 31 of Act 63/97]. The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) is in line with restitution of land by providing that communities dispossessed of property after 19 June 1913 due to past racially discriminatory laws or practices must be given back their land. This has resulted in many people claiming their land, but what is noticeable in this process is that traditional leaders have limited influence on it, irrespective of their role as custodians of land. This is made worse because, in this dispensation, traditional leaders do not have the right to issue Permission to Occupy (PTO) land; such powers rest with the Minister of Co-operative Governance and Traditional Affairs (COGTA) without consulting traditional leaders. It is from this perspective that some communities claim that *amakhosi* have no role under democratic dispensation as it was during colonialism and apartheid.

### 5.2 Party politics and traditional leadership

Traditional leaders are part of politics because they operate under a political system of government (Nzuza, personal communication, 9 October 2024). It must be noted that some of them do not operate by choice, but the new world order demands it. This is evident during the colonial and apartheid system. The then government used headmen as their servants. The traditional leaders were used to collaborating with the colonial system and influencing their people so that they would not resist the foreign system. This transformation turned traditional leaders into salaried government functionaries, repurposing the institution as a form of local government to extend British control over rural South Africans under traditional jurisdiction. For instance, Zibhebhu kaMaphitha collaborated with the British to overthrow Cetshwayo and influenced people to support British control. According to (Myers, 2008), this was part of the broader strategy of indirect rule in South Africa.

Traditional leaders' roles must be clearly defined in the Constitution and legislation. While the Constitution acknowledges the position of traditional leaders within the current

dispensation, it does not explicitly outline their role, authority, or relationship with other institutions (Williams, 2010; Koenane, 2017; Nyathi, 2024). Under the current framework, traditional leaders often feel their voices could be improved, and their communities may prioritise ward councillors for local representation. Consequently, some traditional leaders engage in party politics to gain recognition and influence (Nzuza, personal communication, 9 October 2024). Mlambo (personal communication, 4 October 2024) echoes Nzuza's perspective, noting that traditional leaders have traditionally worked alongside political parties. He highlights the example of KwaZulu and the Inkatha Freedom Party (IFP), a group closely associated with many traditional leaders, as Inkosi Mangosuthu Buthelezi, a traditional leader himself, established it.

It is essential to note that not all chiefs participate in party politics for recognition; some do so for personal reasons or due to financial constraints. Political leaders may also seek to leverage the influence of traditional leaders for political support. For example, the King of AbaThembu, Buyelekhaya Dalindyebo, was approached by three political parties to support their campaigns. Dalindyebo received a vehicle from Economic Freedom Fighters (EFF) leader Julius Malema, which served as a personal benefit rather than a collective one for abaThembu. Following this, Dalindyebo mobilised support for the EFF. Although the EFF denied any intent to bribe the king, it is increasingly common for political parties to present gifts to traditional leaders during election periods. Matsiliza (2024) argues that while traditional leadership in South Africa and Botswana strategically promotes good governance, its effectiveness is limited due to challenges posed by socio-economic, political factors, and constitutional democracy. The curtailed rights of traditional leaders, particularly in rural development and land administration, hinder their capacity to foster good governance, with some leaders facing conflicts due to their involvement in political relations.

The role of traditional leaders in municipal councils under South African law highlights their participatory and advisory functions but notes that they lack voting rights and cannot form a quorum (Rautenbach & Ferreira, 2023). The introduction of the local government in rural areas, which traditional leaders and ward councillors previously controlled under democratic dispensation, completely removed traditional leaders' responsibilities (Nyathi, 2024). It is evident in many communities where there is a contradiction between the role of ward councillors and traditional leaders. These two parties, under normal circumstances, should work together to develop their community, but ward councillors extend their influence to

suppress that of traditional leaders. Even though the constitution of South Africa recognises the traditional courts, several judgements from these courts are not regarded as objective compared to those legal courts. Traditional leaders have no formal training in judicial matters; therefore, their judgements could be more questionable (Nyathi, 2024). Some members of the rural communities discredit judgements from traditional courts. Some of these are the reasons that compel traditional leaders to be politically active to influence the country's politics. Based on the above reasons, it is difficult for traditional leaders to be neutral in judgements because they are politically affiliated. This results in poor judgement.

## 6. Conclusion

The role of traditional leaders in South Africa's new democratic dispensation remains a contentious issue. The historical context of colonial and apartheid systems transformed traditional leaders into instruments of the state. These systems stripped traditional leaders of their autonomy and authority over land administration and governance. Despite the shift to democracy, ambiguity surrounding their roles has persisted. It has persisted because, even today, traditional leaders are often sidelined in critical areas such as key decision-making regarding resources management, land administration and local governance. The emergence of ward councillors and modern political structures has further marginalised traditional leaders, leaving them to navigate a complex space between their historical roles and the demands of contemporary political dynamics. As evidenced by their involvement in party politics, many traditional leaders are caught between serving their communities and seeking political recognition or personal gain. This blurring of lines raises questions about their ability to remain neutral, with political affiliations often influencing their judgments and actions. Addressing this issue requires a more transparent legislative framework that honours the cultural significance of traditional leaders and integrates their role into the broader democratic governance structure. Without such reforms, the neutrality and effectiveness of traditional leadership in South Africa will remain compromised.

## 7. Recommendations

Considering the findings, this study recommends the establishment of clear boundaries to regulate the involvement of traditional leaders in party politics, thereby preventing unethical

political influence in rural governance. Legislative reforms should aim to strengthen the independence of traditional leaders, ensuring that their authority over land and local governance is exercised impartially and free from party-political interference. This approach aligns with the functionalist perspective, emphasising the importance of stability and order within social systems by preventing political parties from manipulating traditional leaders.

While the authors acknowledge the effort to pay traditional leaders a stipend to ensure their autonomy, they contend that this measure is inadequate. There is a growing concern regarding the killings of traditional leaders, with the political influence surrounding these violent acts warranting critical examination. Therefore, their involvement in party politics must be investigated in light of political killings, particularly in the province of KwaZulu-Natal.

Furthermore, capacity-building programmes should be introduced to educate both traditional leaders and communities about democratic principles, emphasising transparency and accountability in decision-making processes related to land governance. From a functionalist viewpoint, enhancing understanding of these principles is crucial for promoting social cohesion and effective management.

Additionally, scholars and researchers should explore the long-term implications of the political entanglement of traditional leaders on rural development and democratic governance for future research. Comparative studies across different provinces could yield insights into how regional dynamics influence the relationship between traditional leadership and political parties. Lastly, research could investigate how communities perceive the political roles of traditional leaders and the impact of this involvement on local governance and service delivery. Such studies could contribute to policy reforms aimed at aligning traditional leadership structures with South Africa's democratic principles, thereby reinforcing the stability and functionality of the social system.

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