# Leading from behind: democratic consolidation and the chieftaincy in South Africa

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#### ABSTRACT

Despite the dramatic changes that have occurred in South Africa over the last fifteen years, the chieftaincy remains an important political institution that continues to exercise authority. It has not only been given official recognition and protection in the constitution, but has attempted to become more involved in activities such as development, local government, and elections. How this institution might affect the process of democratic consolidation, however, has failed to generate much research. This article explores the ways in which the chieftaincy has responded to the introduction of democratic electoral practices at the local level. While the chieftaincy has not been immune from the social and political changes that have swept through the country since the transition, it has nonetheless sought to direct, or redirect, these changes in ways that bolster its own authority. Many local communities expect the chieftaincy not only to assist with the formal electoral process, but also to allow for more participation within local level chieftaincy institutions. A close examination of chieftaincy-societal relations demonstrates that while the chieftaincy has been affected by new democratic rules and practices, it has also influenced how local communities practice and understand these same rules and practices. This mutually transformative process illustrates the complexity of democratic consolidation, as well as the ability of the chieftaincy to adapt to changing political and social environments without sacrificing its unique claims to authority.

#### INTRODUCTION

- 'Because we all voted that is why we call ourselves [a] democracy. We are unified and we have equal rights. We do have a democracy here. The only problem is that we still do not understand [it].'
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'There is no democracy here. There is nothing I can say is democratic in this community. People still do not understand what is happening in the country – only a few understand this.'

'Freedom is doing anything you like ... No restrictions on what you are doing. There is no democracy with the chiefs and izinduna ... They must be taught what is democracy.'

Of the many political issues that South Africans must continue to address, one of the most intractable, and frustrating, is what to do with the institution of the chieftaincy. Having secured constitutional recognition and protection in both the interim (1994) and final (1996) constitutions, the chieftaincy continues to exercise direct authority over about 45% of the population, albeit almost exclusively in the rural areas. Indeed, recent government statistics officially recognise over 1,600 chiefs and izinduna (RSA 2002: 39), estimates which do not include those who may claim such status unofficially. Despite this reality, only a few scholars have incorporated the chieftaincy into their analyses of South African politics (Bank & Southall 1996; Ntsebeza 2000; Oomen 2000; van Rouveroy 1996; van Rouveroy & van Dijk 1999), and the chieftaincy remains virtually absent in most discussions of democratic consolidation (Bratton & Mattes 1999; Diamond 1999; Diamond & Plattner 1999; Mattes 2002; Mattes & Thiel 1998). Given Mamdani's (1996) powerful thesis that the chieftaincy would only hinder the spread of democracy, the paucity of studies examining the interactions between the chieftaincy and democratic ideas, institutions, and practices at the local level is perhaps understandable (see Munro 1996 for a similar analysis). In addition, the 'only game in town' conceptualisation of democratic consolidation (Linz & Stepan 1996: 5) makes it difficult to integrate the chieftaincy into broader theoretical discussions. Still, for anyone who has spent time in the rural areas of South Africa, the political importance of this institution cannot be overstated. Debates concerning whether the chieftaincy represents an essential component of 'true' African democracy (Avittey 1991), or whether it remains the key feature of 'decentralised despotism' (Mamdani 1996), conceal what are perhaps more relevant and pressing questions: How is the process of democratic consolidation unfolding where the chieftaincy continues to exercise authority? How does the chieftaincy affect the process of democratic consolidation? And in what ways are local communities interacting with both the chieftaincy and newly established democratic institutions?

This article examines how one particular feature of democracy – elections – has been introduced, interpreted, and incorporated into rural areas where hereditary chieftaincy structures remain in place. Using data

gathered from 1998–99 and in 2003, it appears that the chieftaincy continues to enjoy support from local communities, and that communities living under this institution expect it to coexist with newly established democratic institutions, such as elections. Detailed examples from the field show how the chieftaincy is not only involved in the implementation and coordination of elections, but also, how this institution has adopted more participatory rules and practices for its own local structures. These observations, combined with survey data, suggest that the vast majority of people living under the chiefs do not expect democratic consolidation to proceed without the chieftaincy. These findings not only provide an important glimpse into how local communities are attempting to restructure pre-existing authority relationships, they also highlight how these pre-existing authority relationships continue to influence politics at the local level.

Surely, it is to be expected that people's interactions with, and knowledge of, pre-existing institutions will affect their impressions of newly established institutions. As the quotations at the beginning of this paper suggest, ordinary South Africans are currently struggling to give specific meaning to what have otherwise been abstract notions of 'democracy' and 'freedom' and the role the chieftaincy plays in this process. Because of the limited presence and capacity of the South African state in the rural areas, this puzzle, how to reconcile the chieftaincy with democratic ideas, rules, and institutions, has been left largely to local communities to negotiate and resolve. Situated at the nexus of formal/informal power relationships, and serving as a major 'link' between the state and society, the chieftaincy is playing an important part in the process of democratic consolidation.

This paper seeks to explore this apparent paradox, and to make two specific arguments concerning the chieftaincy and the process of democratic consolidation. First, a close examination of chieftaincy-societal relations in South Africa demonstrates the limits of our current theoretical understandings of democratic consolidation. In particular, the ways in which local populations are learning to understand and define democracy are intractably linked with their simultaneous understandings of the chieftaincy. This means that communities seldom believe that they must make an either/or choice concerning democracy and the chieftaincy, but instead, search for ways to combine the two. Second, to maintain legitimacy with those living in their areas, chiefs have often sought to direct and redirect the democratisation process to help maintain or establish their political legitimacy at the local level. Rather than resist the implementation of new rules and practices, many chiefs have attempted to recast themselves as the 'authentic representatives' of local communities. Thus, while maintaining its role as a 'custodian of custom', the chieftaincy has also responded to pressure from local populations, local government institutions, and development agencies, and has adopted some changes in its own structures. This is another indication of how 'traditions' and 'customs' are dynamic and how the chieftaincy has sought to 'reinvent' itself in South Africa. An understanding of how these processes are unfolding is especially important in light of current legislative processes, which seek to formalise the chieftaincy's role in South Africa, and as the country begins preparations for national elections in 2004 (see RSA 2002). In the end, a closer examination of the process of democratic consolidation at the periphery will not only enhance our knowledge of how many South Africans are experiencing democracy, but will provide for a better theoretical understanding as well.

### THE CHIEFTAINCY IN SOUTH AFRICA

As in many African societies, the chieftaincy in South Africa is a ubiquitous feature of local politics. Despite the precarious, and often oppressive, role it played during *apartheid*, chiefs, *izinduna*, and traditional councillors<sup>2</sup> continue to exercise authority and command the respect of those living 'under' them.<sup>3</sup> This authority has both formal and informal dimensions.

As a formal matter, the post-apartheid constitution recognises and protects the chieftaincy – even though it does so in extremely vague and general language (Bank & Southall 1996; RSA 1996). For example, the constitution states that 'the institution, status and role of traditional leadership ... are recognized', but it does not state explicitly how this institution should interact with other governmental institutions, nor does the constitution enumerate what obligations the chieftaincy owes to local populations (RSA 1996: ch. 12). At the same time, the constitution states that the chieftaincy is 'subject to the Constitution'. Some in government have argued that this provision requires the chieftaincy to alter its own rules and practices so that they do not discriminate and allow more inclusive participation in the decision-making processes (see RSA 2002).

Most recently, with the much anticipated, and long awaited, release of the *Draft White Paper on Traditional Leadership and Governance*, the national government has sought to provide more specifics concerning the extent to which it will 'recognise' and 'protect' chiefs. For example, the *White Paper* reasserts the 'critical role' of the chieftaincy, but also notes that it must be 'transform[ed] ... so that it is brought in line with the constitutional principles of democracy and equality ...' (RSA 2002: 19). Throughout the country, chiefs have severely criticised this document, claiming that the proposals take away their current decision-making powers and consign them to the role of mere 'custodians of culture'.<sup>4</sup>

Despite such formal pronouncements, at the local level, chiefs rarely refer either to the constitution or to official government policies as the basis for their authority. Rather, at this level, where chieftaincy-societal relations take place on a daily basis, chiefs rely more upon informal powers that reflect the ideas, rules, and institutions rooted in pre-existing community norms and practices, or so-called 'traditions'. For example, most local communities expect the chieftaincy to maintain order, resolve conflicts, provide spiritual guidance, and promote the well-being of the community. As in other places in Africa, these norms and 'traditions' are not static, but are under constant pressure from local communities who desire and expect change (Hobsbawm & Ranger 1984; Oomen 2000; Whitaker 1970; Williams 2001). For example, in addition to those functions listed above, since the early 1990s, chiefs have lobbied for control over development projects, for more access to local government funds, for more representation on local government bodies, and for more influence over law-making at provincial and national levels of government. Not surprisingly, the justification given for acquiring these 'new' powers is often wrapped in the language of 'tradition'. An analysis of democratic consolidation must take into account the political struggles between chiefs and local communities over how 'democracy' and 'tradition', both as ideas and practices, can coexist given the changing political circumstances.

## DEMOCRATIC CONSOLIDATION AND CHIEFTAINCY—SOCIETAL RELATIONS

In recent years, there has been much more scholarship and debate over how to define and measure democratic consolidation. Not unlike what has happened to the concept of 'democracy', it is common to find numerous definitions of democratic consolidation ranging from 'popular legitimation' to 'economic stabilisation' (Diamond 1999; Przeworksi et al. 1996). This lack of specification has led one scholar to comment that the term has emerged 'as an omnibus concept, a garbage-can concept, a catch-all concept, lacking a core meaning that would unite all modes of usage' (Schedler 1998: 100). Schedler's criticism, as well as O'Donnell's (1996), correctly highlight the more general observation that the concept has often been utilised inconsistently to explain two distinct phenomena: democratic survival and the quality of the democratic experience. With the former, scholars are most concerned with explaining what factors are most relevant if the democratic regime is going to avoid a 'quick death' (Schedler 1998: 94). These studies frequently invoke a minimalist definition of democracy, and examine which institutions are best suited for democratic durability (see Linz 1996a, b), or seek to identify the most appropriate economic strategies to ensure democratic survival (Przeworski et al. 1996). Those concerned with the quality of the democratic experience, however, are more interested in how democracy can be 'deepened', and thereby rid itself of all vestiges of the previous authoritarian regime.

While this distinction is not precise, it is an important starting point for understanding the current debates concerning the chieftaincy and the process of democratic consolidation in South Africa. For the past eight years Freedom House has labelled South Africa as 'free', and it is frequently touted as one of the few 'liberal democracies' on the continent (Freedom House 1993–2003 surveys; Diamond & Plattner 1999: ix–xxvi). Within South Africa, however, the quality of the democratic experience for many ordinary citizens, especially for those who live in rural areas under chieftaincy institutions, is one of the greatest concerns.

Even though chieftaincy lobbying organisations such as the Congress of Traditional Leaders of South Africa (CONTRALESA) and the Coalition of Traditional Leaders<sup>5</sup> have sometimes threatened to boycott elections (Sithole 2000), these threats have occurred in a broader political context where chiefs are negotiating with the government for more formal powers and more incorporation into newly established democratic institutions, such as local government and development agencies. Seen in this light, the chieftaincy does not appear to threaten the *durability* of the democratic regime, but it does have an enormous influence on the daily lives of millions of citizens, and profoundly affects the *quality* of the democratic experience.

Diamond's work on democratic consolidation focuses our attention on the deepening of democracy and the quality of the democratic experience. He defines democratic consolidation as the 'process of achieving broad and deep legitimation, such that all significant political actors, at both the elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any realistic alternative they can imagine' (Diamond 1999: 65). He goes on to note that democratic consolidation is not possible if there are any 'politically significant' antisystem parties or organisations, and argues that new democracies should avoid the institutionalisation of informal and illegal behaviour. Rather, the goal must be to 'strengthen the formal representative and governmental structures of democracy so that they become more coherent, complex, autonomous, and adaptable and thus more capable, effective, valued, and binding' (*ibid.* 1999: 75). Diamond essentially agrees that for consolidation to take place, democracy needs to become the 'only game in town', and people need to believe in its intrinsic worth and its inherent superiority to

alternative forms of governance (Linz & Stepan 1996: 5; Bratton & Mattes 1999).

While Diamond correctly relates democratic consolidation to 'legitimation' and 'appropriateness', there are obvious problems when it comes to operationalising and measuring these concepts. For example, how do we know when society accepts norms, rules, and institutions of democracy as being the most 'legitimate' and 'appropriate'? One way is to conduct public opinion surveys that probe people's attitudes towards democracy. Obviously, despite the usefulness of such surveys, they can only provide a benchmark for further, more specific studies. In addition, there is a significant concern that the very concepts we seek to measure may be defined differently in African societies (Schaeffer 1998; Schatzberg 2001). Understanding this phenomenon is crucial as we examine public opinion surveys, and as we observe how Africans seek to implement democratic rules and processes. Keeping these limitations in mind, surveys do provide an important starting point for an understanding of democratic consolidation in South Africa. In particular, they are quite revealing with respect to how South Africans understand both democracy and the chieftaincy.

With respect to the consolidation of democracy in South Africa, the most recent surveys from South Africa are mixed (Mattes 2002). While 60% of South Africans stated that democracy 'is preferable to any other kind of government', and 55% stated that democracy is always the best form of government 'even if things are not working', only 30% said they were 'unwilling' to live under a non-elected government (Mattes 2002: 30). Rather than increasing, levels of support for democracy have stagnated since 1995, and South Africans' support for democracy is actually lower than what we find in Botswana, Malawi, Tanzania, Zambia, and Zimbabwe (Mattes 2002: 30). In addition, trust in elected institutions has steadily declined since 1994 as South Africans are likely to believe that national, provincial, and local representatives do not care about their welfare.

Given the extraordinary transition to democracy in the early 1990s, it is not surprising that these surveys also find that most South Africans are familiar with the idea of democracy and can give a definition when asked. Interestingly, when asked to define democracy, many South Africans associate it with substantive issues such as economic benefits and access to basic infrastructure. More than any other country in the region, South Africans attach less significance to the procedural aspects of democracy and more importance to economic and substantive attributes (Africa & Mattes 1996: 6; Mattes 2002: 31). My own research, which focused exclusively in the rural areas, revealed another interesting dynamic: that many South Africans believed in a much more consensual understanding

of democracy, as opposed to majoritarian understandings. Of the 140 respondents who were asked to give their own definition of democracy, approximately 50% stated that it means 'majority rule' or 'freedom and rights', but another 40% asserted that it means 'unity', 'share the same views', 'equality', or 'have a say in government' (Williams 2001: 239–95; see Goodenough 2002; Oomen 2000 for similar findings). These different understandings of 'democracy' are obviously important to keep in mind as we examine the process of democratic consolidation more specifically.

As to people's attitudes about the chieftaincy, the survey data has been mixed as well, although most find that local communities trust the chieftaincy and want it to work alongside democratic institutions. For example, a survey conducted in 1996 found that 61% believed that the chieftaincy 'had a role to play in the new South Africa', and only 41 % believed there was a 'conflict' between the chieftaincy and democracy (Africa & Mattes 1996: 16). Approximately 50 % agreed that it should have representation in local government (ibid. 1996: 16). These findings are consistent with my own research in KwaZulu-Natal, as well as research in the Northern Province and the Eastern Cape, where most local communities seem to want both the chieftaincy and democratic institutions, especially if they work together to bring 'development' (Africa & Mattes 1996; Goodenough 2002; Oomen 2000; RSA 1998; Williams 2001). The only survey results that indicate negative attitudes towards the chieftaincy are those of the Afrobarometer that found up to 75% of South Africans reject 'traditional leaders' as an alternative form of government (see http://www. afrobarometer.org/survey1.html). While this data could be interpreted as a negative attitude towards the chieftaincy, it is perhaps more likely that people simply do not want the chieftaincy to completely 'replace' all other governmental institutions. Understanding the subtle meanings of such answers requires that we supplement survey evidence with case studies that provide information as to how South Africans actually practice democracy, and the *meanings* they attach to this experience. Much of this research suggests that communities actually want chieftaincy institutions to work with the newly established democratic institutions. Thus, while most South Africans want 'more democracy' at the local level, they also believe the chieftaincy should continue to exist along with these new institutions and procedures. What this means is that both the chieftaincy and the newly established democratic institutions are struggling to gain the confidence of the people, and that both institutions may have much to gain from making specific political accommodations.

To summarise, the survey data indicate that while South Africans still support democracy, their trust in democratic institutions is less than in other

countries in the region. Other data, including surveys and case studies, also suggest that people think highly of the chieftaincy and that the chieftaincy is actually becoming more 'democratic' in some cases. How do we make sense of these findings, and what affect might such attitudes have on the 'deepening' of democracy in South Africa?

The fact that other, non-state institutions might be attempting to establish and maintain political legitimacy is often overlooked in the literature. For example, the focus of Diamond's (1999) analysis, as well as others, is on how people interact with formal, democratic, state institutions. The key is for people to rely upon and trust these institutions to the exclusion of competing institutions. One underlying assumption here is that people must make a choice – either they trust and rely upon the formal democratic institutions, or they depend upon the informal undemocratic institutions. Obviously, this assumption may or may not be warranted, and we should be open to the possibility of people embracing both democratic institutions and alternative institutions (in this case, the chieftaincy) simultaneously. This seems particularly relevant for African politics as in the last decade we have learned much more about the importance of informal, non-state institutions both in authoritarian states and in newly emerging democracies (Bratton 1989: 425-6; Chazan & Rothchild 1988; MacGaffey 1994; Tripp 1997). It also brings to mind Whitaker's (1970) notion of 'double-mindedness', which focuses our attention on the ability of Africans to synthesise a variety of ideas and institutions which appear, to an outsider, to be inherently contradictory or antagonistic.

When the chieftaincy is incorporated into our analyses of democratic consolidation, it raises important conceptual and theoretical issues. First, it puts into stark relief the ways in which people simultaneously evaluate newly established ideas and institutions in relation to pre-existing ones. To understand democratic consolidation at the local level, we need to ask ourselves not only how people understand and interpret basic democratic institutions, such as elections, but also the values people attach to the chieftaincy.

For many people, the chieftaincy is not an obstacle to democracy, but a necessary 'intermediary' which will ensure that change occurs in an orderly and familiar way. The ability of chiefs to straddle the state—society dichotomy during the colonial and post-colonial periods is well documented (Clough 1990; Marks 1986; van Rouveroy & van Dijk 1999). As Migdal (1994: 26) notes, during colonialism, 'chiefs were state officials but sometimes — indeed, many times — simply used their state office and its resources to strengthen their roles as chiefs'. In the post-colonial period, chiefs have continued to rely on this ambiguity to establish and maintain

authority. Commenting further on this Janus-like nature of chiefs, van Rouveroy (1996: 46) notes that they 'dispose of two different bases of legitimacy and authority. This permits [them] to operate differently towards the state and [their] people. A kind of hinge point, a chief tries to connect both worlds.' This has definitely been the case in post-apartheid South Africa, as chiefs have attempted to persuade the government that they are necessary for reform, while they simultaneously tell their followers that their authority is based on sources autonomous from the state. For many in the rural areas, the chieftaincy represents security, order, and stability. Indeed, if the principles of 'choice' and 'accountability' are central for many liberal democracies in the West, then the notion of 'unity' has similar importance for the chieftaincy in South Africa (see Bratton & Mattes 1999: 5; Karlstrom 1996; Schaeffer 1998; Williams 2001).

As with many such political values, the notion of unity is simultaneously omnipresent and invisible. As an 'unarticulated assumption' about political life, it helps to shape the boundaries of decision-making and the limits of what is, or is not, politically possible (Schatzberg 2001: 1). In rural South Africa, the idea of unity structures chieftaincy–societal relations, so that the community's interest should come before individual interests, that the chieftaincy is the institutional manifestation of unity, and that the community and the chieftaincy are responsible and accountable for the maintenance of this unity. Similar to Schaeffer's (1998) findings for Senegal, much of the 'political' and 'democratic' practice in rural South Africa is constrained and guided by a belief that the most important goal for the community is the maintenance of 'unity' and 'harmony'. These values, and the institutions which uphold them, become even more salient in the midst of political and social change. In many rural communities, there is a constant tension between the desire for change and the desire to maintain the appearance of unity. Focusing on the role of the chieftaincy in the process of democratic consolidation brings these tensions to the forefront of the analysis.

Second, examining the role of chiefs highlights the extent to which they have been able to direct and redirect the democratisation process as they straddle the political space between state and society. While in some instances the chieftaincy lobbies the government on behalf of its residents, in other cases it acts authoritatively to distribute resources and make and enforce rules. The ability of chiefs to 'link' the state with society, as well as their ability to act at times autonomously from the state or serve at other times as a functionary of the state, are the chieftaincy's most intriguing features. Due to the extent to which chiefs have been able to occupy this ambiguous position both during and after colonialism, one scholar has

coined the verb 'chiefing' to describe this process (van Rouveroy & van Dijk 1999: 5–10).

The extent to which chiefs can straddle their distinct 'official' and 'unofficial' positions in the post-colonial state depends on their ability to act in ways consistent with the underlying political values in the community. In this way, the idea of 'chiefing' may attribute too much agency and ignore important institutional and cultural constraints. As many respondents articulated, chiefs only have power if they are with the people. Rather than making authoritarian commands, the more respected and effective chiefs will lead their people much as a shepherd might lead his flock – walking behind but never allowing the flock to stray too far from the chosen path.

With the introduction of elections and rising expectations for participation and development, chiefs have sought to accommodate demands for change while not forfeiting their own right to rule. Examining how chiefs utilise their position in society to manipulate the democratisation process highlights the adaptability of this institution, and how the chieftaincy influences the manner in which people learn about new democratic values and practices. These lessons can have long-lasting consequences for democratic consolidation.

The vignettes which follow focus on how local communities and the chieftaincy have sought to give meaning to state-sponsored elections, and how they have attempted to incorporate election procedures at the more informal, local level. These descriptive case studies supplement the public opinion surveys discussed above and provide important evidence concerning the process of democratic consolidation in South Africa. In the analysis that follows the two case studies, I argue that chiefs have sought to 'reinvent' themselves both as crucial intermediaries between state and society during formal elections, and as local-level 'democrats' who are willing to adapt local institutions in the face of popular pressure for change.

## THE SPECTACLE OF DEMOCRATIC CHOICE: THE 1999 ELECTION IN RURAL SOUTH AFRICA

Over the last ten years, government-sponsored elections have become a regular feature of rural political life. Since 1994, four elections have been held in the rural areas – two national/provincial elections (1994, 1999) and two local government elections (1996, 2000). As was expected, the voter turnout in 1999 (68%) was lower than in 1994 (87%) (Reynolds 1999: 178). Nonetheless, the election was much more efficient in 1999, and unlike 1994, there was very little political violence. Thus, most commentators

suggested that the 1999 election was more successful than previous elections (*ibid.*).

Based on newspaper reports and informal discussions with election observers, the election process in the Mvuzane Tribal Authority (hereinafter 'Mvuzane') unfolded in a manner consistent with other rural areas in KwaZulu-Natal. While people were generally excited about the elections, very few people who lived in Mvuzane believed that any of the previous elections had changed their lives for the better.<sup>8</sup> Even though the elections were held on 2 June 1999, the registration period began in late 1998 and proved to be a time-consuming and confusing process for many voters. In both the 1994 national elections and the 1996 local government elections, the government had yet to establish a formal registration process. In 1994, for example, people could vote at any voting station and it was possible, though illegal, for people to vote more than once without raising suspicions. For the 1999 elections, however, the government required every eligible voter to register prior to Election Day. To facilitate this process, two days were set aside for registration in December 1998.

For this process to be successful in the rural areas, the government relied upon the chieftaincy structures to communicate the necessary rules and guidelines to those living in their areas and to help mobilise people to register and then to vote. Unlike the 1994 and 1996 elections, chiefs at the national level did not threaten to boycott the elections. Instead, the mood was much more cooperative. This was especially the case at the local level where chiefs, *izinduna*, and traditional councillors were focused on helping those living in their areas to understand the voting procedures and to exercise their right to vote.

In many ways, registration weekend in Mvuzane was more confusing and frustrating than election day – which also had its share of confusion and frustration. Chief Biyela<sup>9</sup> was actively involved in the period leading up to the registration period, and held several meetings to inform people about the process. For the most part, however, he relied upon the elected councillor, and one of his closest advisors, Njabulo, to gather the necessary information from government sources. With the registration weekend scheduled for 4–5 December 1998, it was not until 29 November that Njabulo received the necessary information from government officials concerning where people should register. This information was crucial because the government wanted people to register in the same places where they would vote on Election Day. Njabulo was hesitant to tell people where he thought these places were going to be because he did not want to be wrong and have people accuse him of 'lying' to them. Njabulo's concerns about the registration and voting sites were mostly focused on

how many would be allocated for the area and where they would be located. Obviously, he and Chief Biyela wanted these sites close to where people lived and they wanted as many as possible so that people would not have to travel long distances to register and vote. As it turned out, the government established three registration sites in Mvuzane, despite the fact that they had made a formal request to the Independent Electoral Commission (IEC) for five. Njabulo and Chief Biyela were frustrated that this process was controlled by what they called 'city boys', who did not have any idea how far people's homes were from the sites, or the distance people would have to travel. Njabulo estimated that people would have to travel – most often on foot – an average of 15 kilometers (9.3 miles) on at least three separate occasions - in December to register, in February to check the registration lists and receive their identification cards, and in June to vote. As an Inkatha Freedom Party (IFP) elected councillor, in an area largely controlled by the IFP, Njabulo suggested numerous times that 'the government' probably did not mind these obstacles in the rural areas because 'other parties' (i.e. the African National Congress [ANC]) had little support in these areas and the government was probably making it harder for people to vote in order to keep power. The issue of the elections being under the control of 'outsiders' was a constant theme in Mvuzane. As the registration period approached, Njabulo had hoped that members of the community would be in charge of the process and perhaps even create some temporary jobs and some income for the area. Due to a lack of funds, however, the IEC utilised civil servants, mostly teachers, to help with the registration process and volunteer their time. Most of the people in charge of the registration process in Mvuzane were teachers from the neighbouring town of Eshowe who were not known to the community. Njabulo and Chief Biyela, both before and during the registration, assured people that these workers could be trusted to conduct the registration fairly, even though they were not from the area.

At a community meeting two days before the registration, Chief Biyela encouraged everyone to register. He instructed the *izinduna* to tell the people in their areas to register and to help them in any way possible to get to the sites. Chief Biyela also announced that people should not worry about 'party politics' at the registration. He said that this was not the actual election and that parties were barred from doing 'political things' at registration. Most of the questions, however, focused more on process than on 'party politics' issues. There was a great deal of confusion about the specific dates, times, and places for registration. In many cases, people could not understand why they had to travel such long distances to designated registration sites when there was a school or store closer to their

homesteads. While Njabulo and Chief Biyela tried to explain the reasoning underlying the IEC's decisions on sites, many people were outwardly frustrated. Some asked specific questions about how the elderly or infirm were supposed to get to these sites, and whether the IEC would allow relatives to register for them. Chief Biyela explained this was not allowed. The community was also told that all the registration sites would be at schools and that the tribal court would not be used as there was a fear this would not be considered a 'neutral' site.

Others were concerned about 'outsiders' coming into the area to help with the process. One *induna* complained that he and some other people from Mvuzane had gone to Eshowe to volunteer their services but had been turned away. Again, it was explained that teachers, principals and other volunteers were in charge of this process and that there might be other, informal, ways the local community members could assist on registration day. Chief Biyela also forewarned those at the meeting that members of the South African Defence Force (SADF) would be at the sites to make sure there was no violence, but that this was a precautionary measure and that he was not expecting any problems.

Although the community was told that the tribal court would not be used as a registration site, as it turned out, it was. <sup>10</sup> Throughout the day, people gathered at the court and Chief Biyela spoke to groups of people telling them where to line up and what to do. He had been at the site most of the day. Teachers from Eshowe who were there helping with the process noted that it was encouraging to see the chief so active in the process and that he had been successful in mobilising those in this area. In addition, there were three to four SADF officers at the court with automatic weapons hanging off their shoulders. On the side of the court, near the entrance where the registration was conducted, was an IFP placard urging people to register and vote.

Inside the court, the process was orderly as people waited to have their identification cards scanned into the computer. Shortly after noon, the batteries in the scanning machine failed and the registration process stopped. The principal IEC officer in charge of the site had left and his assistant did not have a car to go and retrieve another battery. Chief Biyela was meeting with some *izinduna*, traditional councillors, and others, both men and women, in a small office space connected to the main room of the tribal court when he learned about the battery problem.

The chief and his *isigungu*<sup>11</sup> often met in this space before and after

The chief and his *isigungu*<sup>11</sup> often met in this space before and after community meetings. He asked those in the room what they might be able to do. He was concerned that the people waiting in line would not be able to register and he did not want this to happen. After some discussion about

possible options, they found a volunteer who drove to Gingindlovu, approximately 70 kilometres (45 miles) away, to get the battery so they might be able to continue the registration process later in the afternoon or the next day.

Over the next six months, until the June elections, there continued to be minor problems as people who were registered could not find themselves on the voters' rolls. In June, the area of Mvuzane would end up voting overwhelmingly for the IFP, just as it had done in 1994 and 1996. Unlike the registration weekend, voting day in Mvuzane was less confusing. As was the case in many rural areas, people in Mvuzane began lining up to vote as early as 4:00 a.m. While the voting was supposed to begin at 9:00 a.m., the ballots arrived late and the actual voting did not begin in some places until 11:00 a.m.

Chief Biyela and most of the *izinduna* were present at various voting sites throughout the entire day. At the voting site closest to his homestead (unlike with registration, voting occurred at the high school across the dirt path from the tribal court but not in the court itself), Chief Biyela walked up and down the line of people to assure them that the voting would happen soon. Whenever he saw elderly people in line who were either disabled or obviously weak, he brought them up to the front. He told all those waiting that he wanted the elderly and weak to vote first. When the school door opened and voting was to begin, everyone quickly gathered at the entrance and what was once one line became a crowd of people. Chief Biyela repeatedly told people to stand back but his requests were largely ignored. He then started swinging his walking stick in the direction of people's legs, and they quickly started to move and get into line. Some people laughed as they saw Chief Biyela do this, and he almost immediately began to joke with people as soon as they were in line. No one was hurt, or even hit, during this scene, but a clear message was sent that this process would proceed in an orderly fashion. The white South African Defence Force personnel who were present did not interfere and stood silent against the side of the school building. The elderly and disabled were then brought to the front and the voting began.

After the polls had been open approximately ten minutes, Chief Biyela asked to see Njabulo and they had a brief discussion. Apparently, some people felt intimidated that there were IEC and political party observers watching them mark the ballot and this was causing some problems. This arrangement was part of the negotiations that occurred between the political parties and the IEC before the election. To assist those who were illiterate, without threatening the fairness of the electoral process, the ANC and IFP agreed that if someone needed help marking their ballot in

KwaZulu-Natal an ANC and IFP representative, as well as a 'neutral' IEC observer, would be present as advice was given. This was to make sure that if a person requested to vote for one party that the person assisting did not mark another party instead. This arrangement also was used in places other than KwaZulu-Natal, but usually only where it was suspected that two or more parties would be in competition. Chief Biyela asked Njabulo to explain to the people waiting in line that if they needed help to vote, they should ask, and that if they did so, these representatives would all help them mark their ballots.

For the next hour, Njabulo told groups of people waiting in line what was happening. He then asked one of the ANC representatives to join him as they went down the line. He told people not to be afraid that there were both ANC and IFP representatives watching them. He emphasised that they were only there to help and to make sure the voting was fair. He and the ANC representative stressed that they should vote for whichever party they wanted. Many people in line did not like the idea of an ANC representative in the voting area but the voting continued without incident. This was not the case in some areas outside Mvuzane, where many people alleged voting fraud because only an IFP representative was present at the voting stations. In the end, the IFP carried Mvuzane with over 70 % of the vote.

# DEMOCRATISATION FROM WITHIN: 'ELECTING' IZINDUNA AND TRADITIONAL COUNCILLORS

As the previous discussion of the 1999 election suggests, despite the centrality of the chieftaincy at the local level, elections are perceived as a legitimate and necessary mechanism to transfer and distribute political power. It would be a mistake to assume, however, that people consider elections to be 'the only game in town'. Rather, many understand elections to be simply 'another game' that can be utilised to acquire desired resources. This is the case not only with state-sponsored elections for local, provincial, and national government, but within the chieftaincy as well. Beginning in the early 1990s, chiefs began to allow their communities to 'elect' *izinduna* and traditional councillors. In the past, the chief either appointed people to these positions, or recognised the existence of a valid hereditary claim. The reasons for these changes were two-fold. First, communities pressured their chiefs to allow elections as they sought to put more qualified leaders into these positions. Because communities want to attract as many development projects as possible, there is an incentive to choose local leaders who have the education to best perform this function.

There may also have been a 'demonstration effect' from the state-sponsored elections that highlighted the usefulness of electoral process. And second, chiefs saw this as an opportunity to lead the 'democratisation' movement in their areas, rather than become consumed by it. Unlike the situation with state-sponsored elections where the chieftaincy acted as a mediator between the government and the people, the incorporation of elections was something the chieftaincy could control with much more autonomy.

Throughout South Africa, the chieftaincy structures are decentralised. For example, most 'tribal authority areas' are divided into wards and the wards are sometimes divided into smaller entities. While the chief and his isigungu are at the apex, various other assistants help the chief on a daily basis. The izinduna, traditional councillors, and isigungu are the most important in this respect. In each ward, there is usually one induna. The izinduna hears cases, solves problems, and reports directly to the chief. Many of the izinduna are also part of the isigungu. While the number varies, in most cases each ward has one or two traditional councillors who are supposed to report to the induna in his area. Traditional councillors solve 'community problems', and in some instances, they are allowed to hear cases.

While it is difficult to pinpoint an exact date, it seems that until the early 1990s, the chief and his *isigungu* would choose the *izinduna* and traditional councillors and announce their appointments at meetings. In some cases, the position of *induna* was considered hereditary and this position was passed to the eldest son of a particular family. By most accounts, this process changed around 1994. In Mvuzane and Kholweni Tribal Authority (hereinafter 'Kholweni'),<sup>13</sup> for example, many of the *izinduna* and traditional councillors have been chosen since 1994 and most people commented that the community 'elected' these leaders. At the same time, it is much easier for people within a particular ward to choose a traditional councillor than it is for them to choose an *induna*.

One reason why this may be the case is that the duties of the traditional councillor have changed since the early 1990s. While in the past the traditional councillor was supposed to assist the *induna* and help resolve community disputes, this position has now become much more focused on development issues. Traditional councillors are often responsible for holding ward level development meetings, and many serve on the ward development committees. Indeed, when asked about their duties, most traditional councillors responded that they were responsible for 'making connections' and bringing development projects.<sup>14</sup>

Of course, the opportunity for community members to choose traditional councillors or *izinduna* depends on these positions becoming vacant. How

often has this occurred? With a new stress on the importance of development, many positions have been filled since 1994 by people who are often younger and who have more formal education, and thus have a better opportunity to access development resources. For example, in Mvuzane, there are fifteen separate wards and a total of sixteen *izinduna*. Of these sixteen, only six have served for more than eight years. Six have served for less than six years, and four have served less than eight years. 15 Most importantly, of the sixteen izinduna in Mvuzane, about ten have acquired their position through elections rather than appointment. Of the twelve traditional councillors, most were chosen after 1994. In Kholweni, there are only three wards with three izinduna. Two of the izinduna had each served less than five years and the other induna was forced to resign in June 1999 for misappropriating development funds. In both Mvuzane and Kholweni, most people suggested that those *izinduna* and traditional councillors chosen after 1994 were 'elected' by the community and were not appointed by the chief.

Only in Kholweni, however, did we witness this process as it unfolded. In this case, the *induna* was forced to resign because of complaints from the community and the chief did not take an active role in his dismissal. In addition, as of July 1999, the community was organising the election of a new *induna* on their own with little guidance from chief Mtembu. Finally, there was confusion in both Mvuzane and Kholweni as to whether the newly elected *izinduna* and traditional councillors had fixed terms of office or whether the term was indefinite. Many informants assumed the traditional councillors were to serve a fixed term, but informants were more divided on whether the same rule applied to *izinduna*. While it is too soon to evaluate whether changes concerning how the community selects their leaders will lead to the adoption of other 'democratic' values such as accountability and tolerance of different opinions, there is no question that communities in many rural areas want such changes even though they also continue to believe the chieftaincy must not be abolished.

There is also reason to believe that these internal experiences with 'democratic reform' are in many ways more meaningful and important than the process of participating in government controlled elections. These internal experiences provide an opportunity for people to understand how elections work, and because these elected officeholders live in the community, it is more likely that they will be held accountable. In addition, people are able to create inventive ways to combine their simultaneous desires for more democracy and development, as well as for the security of the chieftaincy and the maintenance of unity. Government sponsored elections, on the other hand, are isolated events which are

sometimes difficult to understand or situate in broader socio-political contexts at the local level. The spectacle of elections leaves people with renewed hope, but with little understanding of how government makes decisions or how to hold governmental bodies accountable for their actions, while internal reforms are experienced on a daily basis and allow members of the community to more actively participate with governance issues.

## MAKING SENSE OF THE CHIEFTAINCY AND DEMOCRATIC CONSOLIDATION

For those living in the rural areas, it is 'commonsensical' that the institution of the chieftaincy and democratic elections can, and should, coexist. While the rules, processes, and values associated with elections are definitely not 'the only game in town', they are nonetheless important and have affected local level political dynamics in unanticipated ways. Specifically, local communities encourage their chief, *izinduna*, and traditional councillors to take part in the electoral process and adopt internal reforms that allow for more participation and choice. In this way, it seems that there has been some 'chiefing' of the process of democratic consolidation. At the same time, however, under pressure from local communities, some democratic ideas and institutions have been incorporated into the chieftaincy.

These dynamics suggest that, at least in the short term, it is incorrect to assume that people will necessarily choose between the chieftaincy and democratic institutions. Instead, these two institutions are blending together in complex ways. For example, the relationship between Njabulo and Chief Biyela in Mvuzane is not uncommon. In many rural communities, the elected councillor and chief work together on local matters (Goodenough 2002; Keulder 1998: 287–324; Oomen 2000). In addition, there are many examples where the elected councillor serves as part of the chief's *isigungu* as well. While the chief needs the elected councillor's connections to acquire resources and information (e.g. where and when the elections will take place), the elected councillor needs the permission of the chief to carry out his duties.

As the narrative on the 1999 election reveals, while the chief relied upon the elected councillor for information, the chief was still the spokesperson for the community and directed the elected councillor to undertake specific tasks. The example of Mvuzane also highlights how the success or failure of the electoral process depends to a great extent on the ability of the chiefs, *izinduna*, and traditional councillors involved. In this way, these

leaders often serve as the main source of information for communities. It is important to recall that just days before the registration process the exact registration sites were still unknown. Njabulo had hoped to learn this information so that it could be announced on the radio before registration, but this did not happen. Instead, this information was given at a meeting just days before the registration, and *izinduna* were told to share this information with those in their wards who were not at the meeting.

In addition, the presence of chiefs, *izinduna*, and traditional councillors during the course of both registration and voting provided a sense of order to the process. They were expected to maintain order and peace in the area, and it was not surprising that Chief Biyela and his *izinduna* took these responsibilities seriously. This was especially the case on election day, when there was a rush to enter the school once the site had been opened. While the government believed the presence of SADF officers was necessary to ensure peaceful elections, it was Chief Biyela who helped with crowd control when people crowded the doorway of the school. It is doubtful whether those standing in line would have behaved the same way, if the SADF officers had attempted to clear the area.

Another important function of the chieftaincy during this electoral process was its ability to reassure the community that 'outsiders'—whether they were teachers from Eshowe, SADF officers, or ANC and IEC representatives—should not be considered a threat. In some cases, the concept of 'stranger', as it relates to chieftaincy areas, tends to overestimate the exclusiveness of these rural communities and underestimate the fluidity of boundaries and the many interconnections between the rural and urban areas. With respect to the election process, however, the boundaries between insiders and outsiders were definitely important. On each occasion where the presence of 'strangers' was questioned, Chief Biyela or Njabulo told the community that there was nothing to fear—that unity and harmony would prevail.

This concern over 'strangers', or what Njabulo called 'city boys', highlights the inherent tension between the process of democratisation, which at the very least anticipates the diversity of ideas and the importance of individual choice, and the value of unity which encourages oneness, and in some cases, exclusiveness. In Mvuzane, Chief Biyela and his assistants attempted to balance these competing pressures during the electoral process in 1999. While the chief publicly encouraged people to vote freely, and not to be fearful of party politics, his physical presence during this process was a reminder of the central role the chieftaincy plays in the daily lives of the people and the fact that after the spectacle of the elections was over, the leaders of the community would still be the chief

and his assistants. Nonetheless, the chieftaincy has not been unaffected by the introduction of electoral rules, processes, and values. Since the early 1990s, people have demanded internal reforms to make the chieftaincy more representative and accountable. In many communities, chiefs have decided to respond to these demands and have allowed for more participation within chieftaincy areas (Oomen 2000).

Even though it is debatable how much actual choice these new procedures allow, there is no question that they have enabled certain groups to have more access to the local power structure. In particular, women and younger men are much more involved with community issues than in the past. There are also changes concerning the functions of *izinduna* and traditional councillors. In this way, there is flux in terms of who can participate at the local level and the duties of community leaders. These changes have caused some tensions, especially concerning the role of women, and some chiefs are better suited than others to handle these conflicts. Still, the ability of the chieftaincy to make these changes demonstrates the dynamic nature, and adaptability, of the institution.

Finally, some scholars conceptualise the issue of rural democratic consolidation in South Africa as a choice between two competing forms of authority: the chieftaincy and democracy (Mamdani 1996). Indeed, our understanding of democratic consolidation highlights the importance of choosing democracy as 'the only game in town'. Fortunately, for most people living in the rural areas, the issue is not posed in such stark terms. For the reasons discussed above, in many ways, chiefs, *izinduna*, and traditional councillors must at least appear to be embracing some aspects of the democratic process to maintain their authority. Whether this includes allowing communities more choice in choosing *izinduna*, and traditional councillors, or providing information about the registration and voting process, local leaders cannot afford to ignore democratic pressures or they risk being overcome by them.

The difficulty, however, is how the chieftaincy is able to maintain community 'unity' as alternative ideas and institutions become more embedded in the community. The results of this process will vary from community to community as different leaders employ different strategies and techniques. As the findings from the three communities in KwaZulu-Natal suggest, the ways in which communities and the chieftaincy incorporate democratic ideas and institutions will vary, and it is wrong to assume these processes will be uniform throughout the country.

What is certain, however, is that the introduction of elections in rural areas has altered chieftaincy-societal relations. Yet rather than leading to the end of the chieftaincy, these changes have produced more mixed

results. Chiefs, *izinduna*, and traditional councillors, and those who live in their areas, all have found ways to situate newly introduced electoral procedures into the pre-existing institutional and ideological frameworks. More importantly, they have attempted to find ways to utilise these new practices to enhance their own authority. In the end, it is likely that these accommodations will continue to influence how rural South Africans understand both democracy and the chieftaincy for the foreseeable future.

#### NOTES

- 1. Interviews in Mvuzane and Kholweni, KwaZulu-Natal, 1998–9. This article is based on one year of research in South Africa (1998–9), as well as a month of subsequent research in July 2003. I selected three 'tribal authority areas' in the province of KwaZulu-Natal for my case studies: Mvuzane Tribal Authority, Ximba Tribal Authority and Kholweni Tribal Authority. I spent approximately three months in each site, completing a total of 200 interviews. In addition, I interviewed provincial and national politicians and conducted archival research on tribal authorities throughout South Africa. I am grateful to Fulbright II-E for funding for the initial research and the Department of Political Science and International Relations and the College of Arts and Sciences at the University of San Diego for subsequent research.
- 2. In this paper, I make reference to the institution of the chieftaincy as well as individual actors within this institution. These actors include the chiefs, the *izinduna* (Zulu term for headmen or assistants to the chiefs), and traditional councillors (assistants to the *izinduna*).
- 3. There are approximately 800 chiefs in South Africa who rule over approximately 14 million people (RSA 2002: 24).
- 4. Interview with Chief Mpiyezintombi Mzimela, 30.6.2003. Chief Mzimela is the chairman of the National Council of Traditional Leaders.
- 5. The Congress of Traditional Leaders was established in 1987 in the Eastern Cape. Until recently, its members mostly included chiefs from outside KwaZulu-Natal. The Coalition of Traditional Leaders was formed in 2000, and includes all South African chiefs. It is the umbrella organisation for the Congress of Traditional Leaders of South Africa, the six provincial Houses of Traditional Leaders and the National House of Traditional Leaders, and the Royal Bafokeng nation.
- 6. Since 1994, the Institute for Democracy in South Africa (IDASA) has conducted a series of public opinion surveys measuring attitudes towards democracy. IDASA has recently joined with the Centre for Democratic Development in Ghana and Michigan State University to conduct additional surveys in South Africa, as well as throughout the African continent. These surveys can be located at www.afrobarometer.org.
- 7. Support for democracy is measured by asking respondents whether they prefer democratic institutions to alternative institutions. The specific questions asked in the survey are whether 'democracy is preferable to any other kind of government' and whether 'democracy is always the best form of government even if things are not working' (Mattes 2002: 30).
- 8. Interviews in Mvuzane, 1998–9. Mvuzane is located in northern KwaZulu-Natal and has a population of approximately 15,000. It is a 'typical' tribal authority area in that most people do not have access to clean water, electricity, or telephone service and rely upon pension disbursements or employment outside the area to sustain themselves.
  - 9. Chief Biyela is 73 years old and has been the chief in this area for 36 years.
- 10. It is still unclear why this was the case on registration day, unless there was miscommunication between the officials and the chiefs. On Election Day, in June, the school near the court was used as a voting site and not the court.
- 11. This is the chief's advisory council which consists of all the *izinduna* and other community notables.
  - 12. There are approximately 280 tribal authority areas in KwaZulu-Natal.
- 13. Kholweni shares a border with Mvuzane. Because it is the site of a nineteenth-century mission, there is no hereditary chief. Instead, the community occasionally 'elects' the chief. The most recent chief, Mtembu, however, was chosen in 1974 but then failed to call subsequent elections. Frustrated

with his leadership, the community 'removed' him from office in 1999 and have recently elected a new chief (for a more detailed analysis, see Williams 2001, ch. 7).

- 14. Interviews in Mvuzane and Kholweni, 1998-9.
- 15. These years of service are dated from July 1999 and are based on discussions with Chief Biyela, the local government representative, and *izinduna*.

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