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DEMYSTIFYING AND DETERMINING THE ROLE OF TRADITIONAL LEADERSHIP IN WARD COMMITTEE PARTICIPATION

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Abstract

This article aimed to demystify and determine the role of traditional leaders in the participation of municipal Ward Committee meetings in local municipalities. A desktop review of secondary sources was prepared in collecting data relevant to traditional leadership and ward committee participation. This is motivated by the fact that there is no consensus on their role in western-oriented democracy. Various pieces of legislation have directed their participation in ward committee meetings. This article has revealed a deliberate effort to exclude traditional leaders from participating in municipal council meetings, despite pieces of legislation requiring them to do so. This article recommends that traditional leaders be fully recognized and be allowed to play their role just like any elected politician because they are more legitimate than the latter. The article further recommends that there be a division of the country into rural and urban municipal councils where they would fully participate in the affairs of their people. In conclusion, it is also imperative to note that the two structures, namely elected and traditional, both represent the interests of the same people.

Keywords: Local Municipalities, South Africa, Traditional Leadership, Ward Committees

1. Introduction

Communities still respect their role and listen to traditional leaders as they are associated with and seen as the custodians of cultural values. The problem is the perception that still views them as remnants of colonialism and apartheid (Baldwin, 2016). Traditional leadership pre-dates colonial systems in Africa and were considered the ruling institutions of other countries. Even today, they are still considered relevant and trusted for governance by the majority of rural people in South Africa (Koenane, 2018). SALGA (2016) pronounced traditional leaders as a stakeholder

in the ward committees. Ward Committees are first mentioned in the 1998 White Paper on Local Government, but it is the Municipal Structures Act 1998 that outlines them in some detail with provision for Ward Committees to be established in each ward of the municipal local councils (Republic of South Africa, 1998a; Republic of South Africa, 1998b). They are a forum where the development of the ward is discussed with other stakeholders and since traditional leaders are considered a government closest to the people, they are expected to play a role. They need to be compulsory for all municipalities, including those in rural areas and villages (Msengana-Ndlela, 2006). According to Tshitangoni and Francis (2015), traditional leaders are credited with the effective engagement of the communities thus promoting a people-centered decision-making process. Tshitangoni and Francis (2015) indicate that in Thulamela, it is found that they planned, held regular and well-attended meetings that involved residents and traditional leaders of the areas within their jurisdiction. The high attendance of those meetings is consistent with the study by Koenane (2018), who found that traditional leaders represent an institution that is still relevant trusted for governance by the majority of people living in rural areas of South Africa. Similarly, Tsipa (2014) posits that their roles overlap with those of councilors. In that manner, they should actively collaborate for service delivery processes since they have a huge influence in their rural areas. This is confirmed by the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003), section 5 (1) which compels both national and provincial governments to promote partnership between municipalities and traditional councils (Republic of South Africa, 2003). In terms of section 20 (1) (a-n) gives traditional leaders powers to promote socio-economic development. Similarly, they played a role in economic development and could mobilize the communities in development projects and programs and provide local governance, as they are the entry point of development projects and programs in the rural areas (Rugonye and Rupande, 2016). The full participation of traditional leaders in municipal councils does not stand in stark contrast with democracy but enhances their decision-making concerning the local governance (Mathenjwa and Makama, 2016). Even when there is a tendency to marginalize them from playing their government roles, they are still viewed as leaders through and by the people (Zimbalist, 2021).

Mamokhere and Mathebula (2021, p. 118) indicate, “the institution of traditional leadership remains one of the most contested topics in post-apartheid South Africa. This is despite section 212 of the Constitution of the Republic of South Africa, 1996 and other pieces of legislations treaty this institution with status in this democratic dispensation. The Constitution of the Republic of South Africa, 1996, National House of Traditional Leaders Act, 2009 (Act 2 of 2009), White Paper on Traditional Leadership and Governance of 2003 and the Traditional Leadership and Governance Act, (Act 41 of 2003) does not define the role of traditional leaders in local government explicitly but rather their role largely overlaps with those exercised by elected councilors”. Thus, this article intends to contribute to new knowledge about the role that traditional leadership can play in partnership with elected and traditional leaders. It closes the existing gap about the incapacity of elected municipalities to provide service delivery. A new partnership model is required to accelerate service delivery to the public. This will enhance the decision-making process and limit protests organized mainly in rural areas.

This article is structured according to the introduction, literature review, research methodology and design, the concept of traditional leadership and definitions of the key concepts, theoretical realization, and finally the paper will be concluded with recommendations.

2. Literature review

Mawere *et al.* (2022) and Mamokhere and Mathebula (2021) argued that the institutions of traditional leadership are still trusted institutions for governance in most rural areas of the country. The institution of traditional leadership has a constitutional and legal mandate to develop and preserve customary law practices and customs. This is confirmed by the Constitution of the Republic of South Africa (1996). Dampney (2017) found that Ghana’s current political dispensation lacked real incorporation of indigenous governance (traditional leadership), with citizens’ influence on effective participatory democracy. Ngcobo (2016) posits that before colonization, they enjoyed unlimited and undefined supremacy over communities. They are viewed as the

representatives of the community and as such are entrusted with an important responsibility, namely that of harmonizing community customs and traditions (Ndima, 2017). Therefore, their participation as full members in the municipal council and ward committees should be perceived with the concept of democracy (Mathenjwa and Makama, 2016).

According to Mathenjwa and Makama (2016), traditional leaders in KwaZulu-Natal believe that their position in municipal councils is not adequately explained, and that others do not understand the purpose for their involvement in municipal councils. In Mpumalanga, traditional leaders were not summoned to municipal council sessions. It is found that the municipal were unaware if traditional leaders ought to participate in the meetings of the council. This is contrary to the findings by the study by Oomen (2005), who found that 80% of those interviewed in the Sekhukhune at Limpopo Province supported traditional leadership. This support is motivated by the failure of the elected leadership to deliver on their mandate (Oomen, 2005).

Traditional leadership, according to George and Binza (2011), is the oldest type of social structure that meets community developmental requirements while also preserving African culture, traditions, customs, and values. Traditional leadership, according to Selepe (2009), is an institution that governs a particular tribe according to customary law and has evolved over hundreds of years on the African continent.

Ward committee can be defined as the vehicle through which the municipalities interact with community members about municipal affairs through the decision-making process (Hicks, 2006). Equally so, a ward committee refers to a tool that seeks to encourage public participation in municipalities (Moodley and Govender, 2006). It can also be argued that a ward committee is a mechanism through which public participation in local government can be made possible. Ward Committees can be regarded as the representative's advisory bodies, which assist ward councilors in facilitating community engagement in local government. The term Ward Committee refers to a mechanism that is made up of community representatives in the local municipal wards and also in the metropolitan municipalities (Khawula, 2016). Khuzwayo (2009) further asserts that ward committees are representatives of the community elected by the community together with the ward councilor to represent the ward in the municipal council. Operationally, ward committees, community members and traditional leadership work together to improve local socio-economic development in the local government.

3. Research approach and materials

Within the context of the traditional leadership and Ward Committee, this article adopted a qualitative research approach, which is largely based on the review of secondary data, also known as a "desktop study." A qualitative method is characterized by a human-behavior and understanding approach, centered on the reality experienced by the research subject (Du Plessis, 2017). Based on the nature and scope of this article, authors did not consider human or animal samples or the questionnaires, since it is purely a desktop study that relies on secondary data. In other words, this is a qualitative study and not a quantitative study that relies on numbers of respondents.

The review of secondary sources included academic journals, books, and a multiplicity of internet sources. A desktop research approach aids in collecting, organizing and synthesizing data according to study by Chauke and Mamokhere (2020). In addition, a thematic content approach was utilized to present and analyze theoretical data. The analysis has indicated that traditional leaders have a role to play in the current local government beyond ex-officio status, which ties their hands behind their backs instead of taking a front-line position in addressing pressing issues facing their subjects. The results from this article can be generalized across all the South African rural areas that have traditional authorities in place.

4. The concept of traditional leadership

This section will focus on previous studies related to the following themes; traditional leaders in the pre-colonial period, traditional leaders during colonialism, traditional leaders' status post-

colonialism /apartheid in South Africa, the role of traditional leadership at the local level and ward committees.

4.1. Traditional leadership in pre-colonial period

Pre-colonial traditional societies are generally accorded the status of Ubuntu and are almost free of corruption (Igboin, 2016). African societies had extremely hierarchical militarized forms of kingship or chieftaincy. Some did not have chiefs but were loosely linked through lineage systems. The continental political systems were traditional and based on kingship and lineage (Martin, 2012). Koenane (2018) indicates that the traditional authorities pre-dated colonial, apartheid systems and traditional leadership was the sole system of governance for Africans. Many institutions try to discredit it while it defines Africa's democracy as a unique value contrary to the Western European (Koenane, 2018). Territorial councils debated on the issue, reached a common understanding, and thereafter reported to the traditional leaders for the resolution suggesting that this was Africa's democracy of bottom-up approach hence its relevance to this day (Koenane, 2018).

Traditional leaders have governed communities before the advent of colonialism. Their legacy is still intact despite successive formal institutional changes during the colonial and post-colonial era in most of the African countries including Zimbabwe (Chigwata, 2015). This has made them still relevant in rural communities even though their powers have become ad-hoc in nature (Chigwata, 2015). The British colonial systems transformed the African governance to the worst and removed accountability from their citizens to the colonial powers (Palagashvili, 2018). This was effected through indirect rule imposed by the British colonial powers and the chiefs were turned into paid agents (Pagashvili, 2018). The institution of traditional leaders during the pre-colonial era was just like any other form of government. However, later colonial systems used traditional leaders as their extension so that they could control the masses thus alienating from their citizens (Awinsong, 2017). Awinsong (2017) posits that they still had much control during the colonial period. Noyoo and Campus (2014) opine that the former royal kingdom of Barotseland in current Zambia created a formal system of governance during the pre-colonial era. It is interesting to note that they established a centralized government with modern arms of government such as Executive, Legislature and Judiciary only to be abolished by the British colonial powers and later by the nationalist government. However, the indigenous governance structures of the Barotse people have resisted the total offensive of the post-independent states (Noyoo and Campus, 2014).

4.2. Traditional leadership during colonialism

Colonialism and apartheid systems transformed traditional leaders and paid them salaries, thus rendering them employees of the colonial government (Palmary, 2004). The colonial government defined their roles and functions, which continued during the apartheid era and they became responsible to the government of the day and to neglecting their communities over which they presided. They are hated because they are perceived as being primitive and dictators who have been exploited by both colonial and apartheid systems (Bikam and Chakwizira, 2014). The new South Africa is seen as having lost an opportunity of abolishing it instead of making concessions to it because they had their time during colonial and apartheid where they exercised powers without accounting to anybody but colonial and apartheid systems (Ntsebeza, 2004). On the contrary, Mathenjwa *et al.* (2016) found that full membership of traditional leaders in municipal councils does not negate the concept of democracy since their participation enhances democracy through decision-making that promotes local governance. "In the local municipality, the chiefs exercised considerable influence. Their power was enforced through concentrated judicial, legislative, and executive functions in their offices. The colonial and apartheid regimes guarded and protected them against anybody who dared to confront them. Their ability to continue in power was contingent on their commitment to the colonial and apartheid administrations" (Mamdani, 1996).

4.3. Traditional leadership during post-colonialism

The institution of traditional leadership was recognized for the first time in the Interim Constitution of the Republic of South Africa of 1993. This paved the way for the recognition by the final Constitution of the Republic of South Africa of 1996. The final Constitution of the Republic of South Africa, 1996 recognized it with its roles and status. "It provided that the institution and its roles were based on customary law. However, it laid down a condition that the recognition is on the basis that institutions must abide by the democratic principles contained in the Constitution of the Republic of South Africa, 1996 and the Bill of Rights. It also emphasizes that the Constitution of the Republic of South Africa, 1996, provides that national legislation may provide a role for traditional leadership as an institution at the local level, on matters affecting the local communities. The national or provincial legislation may provide for the establishment of houses of traditional leaders and that national legislation may establish a council of traditional leaders to deal with matters relating to traditional leaders". Republic of South Africa (2003) compels municipalities to pursue a developmental approach in planning to fulfil the objectives of local government as set out in Republic of South Africa (1996). Traditional authorities have to play their role in this planning as this is also recognized by Republic of South Africa (1998b).

4.4. The role of traditional leadership at local level

The role of traditional leaders at the local level is recognized by the Constitution of the Republic of South Africa, 1996, which recognized their institution. "These institutions are granted the following powers by the White Paper on Local Government of 1998. They are functioning as head of the traditional authority and, as such, the exercising is limited to certain legislative, executive and administrative functions. Traditional leaders also preside over customary law courts and maintain law and order, consult with traditional communities through imbizo or lekgotla, and aid community members in contacts with the government. They also provide traditional affairs advice to the government through the Houses and the Council of Traditional Leaders, arranging meetings to confer with communities on needs and priorities and delivering information". On the contrary, there is a contradiction in that while they are included in the municipal councils, they do so as ex-officio members (Mathenjwa *et al.* 2016). Their full participation as equals of the elected leaders does not contradict democracy but enhances democracy, as they would participate in the decision-making process for their local people (Mathenjwa *et al.* 2016). On the contrary, they are not recognized by all as role players (Zimbalist, 2021). Similarly, Musitha (2012) found that division of perceptions on their participation in IDP policy implementation in Vhembe District Municipality (VDM). Further, the study found that some lacked knowledge about the participation of traditional authorities in IDP policy implementation. They have worked and still do with the government and it pays them salaries to remove them from performing their actual roles in traditional authorities (Ndlela, 2008). Even when there is a tendency to marginalize them from playing their government roles, they are still viewed as leaders through and by the people (Traditional Authorities Research Group, 1999). Similarly, the rural communities trust that they play a positive role in the implementation of local needs as opposed to elected politicians (Zimbalist, 2021).

4.5. Ward committees

Republic of South Africa (2000) opines that Ward Committees were established to strengthen democracy in accordance with sections 72-78 of the Municipal Structures Act, 2000. The purpose of this is to enhance service delivery through the communities. Ward committees also enhance participatory government through collective effort (Smith, 2008). "Ward committee members are elected to represent the various interest groups represented in the community in a ward and report to the municipality on matters affecting or emanating from the wards, through their ward councilors, and according to the processes determined by the relevant municipality", according to SALGA (2016). This code outlines the roles and obligations of members of ward committees, as well as ethical principles to which each ward committee member must adhere.

Piper and Deacon (2009) found that “ward committees in Msunduzi Municipality were highly politicized, particularly when it was difficult to distinguish between ward committees and political party branches, since ward councilors frequently merged ward committees and political party branch meetings. This is in accordance with the Republic of South Africa's (1996) standards, which require local governments to offer a democratic and responsible government for local communities and to foster community and community organization participation in local government concerns. The Municipal Ward Committees 2005 (Notice 2005) Guidelines for the Establishment and Operation of Ward Committees provided uniform guidelines for the formation and operation of ward committees. In accordance with the guidelines, ward committees ought to be advisory bodies, representative structures, independent structures, and impartial bodies” (Republic of South Africa, 2005).

5. Theoretical realization

Through this conceptual article, it is found that the role of traditional leadership in ward committee participation is inconsistent with the provision of the SALGA (2016) which pronounced that traditional leaders are a stakeholder in the ward committees. Indeed, Koenane (2018) found that they represent an institution that is still relevant and trusted for governance by the majority of people living in rural South Africa. Similarly, they are important for integration within the national structure as they are capable of promoting popular participation at the local, provincial and national interaction for nation-building and stability purposes (Omer, 2009).

Despite its relevance and recognition, it is also found that the role of traditional leadership is not well articulated in KwaZulu-Natal and such this affect the positive contribution in the municipal council. The finding further shows that there is a deliberate exclusion of traditional leaders from their government. However, some of the findings in Vhembe District Municipality show that despite their role not being well articulated, they still play a significant role in ward committee meets and Integrated Development Plan (IDP) consultation meetings. This finding is consistent with Musitha (2012), who revealed a division of perceptions on the participation of traditional leaders in IDP policy implementation in Vhembe District Municipality (VDM).

6. Conclusion and recommendations

This article aimed to determine the participation of traditional leaders in the municipal Ward Committee meetings in the South African local municipalities. We used a qualitative research approach by analyzing existing literature, which showed that traditional leaders were still popular among the rural people and that they could not be ignored for playing their government role in the socio-economic development of their areas. There was also a contestation on whether the recognition of the institution of traditional leadership by the Republic of South Africa (1996) was a compromise of democracy with others contending that indeed it was compromising, while, some are saying their participation guaranteed full democracy. However, some scholars contended that they could not be ignored because the majority of the people still have trust in them. This article showed that there was a division of perceptions from traditional leaders, who were part of the local councils concerning their participation in ward committee meetings. However, literature has also revealed that there was a deliberate effort to exclude them from participating in municipal council meetings despite that legislation required them to do so. This article proposes the following recommendations:

- Traditional leaders should be fully recognized and be allowed to play their role just like any elected politician because they are more legitimate than the latter.
- There should be a division of the country into rural and urban municipal councils, where they will fully participate in the affairs of their people. It is also important to note that the two structures namely elected and traditional, both represent the same people with the latter more legitimate in the eyes of the people than the former.
- Traditional leaders should be encouraged to actively participate in ward committee meetings without compromise and prejudice.

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