

UNIVERSITY OF THE FREE STATE BLOEMFONTEIN CAMPUS

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Topic

Investigating the Role, Relevance and Challenges of Traditional Authorities in Democratic Local Governance in South Africa: A Case Study of Jozini Local Municipality

Submitted for the fulfilment of the requirements of the degree of Master of Governance and Political Transformation in the Faculty of Humanities at the University of the Free State.

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Supervisor

Dr. Ndwakhulu Stephen Tshishonga

DECLARATION

I Bonginkosi Ziphathe Mngomezulu, hereby declare that the masters dissertation title: Investigating the role, relevance, and challenges of traditional authorities in democratic local governance in South Africa: A case study of Jozini local municipality, is my own effort that has never been submitted for assessment for any postgraduate degree in the University of the Free State or any other academic institution.

Bonginkosi Ziphathe Mngomezulu

November 2023

DEDICATION

To all the freedom fighters, Ingonyama kaZulu, Amakhosi Asendlunkulu, Izinduna, I salute you for being patriots, we wouldn't be here this day. I would like to dedicate this study to all my ancestors including my late father, Ephraim Khondovu Mqwabalanda Mngomezulu (May his soul Rest in Peace) and my loving and caring mother, Olgar Bukisile Mngomezulu for raising and guiding me through thick and thin. I am here today

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I cannot forget my Mngomezulu clan, especially my brothers in arms, Jakonia Agrippa Mngomezulu and Bhekisisa Mngomezulu, my daughter Liyanda Mngomezulu for their support and offerings by saying "LIBUYILE BO DLAKADLA-NINA BA MBIKIZA KA LUBELO" SUTHU!

Lastly, I thank the University of the Free State family for being part of this transformative institution.

ABSTRACT

This study explored the role, relevance, and challenges of traditional authorities in democratic local governance in South Africa including Jozini local municipality. The study used qualitative, exploratory and interpretative approaches. Secondary data collection and analysis was used to establish the basis for the findings. The study emanate from the fact that traditional authorities have existed and transformed from pre-colonial era, colonial and apartheid era, however, in independence and democratic era its role is not clearly defined. Literature explored demonstrated that before colonialism, the institution of traditional leadership was the only governance system practiced by Africans including South Africans. The system of traditional leadership was respected as the bond that bonded communities. Traditional leaders before colonialism performed functions such as allocation of land, protecting the community against attacks, leading warfare, custodians of communal resources and many other governance roles within their tribes and nations. This study demonstrated that traditional leadership wielded power and authority that was unchallenged.

However, the position and role of traditional authority in governance transformed drastically during the advent of colonialism and apartheid in South Africa. Colonialism used the strategies of direct and indirect rule to ensure that they manipulate traditional leaders for their gain. During the colonial and apartheid era, traditional leadership was forced to abandon traditional governance and implemented colonial and apartheid legislation. Those traditional authorities that resisted the implementation of colonial and apartheid legislations were dethroned. Fearing to lose their positions, some traditional leaders

collaborated and ruled according to foreign power which made them lose trust from their communities. The study established that traditional leadership neither returned to the position it was before colonialism nor transformed for the better. Data and literature on contemporary governance and political discourses reveal that traditional leadership is recognized in the constitution and other pieces of legislation, however, traditional leadership view that recognition as vague and ambiguous because it does not state how they must function in democratic governance, especially local governance.

The study further explored the role, relevance, and challenges of traditional authorities in Jozini LM. The study established that traditional leaders and municipality in Jozini has a workable and desirable relationship. In Jozini LM, the study uncovered that 86% of the land is under the ITB, fully controlled by traditional authorities. Government at all levels including Jozini LM rely on traditional leaders for land to develop service delivery infrastructure. The held view is that the land question in Jozini LM has coerced the municipality to work closely with traditional leaders despite legislation that does not fully recognize the role of traditional leaders in municipal governance and service provision. The other view attributed good relations between traditional leadership and the municipality to the fact that the IFP is the controlling party and is known for its position when it comes to the role and inclusion of traditional leadership in governance. The study concluded by recommending legislative reforms and administrative paradigm shift to address the challenges of traditional leadership. The recommendations further proposed primary research that might address most recent questions emanating from this study since this study was secondary research.

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LIST OF ABBREVIATIONS

ANC: African National Congress.

COGTA: Cooperative Governance and Traditional Affairs.

CODESA: Convention for a Democratic South Africa.

CONTRALESA: Congress of Traditional Leaders of South Africa.

DL: Distributed Leadership

DoH: Department of Health.

DPLG: Department of Local Government.

KZN: KwaZulu-Natal.

IDP: integrated Development Plan.

IFP: Inkatha Freedom Party.

ITB: Ingonyama Trust Board.

LM: Local Municipality.

NGOs: Non-Governmental Organizations.

OSS: Operation Sukuma Sakhe.

GLOSSARY

Amakhosi: Chiefs/ senior traditional leaders.

Amakhosi Asendlunkulu: Chiefs that pay allegiance to His Majesty the king of the Zulu nation.

Dikgosi: Chief or king in Sepedi.

Ibizo: Public meeting called by traditional leaders in the Ndebele tribe.

Induna: Headmen controlling an isigodi or local area in the chiefdom.

Inkosi: chief as referred to in IsiZulu.

Ingonyama: The Zulu King as being referred to as the lion.

Imbizo: Traditional public meeting called by traditional leaders in the Zulu nation

Izimbizo: Traditional public meetings called by traditional leaders in Zulu nation

Isigodi: Local area under the authority of the headmen

Isilo: His Majesty the king as referred to by the Zulu nation

Kgotla: Public meeting called by the chief in the Sotho tribe

Makhosi: Chief or king in Venda and Ndebele tribes

Pitso: Public meeting called by the chief for the Tswana tribe.

CHAPTER 1: INTRODUCTION

1.1. INTRODUCTION

The institution of traditional leadership has undergone transformation and has experienced challenges over the decades (Enwereji and Uwizeyimana, 2020 and Mawere *et al*, 2022). However, traditional leadership has performed a number of roles as a traditional governance institution (Koenane, 2017 and Mabunda, 2020). It is significant to interrogate discourses of the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa. This study investigated the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa including Jozini local municipality. In contributing to this study, this chapter outlines the background and motivation of the study. It also presents the research problem, the aims and objective, the research questions, the significance and outline of the study. The background presents the wider context of the research topic. In this context, the role of traditional leadership before colonialism, during colonialism and apartheid, and during independence and democratic era, the relevance and challenges of traditional leadership are interrogated.

1.2. BACKGROUND /MOTIVATION

In Africa, indigenous communities were governed by traditional leaders, pre-colonial, colonial and apartheid era despite some challenges regarding their roles in governance (Koenane, 2017 and Mawere *et al*, 2022). Enwereji and Uwizeyimana (2020:128) affirm that traditional leadership ruled their subjects before the advent of colonialism. The institution still exist in the democratic era (Noyila, 2013). Koenane (2017:1) reaffirmed that the institution of traditional leadership in Africa, pre-existed both the colonial and apartheid systems and was the only known system of governance among indigenous people. During the pre-colonial period, traditional leaders exercised their power based on traditional functions such as the allocation of land, dispute resolution and officiating ceremonial and

religious events (Mawere, Mathidze, Kugara and Madzivhandila, 2022). In Africa, traditional leadership is viewed as the direct and oldest governance practice based on the needs of communities, cultures and customs (Enwereji and Uwizeyimana (2020:128).

In essence, traditional leaders derived their position of authority from their historic and traditional roots (Van Heun 2019:3). Mabunda (2020:4) argues that traditional institutions were the form of governance known by the African people from time immemorial. Mawere *et al* (2022:250) define traditional leadership as a style where power is given to the leader based on traditions of the past. The structure of the institution of traditional leadership was constituted by kings, chiefs, headmen and village heads who exercised their authority in a hierarchical structure that was common in African system of governance (Mawere *et al.* 2022, De Visser, Steytler and Chigwata, 2021).

Mathenjwa (2017:202) provides an analysis of the history of traditional governance by arguing that indigenous African traditional government dates to before the occupation of South Africa by British and Dutch settlers. The chief was the head of traditional central government, the headman was the head of the ward and the family head exercised leadership at family level. In South Africa, traditional leaders were once the pillars of their communities (Mtengwane, 2021:50). They were the political head, army commanders and generals, judicial head, and spiritual leader to all the people under their jurisdiction (Boateng and Afranie, 2020).

The theoretical study suggests that before the colonial period, traditional authorities were responsible for enacting laws of justice, settling disputes between community members, allocating land to community members, leading warfare, collecting taxes/tributes and lastly but not least, organizing community and festive activities (Mawere *et al.* 2022:254). Koenane (2017:4) ascertains that during the pre-colonial era the institution of ubukhosi or borena (i.e., traditional ruler ship) was an important one. Mabunda (2020:2) posits that the traditional institution has over the centuries earned great respect among community members who afforded it the regard of the highest order.

Mawere *et al.*, (2022:254) acknowledge that the power/authority of traditional leaders (Amakhosi (Zulu tribe, Makhosi (Venda tribe), Makhosi (Ndebele tribe) Dikgosi (Sepedi) stemmed from ritual, symbolic and patronage power. Until recently, most authors and governance scholars acknowledge that before colonialism traditional authorities were highly respected by local communities, however the advent of colonialism destroyed the hegemony and supremacy the institution enjoyed. Mawere *et al.* (2022: 54) affirm that indigenous black communities of South Africa have for many years prior the colonial system accepted this form of government as the appropriate one.

Most studies reveal that over the past centuries traditional authorities have been central in the advancement of the socio-economic and socio-cultural needs of their communities, especially those living in rural areas (Enwereji and Uwizeyimana, 2020). Mdlalose (2015:2) reiterates that the institution of traditional leadership has been an integral part of African culture and have played a pivotal role in advancing and addressing socio-cultural and socio-economic needs of African people. Considering the role the institution of traditional leadership has played, it is important to investigate its present role as well as its prospects for the future.

Traditional leadership in pre-colonial era was seen as democratic, and allowed people through mass meeting (izimbizo, kgotla, ibizo) to discuss in an open way matters of community importance and make decisions through consensus (Mathonsi and Sithole, 2017). Koenane (2017) defines traditional leadership practice before colonialism as the African democratic system of governance that involved the participatory system of governance that embraced the ideals of freedom of speech. In this context, pre-colonial kings and chiefs or headmen as traditional leaders ruled through the council which significantly reduce their power and authority and allow the process of consensus to take place. A view that many scholars allude to.

However, the advent of colonialism in Africa changed the way traditional authorities governed their communities. In fact, the system of traditional authority was transformed to

deepen the supremacy of colonial and apartheid governments, and this manifested itself with the introduction of apartheid rule in South Africa (Mathenjwa, 2017; Mafunisa, 2019 and Shembe, 2014). The institution of traditional authority exhibited ability to rule African communities, protected them and ensured social cohesion, however, their authority and power was later undermined by colonialism and apartheid. De Visser *et al.*, (2021) admits that colonial governments changed the way the institution of traditional leadership governed and degenerated it into surrogates of colonial regimes.

Mawere *et al* (2022: 255) allude to the view that the paradigm shift took place when the colonial government changed the governance system in line with their interests. Ntsebenza (2020: 27) concurs with De Visser *et al.*, (2021) and Mawere *et al.* (2022) by maintaining that colonialists distorted the institution of traditional leadership and co-opted chiefs to enforce their strategy of divide and rule, and to ensure that as a foreign minority they managed to rule the indigenous majority. During colonialism direct and indirect methods of governance were introduced to ensure that the power and authority of traditional leadership is regulated and manipulated for the benefit of colonial interests (Simelane and Sihlongonyane, 2021; Enwejeri and Uwizeyimana, 2020; Boateng and Afranie, 2020). The narrative of how colonial and apartheid treated traditional leaders shows that they have been resilient when considering that the institution still exist.

During apartheid South Africa, the institution of traditional leadership was weakened to an extent that communities lost trust on traditional leaders and as it was viewed to be an extension of foreign rule (Van Heun, 2019; Mzelemu, 2019; Ntsebenza, 2020).

The Land Act of 2 of 1913, Native Land Act 18 of 1938. Black Administrative Act of 1951, the Black Authorities Act of 1951, the Promotion of Bantu Self-Government Act 46 of 1959 and the Bantu Homeland Citizenship Act 26 of 1970 were among the notorious legislations that stripped traditional leaders power and authority they had before colonialism (Mzelemu, 2019:23-26). What is remarkable with colonial and apartheid regimes is that traditional leaders remained in power, however, they had to conform to colonial and apartheid laws in order to remain in power and if they rejected these laws they were subjugated (Mathonsi

and Sithole, 2017; Simelane and Sihlongonyane, 2021).

During apartheid the institution of traditional leadership was relegated into employees and servants of the white government, where indigenous rulers became instruments for suppressing the majority of black aborigines (Ntsebenza, 2020; Tshishonga and Dipholo, 2023). Tshishonga and Dipholo (2023) allege that during apartheid South Africa indigenous communities were double oppressed, firstly by the foreign authority and secondly by their own traditional leaders. The status, role, and relevance of traditional authorities has been changing overtime, it has been transformed by colonialism and apartheid. The democratic governments have also transformed the role of traditional authorities, with challenges being experienced especially in the local sphere of government (Noyila, 2013; Mzelemu, 2019 and Tshishonga and Dipholo, 2023). The challenge of the ambiguity of the role of traditional leadership is boldly pronounced and visible in municipalities, especially those municipalities situated in rural parts of the country.

In Africa, the institution of traditional leadership has changed overtime and countries have accommodated the role of traditional authorities differently (De Visser *et al*, 2021). In Zambia, traditional leadership is embraced by the constitution, which further confer traditional leaders voting rights at local government (Kurebwa, 2018 and Boateng and Afranie, 2020). The situation in Zimbabwe is not similar to Zambia as their role is recognized by the constitution and a selected number of traditional rulers serve in an ex-officio membership in local councils with no voting rights, and the same approach has been adopted in the Republic of South Africa, as acknowledged by De Visser *et al*.(2021).The visible difference in the way the status and role of traditional authority appears in various countries is as a result of the past changes the institution has undergone (Msomi, 216; Mathonsi and Sithole, 2017; Ntsebenza, 2020).

Section 211 of the Constitution of the Republic of South Africa (Act No.108 of 1996) provides for the recognition of the role of the institution of traditional leadership according to customary law and anticipate legislation to clarify on actual roles of the institution of

traditional leadership. A number of legislations directed at guiding the role of traditional leadership at national, provincial and local government has been passed (Koenane, 2017; Mathonsi and Sithole, 2017 and Mabunda, 2020). However, there is no consensus on the role traditional leaders must play in local governance because legislation regulating the participation of traditional leaders remain vague and does not allow full participation of traditional leadership in municipal council processes (Mathenjwa, 2017 and Ramolobe, 2023). The ambiguousness of South Africa's legislation on traditional leadership has been identified by many scholars as a huge predicament the democratic government has ever faced because while traditional leaders express their discontent, they fill the vacuum in the absence of formal government (De Visser *et al.*, 2021). The fact that they fill the vacuum when government fails is viewed by political commentators as a confirmation that the institution of traditional leadership has a place in the new dispensation.

Different organizations, political parties, NGOs and policy and political scholars have responded differently on how the role of traditional leadership should be recognized. Some scholars are critical of the way the recognition of the institution of traditional authorities is managed by government in South Africa (Ntsebenza, 2020; Ubink and Duda, 2021). For example, Koenane (2017:2) ; Mathenjwa (2017); Ntsebenza (2020) argue that the institution of traditional leadership is recognized by both the constitution and other policy documents, such as the White Paper of 2003 on traditional leadership, but that recognition is vague. The issue of ineffective legislative framework in South Africa has been one primary cause for confusion when it comes to the role of traditional leaders in the new dispensation. In this regard, Noyila (2013) laments on the contradiction when the constitution of 1996 and other legislation recognize the role of traditional leaders, but other legislation like the Municipal Structures Act 117 of 1998 declare the participation of the institution in municipal processes to be on ex-officio basis, which is highly contended by traditional leaders who view it as an insult.

Prior research reveal that both the constitution and other policy documents are silent about the specific role traditional rulers ought to play as an integral part of local and provincial government structures (Koenane, 2017; Simelane and Sihlongonyane, 2021; Ntsebenza,

2020). Mawere *et al.* (2022:250) concur with Koenane (2017); Ntsebenza (2020); Simelane and Sihlongonyane (2021) over the view that traditional leaders are recognized by both the constitution and other policy documents. However, both the constitution and other policy documents are quiet about the role traditional rulers should play in their capacity as part of local government. The unclear policy framework on the role of traditional leaders is seen as a challenge that affect local governance because they have dual governance leadership in the form of municipal councilors and indigenous rulers.

These scholarly views show that a lot is missing with regards to the recognition of the role of traditional authorities in modern democracy in South Africa, as acknowledged by Koenane (2017); Mathenjwa (2017; Tshishonga and Dipholo (2023). In this regard, Ntsebenza (2020:3) supports this seemingly popular view by concurring that the role of traditional authorities (chiefs of various ranks) in a democracy remains unresolved. The background on the role, of traditional authorities as an institution centers around the ambiguity surrounding the recognition the role traditional authorities ought to play in local governance in South Africa. This poses a governance problem that makes this research rationale and important as most literature pose divergent questions on whether the institution of traditional leadership is still relevant and compatible within the democratic framework or not.

Tshishonga and Dipholo (2023) concede that there is currently a dilemma surrounding the clarity on the role and functions of traditional leaders, its co-existence with modern governance structures, especially at local government level where both traditional authorities and elected councilors working coexist in an informal way in order to provide local leadership. This has made the role, relevance, and challenges of traditional authorities a challenge and subject for debate that has brought serious contestations at local governance.

Unlike the pre-colonial era where the role of traditional leaders was clear, that is not the case with the post-colonial and democratic dispensation. This situation has made co-existence of the institution of traditional leadership and modern governance structures

more challenging especially in the local sphere of governance (Mathenjwa, 2017 and Ramolobe, 2023). The current local governance scenario presents challenging and unclear representation and participation in municipal councils by traditional leaders which undoubtedly warrant further scholarly investigation into the subject (Mathenjwa, 2017 and Ramolobe, 2023).

Lack of clarity on the role and responsibility of the institution of traditional authority constructed the problem statement that led this research to focus on exploring the role, relevance and challenges of traditional leaders and their institution in democratic local governance necessary and relevant, as it attempts to address existing questions. Lack or poor cooperation between traditional authorities and municipal governments in most rural municipalities makes local governance fail to render services to the local communities as envisaged in the 1996 constitution (Mathenjwa, 2017; Koenane, 2017; Mawere *et al.*, 2022; Tshishonga and Dipholo, 2023).

Traditional communities regard traditional leaders as the custodians of local governance (Ramolobe, 2018). The communities that regard traditional leaders as custodians of local governance are at local government level. The existence of traditional governance and democratic local governance changed the modus operandi of traditional leaders because legislation governing local government accord all the legislative and executive powers to elected councilors in South Africa (Simelane and Sihlongonyane, 2021). The allocation of all the governance powers to elected councilors fueled divisions between modern structures of local government and traditional leadership structure. The introduction of modern local government created a problem not clarifying the role of traditional leadership.

Nkomo and Kambule (2023) argue that while the institution of traditional leadership has survived and performed many functions before and after colonialism, the institution has lost hold on South Africans. According to Nkomo and Kambule (2023), modernists believe that the institution of traditional leadership has no place in a democracy. Out of all the views expressed, whether by traditionalists or by those opposing its role and existence, the issue is that the institution is somehow recognized by the constitution with important

role to play in the democratic dispensation. The biggest question that is asked is what role, where, and how such role will be performed?

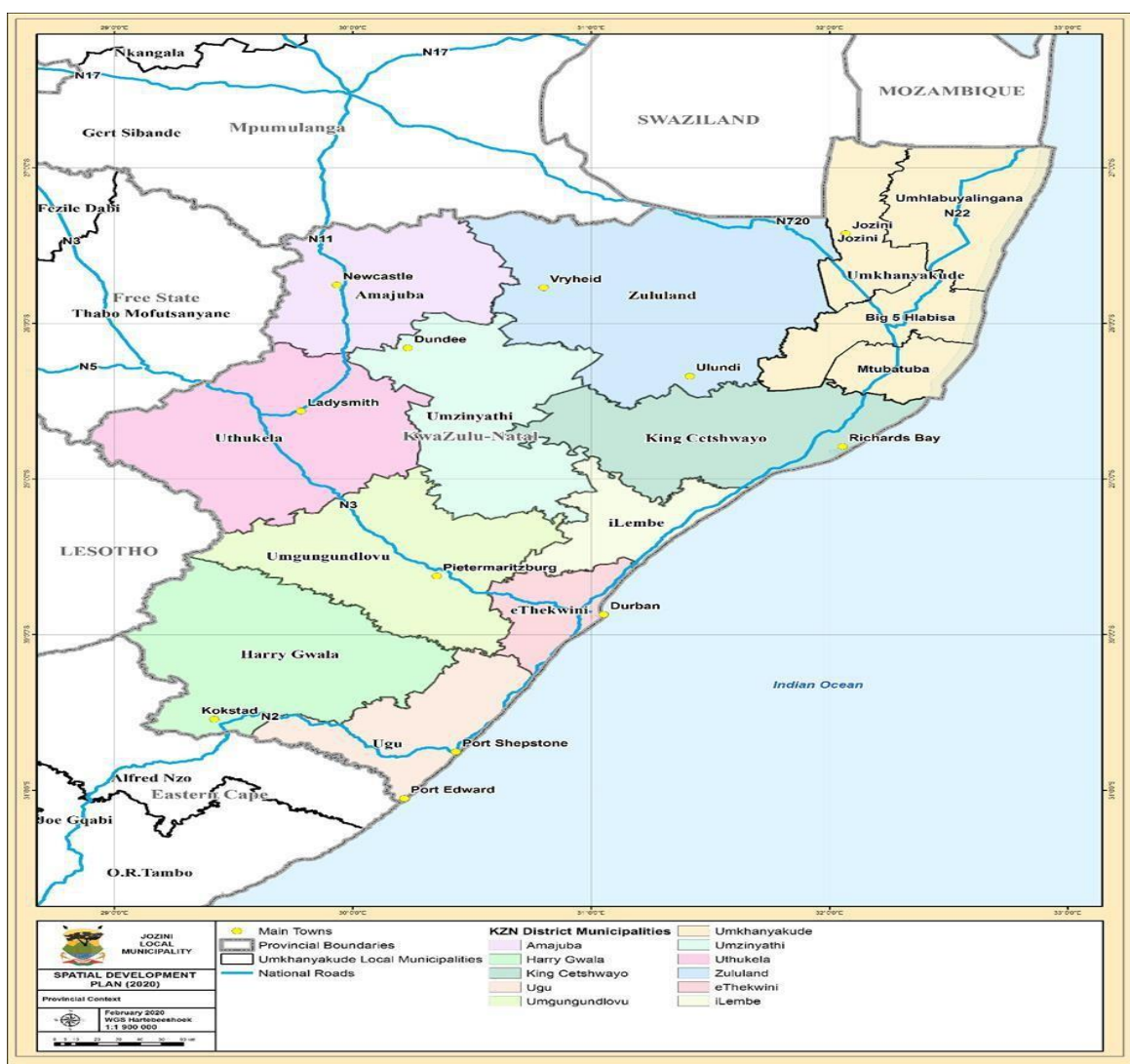
In addition, the role and relevance of traditional leadership is the debate between traditionalists and modernists. Traditionalists are proponents of the institution of traditional leadership hence they believe the institution is relevant in the new dispensation. Their argument is that traditional communities cannot exist without traditional leadership as the custodians of culture and tradition (Koenane, 2017). On the contrary, the modernists claim that the institution of traditional leadership is irrelevant in the new dispensation and as such must be abolished (Koenane, 2017; Mtengwane, 2021). In context of the role and relevance of traditional leadership, these two opposing perspectives are presented based on the impact the traditional institution could play in advancing rural development.

In Jozini local municipality, the institution of traditional leadership exists within the same dilemma of legislation that is not clear about its actual role in local governance. Traditional leadership in Jozini falls under the legislation that governs traditional leaders in the province of KwaZulu-Natal. The province of KwaZulu-Natal has a strong traditional leadership base from king Shaka to the reigning king of the Zulu nation, who was the glorified the mighty of the Zulu regiments in wars for liberation against colonial rule in South Africa (Luthuli, 2015). The institution still exist and shows resilience within the new dispensation.

Jozini Local Municipality has seven traditional Authority areas (Jozini Local Municipality Integrated Development Plan, 2020/2021).The following is a list of traditional Councils in the Jozini municipality: a) Mathenjwa, b) Mngomezulu, c) Nyawo, d) Myeni-Ntsinde, e) Jobe, f) Myeni-Ngwenya, g) Siqakatha-Gumede (Jozini Local Municipality 2014/15 Annual Report). Jozini Local Municipality Integrated Development Plan (2020/2021:11) asserts that “Jozini Local Municipality is one of the four municipalities within uMkhanyakude District Municipality”. It is located in the northern region of KwaZulu-Natal, and is bordered by Mozambique to the north, Swaziland in the west, uMhlabuyalingana to the east, Big Five/Hlabisa to the south and Nongoma and uPhongolo to the west. The large area of

Jozini falls under the ownership of Ingonyama Trust and some areas are privately owned by individuals whilst a small portion is owned by the state, as acknowledged by Nyawo(2017), who reveals that 86% of the land in this municipality is under the control of traditional authorities.

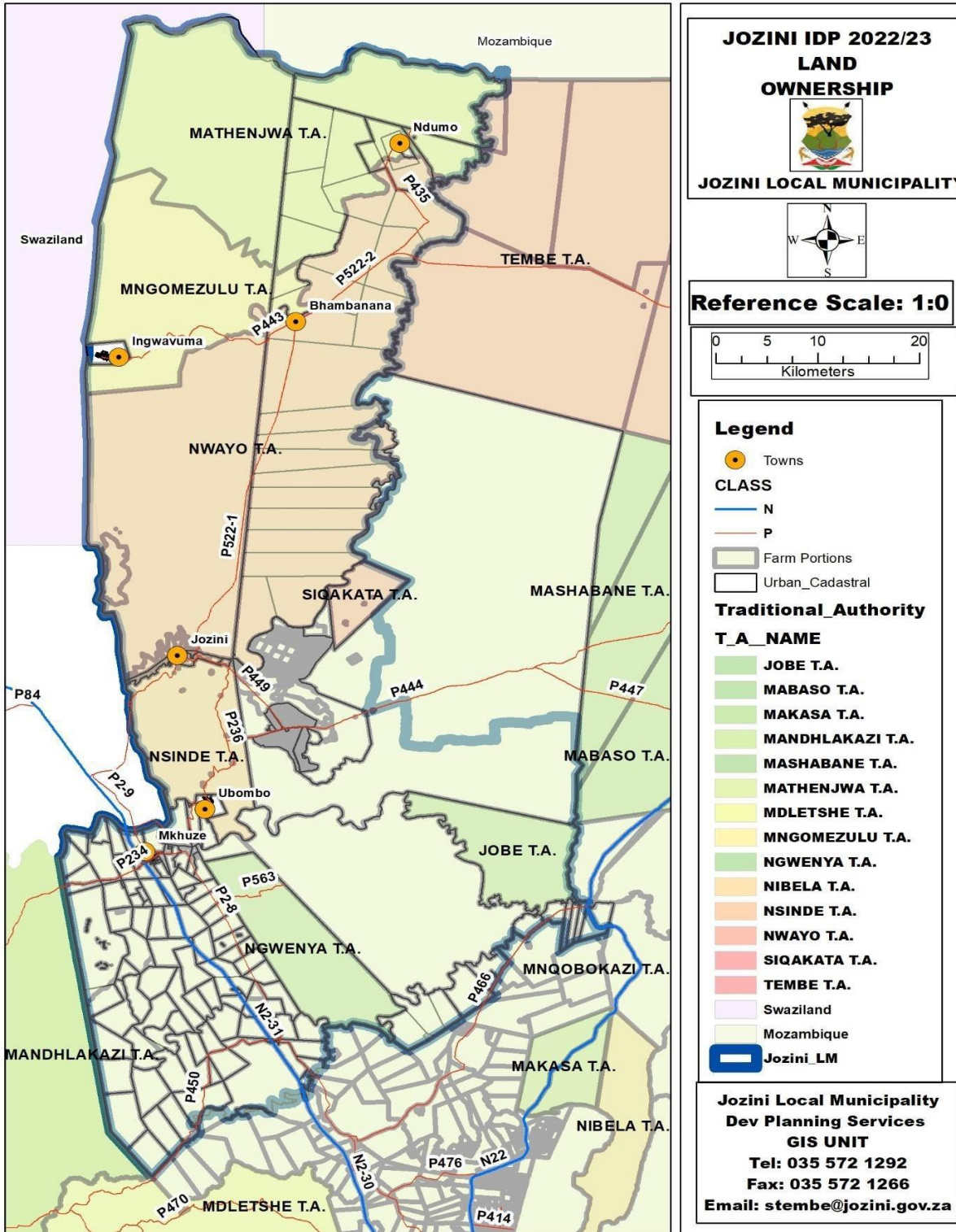
Figure 1.1.below shows boundaries of Jozini local municipality and other three municipalities within the UMkhanyakude District Municipality.



Source: Jozini Integrated Development Plan (2020/2021:12)

Figure 1.2. Presents the map that shows traditional authorities that are part of Jozini local

municipality's traditional leadership.



Source: Jozini Integrated Development Plan (2022/23-26/27:88)

In Jozini local municipality, traditional leaders play an important role in land allocation, promotion of health environment, serve as a link between government and communities (COGTA, 2020). Furthermore, the institution of traditional leadership in Jozini works closely with the private sector in the promotion of development within their areas (ESKOM, 2016; Farisani, 2022). It must be noted that the institution of traditional leadership in Jozini cannot be overlooked by municipal councilors, private sector and government when it comes to land allocation because the greater part of land in Jozini fall under the Ingonyama Trust Board (Jozini Integrated Development Plan, 2020/2021). This is one interesting dynamic which mean the approach by the Jozini local municipality cannot be the same as that of other municipalities across South Africa due to the reality that the municipality, national and provincial government and NGOs need land that is controlled by traditional leaders in the development of communities. It is notable that in Jozini, the role of traditional leaders despite the fact that national and provincial as well as local government legislation is ambiguous, Jozini has to ensure there is synergy between municipal council operations and traditional leadership in order to drive community development in a sustainable way.

Traditional leadership in Jozini local municipality plays a crucial role in assisting the municipal during IDP and Budget road shows as well as advising the municipal council on local development (Jozini IDP, 2020/2021). In the context of development and participation of Jozini, there is a reasonable level of cooperation between traditional leadership structures and modern governance structures. Despite the existing cooperation, there are challenges of legislation, lack of resources and disputes related to traditional leadership remain a threat in development (Jozini IDP, 2020/2021; Farisani, 2022).

The current state of land tenure makes it difficult for the municipality to fully control development in areas under Jozini local Municipality. The land tenure is further complicated by the fact that vast rural land within the municipality is controlled by the Ingonyama Trust Board (Msomi, 2016). The relationship between traditional authorities and the local government is not clearly defined in the existing frameworks. Many scholars

affirm this situation and unequivocally calls for clarity on the roles and functions of traditional leaders to ensure there is no contestation for power and resources, especially land in the local sphere of governance (Koenane, 2017; Mawere *et al.*, 2022; Tshishonga and Dipholo, 2023).

Current literature on traditional leadership particularly on South Africa and Jozini LM, shows that the traditional leadership institution has played crucial role in their communities as custodians of traditional governance (Luthuli, 2015 and Mathenjwa, 2017). However, this study argues that traditional leaders lost their integrity and respect during colonial and apartheid rule as their authority was used by the colonizers to suppress indigenous communities. Literature lay bare the fact that despite the posture of democratic governance that pretend as though traditional leadership is recognized, legislation prove otherwise (Noyila, 2013; Koenane, 2017 and Mawere *et al.*, 2022).

It is against this background that this study explores the role, relevance and challenges of traditional leadership in democratic governance with particular focus on Jozini Local Municipality. This study sought to clarify the ambiguity pertaining to the role of traditional leadership, ascertain the relevance, and challenges of traditional leadership within the democratic local government dispensation.

1.3. RESEARCH PROBLEM

This study investigated the role, relevance, and challenges of traditional authorities in South Africa, with reference to Jozini local municipality. Research pertaining to the role of traditional Authorities reveals that the institution has played changing roles, pre-colonial, colonial and apartheid. In the democratic dispensation the role, relevance and challenges of Traditional Authorities is a subject for debate, both in governance and political circles particularly in South Africa. The problem to be addressed in this study emanates from vague constitutional recognition of the role of traditional authorities in the democratic dispensation, especially in the local government sphere. This unclear definition of the roles

and functions of traditional leadership structures makes the local sphere of government to have two governance structures performing almost similar functions and competing for power and resources resulting in lack of cooperation between indigenous rulers and modern elected councilors. The held argument is that the governance problem in local governance started when municipalities were introduced after liberation in South Africa.

Lack of cooperation between traditional authorities and democratic leadership is a challenge which is seen practically on a day to day basis in rural local governments in South Africa. There are municipal areas whose jurisdiction completely fall under the areas of, for example, the Ingonyama Trust Board in KwaZulu-Natal, and when municipalities want to develop these areas, modern elected councilors encounter challenges. This therefore, suggest that the institution of traditional leadership and local government must be one, which denotes that legislation needs an overhaul in order to make the two compatible with each other before local government in rural areas collapse. Msomi (2016:3) highlights the challenge of fragmented delivering of low income housing especially in the rural municipalities operating under Ingonyama Trust. According to Hamusunse (2015:4), traditional leaders' roles and functions are not clearly defined and that creates uncertainty, which often result in confusion of their roles and functions. This situation has led to mistrust and strained relations between traditional leaders and municipal councilors in rest of South Africa.

Lack of cooperation between the two institutions is against the concept of cooperative governance, secondly it stifles development in one way or the other as the two local governance institutions (traditional authorities and municipal councils) compete for control of resources and power, thus posing a challenge for local governance in South Africa. Section 212 of the 1996 constitution of South Africa provides that national legislation may provide for the role of traditional leadership as an institution at local level on matters affecting communities (RSA 1996:109). In the same breath, RSA (2003:3) dictates that traditional leaders should constitute part of the cadre of leadership that thrive for a better life for all in the democratic South Africa.

However, scholars like Koenane (2017); Ntsebenza (2022); Tshishonga and Dipholo (2023) are adamant that government is not clear on the decisive role of traditional leadership in democratic local government even though the two structures co-exist and have a role to play in advancing governance at local level. This is evidenced by a prolonged struggle for recognition by traditional leaders which has recently forced the ANC led government to succumb to their demands and the Traditional Leadership and Khoi-San Leadership Act was signed into law by the current president Cyril Matamela Ramaphosa in 2019. The Act recognizes the traditional and Khoi-San communities, Leadership and their roles and functions.

At local government level, power and authority is conferred to elected councilors as opposed to traditional authorities. In view of that authority, scholars like Mabunda (2020) claim that elected councilors do not consult traditional authorities on matters of development as a result there is visible conflict between the two structures which affects service delivery despite the fact that the Municipal Structures Act 117 of 1998 need municipalities to take a decision affecting the area of a traditional leaders after consultation. On the other hand, traditional authorities see themselves influential in communities and with the power to control land through the existing land tenure system, yet having less influence in municipal councils. In provinces such as KwaZulu-Natal, traditional leaders control vast land under the banner of the Ingonyama Trust Board yet find themselves not able to vote in municipal councils, yet municipal councils depend on them for land required for development (Msomi, 2016). This is indicative of a serious problem in terms of local governance in rural South Africa.

Ntsebenza (2020:3) argues that the issue of traditional authorities was on the table during the multi-party negotiations in the 1990s. However, despite the multi-party negotiations the issue of the roles and functions of traditional leadership is still a matter for debate. Until today, in practical day-to-day livelihood traditional authorities are seen performing their local functions side by side elected councilors without any clear guide on how the two institutions should co-exist as governance partners. To date there is still much contestation as expressed by traditionalists and modernists about both compatibility and relevance of

this oldest African institution of governance (Mtengwane, 2021). All these realities pose a challenge that does not only affect local governance, but also create confusion among traditional communities and conflict where institutions regarded as honorable constantly fight over power in a country where people have a hope in the democratic dispensation.

The constitutional incorporation of traditional leadership in local governance created challenges warranting scholarly enquiry on the status of traditional authorities in local governance. It is this lack of clarity that creates a problem that needs a scholarly investigation into the role, relevance and challenges of traditional authorities, especially in democratic local governance. There are challenges when governance is executed at local level due to poor relations, land tenure system and cooperation between the municipalities and traditional institutions, as expressed by Mathenjwa (2017); Mawere *et al.*, (2022); Tshishonga and Dipholo (2023). Contemporary young South Africans are not sure about the relevance of the institution of traditional leadership, which will create more problems about the role of traditional leadership in future.

Tsipa (2014:2) states that the advent of the new democracy in South Africa, in 1994 became a turning point in the institution of traditional leadership. Ward councilors, with almost same responsibilities were introduced in rural areas. Most scholars attribute the lack of cooperation to premature introduction of modern local government before clear and inclusive policy was adopted by all affected stakeholders involved in local governance (mention few here. Mathenjwa (2017:207) asserts that there are too many existing inconsistencies on the role and participation of traditional leadership in municipalities when pointing out that in five local municipalities in the province of KwaZulu-Natal, it was confirmed that traditional leaders attend meetings of municipal councils. In one of the municipalities, it was ascertained that traditional leaders do not only attend councils but also attend committees of council'.

The research findings by Mathenjwa (2017) and Tsipa (2014) confirms the existing inconsistency and policy gap that constructs a problem that warrants an investigation into the role, relevance and challenges of traditional authorities in democratic local

governance, that will eventually lead to the closing of policy gaps that governance and political scholars allude to regards the role of traditional authorities in local government.

The problem was arguably created when councilors were introduced despite the fact that South Africa boast to have a good architecture of legislation that claims to recognize traditional leaders as a partner in governance, but no clarity exists, as to which role do government expect traditional leadership to play in pursuit of governance, especially at local level, since their role remains in limbo (Koenane, 2017; Mathenjwa, 2017; Ntsebenza, 2020). Existing literature provide evidence of bitter relationships between an institution of traditional leadership and municipal political elected leadership, especially when municipalities interact with rural communities for development purposes (Msomi and Sithole, 2017; Mathenjwa, 2017; Mawere *et al.*, 2022). The literature is clear on the fact that traditional institutions have an important role to play in democratic governance, but a problem that needs to be solved so that there could be consistency and harmony in local governance is the specific role of traditional authorities ought to play in governance (Koenane, 2017 and Ramolobe, 2023).

Evidently, there is lack of clarity about the roles of traditional authorities which poses a threat in the execution of development initiatives in rural municipalities, where their influence is highly embedded (Koenane, 2017; Mabunda, 2020; Mawere *et al.*, 2022). There is inconsistency among municipalities in the way traditional authorities participate in various municipal councils. This is indicative of a crisis which threatens democratic decentralization and service delivery in rural disadvantaged communities. Another challenge emanates from the legislation itself, as it is a matter of common knowledge that legislation regarding the role of the institution of traditional leadership is ever amended and changed overtime as recognition demands by CONTRALESA and the IFP continue unabated. In other instances, municipalities themselves are not sure about what to do about the participation and even remuneration of traditional authorities in municipalities because of the vague and ever amended legislations regarding the present and future of traditional leadership in local governance.

When elaborating on the challenge municipalities and SALGA faces with regard to the existing confusion on the role and status of traditional authorities in modern local governance, Mathonsi and Sithole (2017: 37) argue that since the advent of democracy, the role and place of the institution of traditional leadership has been mired by fraught with contradictions, confusion and tension. , as such the South African Local Government Association (SALGA) frequently receives enquiries from municipalities regarding the participation and remuneration of traditional leaders in municipal councils (Mathonsi and Sithole, 2017:37).The situation Mathonsi and Sithole refers to has persisted since writers like Mathenjwa also pointed out about inconsistencies of participation by traditional leadership structures in municipal councils before. Other municipalities do not even follow the present pieces of legislation, but do what they believe is good for community development when it comes to the roles and participation of traditional authorities (Mathenjwa, 2017).

If the constitution effectively addressed the role and functions of traditional leadership, the clear roles would be understood by everybody involved in governance, particularly local government. The challenges that are posed by the contestation and competition for control between the two institutions would be easily resolved. The question of whether the institution of traditional leadership has a role or is still relevant and this is what contemporary researchers are concerned about, hence, this research investigated these questions and add value to governance as a study.

1.4. AIM, OBJECTIVES AND RESEARCH QUESTIONS

1.4.1. Aim of the Study

The principal aim of this study was to investigate the role, challenges and relevance of traditional authorities in local governance in South Africa with particular reference to Jozini local Municipality. This aim was achieved by employing qualitative approach, interpretivism philosophy based on exploratory design aimed at understanding the dynamics and complexities in terms of the role, relevance and challenges of traditional leadership in local governance.

1.4.2. Objectives of the Study

The above stated aim will be executed by adhering to the following objectives:

- To explore the roles and status of traditional authorities in local governance at Jozini Local Government.
- To determine challenges faced by of traditional authorities in playing a meaningful role in local governance at Jozini Local government remains undefined or spelled out.
- To ascertain the relevance of traditional leadership in local governance at Jozini Local Municipality.
- To make recommendations on how challenges facing traditional leadership could be addressed at Jozini Local Municipality.

1.4.3. Research Questions

Aligned questions to the objectives are as follows:

- What is the role of traditional leadership in local governance at Jozini local municipality?
- What are challenges of traditional authorities in local governance at Jozini local municipality?
- How relevant is the traditional leadership in local governance at Jozini local municipality, and what is at stake if their roles are not clearly spelled out in legislation and policies?
- What could be recommended to address the challenges faced by traditional leadership at Jozini local municipality

1.5. SIGNIFICANCE OF THE STUDY

In any research the value and significance of the study must be known to ascertain its

relevance. In context of this study, the common view of literature is that the role of traditional leadership in South Africa has since the advent of democracy not been resolved. The purpose of this study was to explore the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa including Jozini local municipality. This study could be of great significance and value for governance in South Africa, particularly local governance in Jozini local municipality. The study could provide information in which the roles and challenges, the relevance of traditional leadership could be clarified at Jozini local municipality. The study findings could be instrumental in addressing existing challenges facing the institution with clear role in local governance. The findings and recommendations of this study could without any doubt be significant for governance as a study and governance in its practicality in Jozini LM.

As this research investigated the role of traditional authorities in governance in Jozini local municipality, it could expand on the limited literature and research existing about the area in terms of governance, which could contribute towards governance as a study. Society could gain new insights on the role of the institution in governance. A research of this nature would, if the findings and recommendations are meaningful, gives a sense as to how governance authorities can effect better governance in municipalities, rural municipalities, in particular as traditional institutions are deeply rooted there. So this research could also add value in governance as a discipline.

Evidence from the literature point to the discontent raised by traditional leaders pertaining to the role ambiguity of traditional institution in democratic governance. The debates are in one way or the other shaped by traditionalists and modernists with their contesting views. In the context of the ongoing argument relating to the role the institution of traditional leadership should play in democratic governance (Van Heun, 2019). Studies on governance may recommend possible solutions based on findings of research.

The research could also expand on the clarification of the roles of traditional authorities, particularly in governance and valuable insight, thus benefiting communities whose focus

is on governance. This could provide insights and information for policy makers to solve governance challenges facing traditional authorities.

The constitution of 1996 created a wall to wall municipality and recognized the role of traditional leadership, and instead of clarifying about the role traditional leaders can play it anticipate legislation to pronounce on the matter. However legislations, whether national, provincial or local has so far not determined the actual role traditional leaders can play in local government despite the fact that traditional leadership has been for many decades at the center of local governance and is closest to communities. In context of the above arguments, it is the argument of this study that this research is relevant for governance and specifically local government because there are outstanding issues on the subject that need to be resolved. These outstanding issues need scholarly recommendations in order to be addressed.

It must be mentioned that as debates continue about the role and functions of the institution of traditional leadership, studies focusing on the subject would be of great value on how the subject could be approached. Studies on the role, relevance, and challenges of traditional leadership will help legislatures when reviewing legislation and policies regarding the role of traditional leadership. Furthermore, the study could assist in coming up with governance solutions that can help resolve the dilemma of undesirable relationships between traditional leadership and elected councilors in municipalities. Jozini local municipality as a governance entity could benefit on understanding the role, relevance, and challenges within that area as this study would clarify the roles, determine relevance and challenges of traditional leadership in South Africa's governance including Jozini local municipality, as well as provide recommendations to the challenges.

1.6. RESEARCH DESIGN/LAYOUT

CHAPTER 1: Introduction.

This chapter summarizes the overview of the topic, review prior research conclusions. The

rationale, motivation, research problem, and aim and objectives of the study will be addressed. This chapter also addresses the research questions. The chapter concludes by paying attention to the research structure, design and layout.

CHAPTER 2: Literature Review.

This chapter presents the literature review of the previous and present literature and research on the subject under study. This chapter presents an overview and in-depth context, contents and findings of previous research and literature about the role and functions of traditional authorities in governance, especially local governance. This chapter interrogates the aspects of the role relevance of traditional leadership in an international context, African context, and South African context and Jozini local municipality.

CHAPTER 3: Theoretical Framework.

This chapter discusses the theoretical conceptualization of the concepts used in the topic and research. This chapter also discusses two important aspects of the study ,namely, the definition and conceptualization of the main concept of the study, which is “governance “and address the definition of concepts relating to traditional authorities /leadership. The chapter also discusses theories and philosophies used in the study.

CHAPTER 4: Research Methodology and Methods.

This chapter presents the methodology and methods used in conducting the study. In this regard the chapter will pay attention to the research methods design, Data collection techniques, and Data Analysis methods used in execution of the study. The chapter also discusses the validity and reliability of the research as well as the advantages and limitations of the study.

Chapter 5: Research Findings and Analysis.

This chapter discusses and analyzes data, interprets the findings of the whole research. Firstly, the findings of the research are analyzed and evaluated, as the intricacies of the whole research has to show how it addressed the problem statement and achieve the aim and objectives of the research.

CHAPTER 6: Conclusion and Recommendations.

First and foremost, this chapter presents the conclusion of the research. In this case the summary of the meaning of the findings of the research are addressed, and its value to governance indicated. This chapter concludes on how the problem statement and core research questions were addressed.

1.7. CONCLUSION

This chapter introduced the background of the study, the role, relevance and challenges of traditional leadership in South Africa particularly the Jozini local municipality. This chapter interrogated the background and motivation of the study. The background presented the posture of South Africa and Jozini local municipality regarding the role, relevance, and challenges of traditional leadership in South Africa and Jozini local municipality. The aim and objective as well as the questions of the study were addressed. In addressing the background of the study, this chapter gave the historical discourses of traditional leadership prior colonialism, during colonialism and apartheid as well as in independence and democratic dispensation. The chapter also elaborated on debates related to compatibility and incompatibility of traditional leadership in modern governance provided the problem facing the recognition of the role of traditional leadership in the new dispensation. This chapter also paid attention to the value and relevance of the study as it pointed at the significance of the study for both governance as a study and governance in its practicality in South Africa and Jozini local municipality in particular. This chapter also outlined the design and layout of this dissertation.

CHAPTER 2: LITERATURE REVIEW

2.1. INTRODUCTION

This chapter reviews existing literature on traditional leadership by focusing on the role, relevance and challenges of traditional authorities in democratic governance. International, African and South African debates including Jozini local municipality will be included. This chapter is divided into six sections. The first section conceptualizes traditional leadership. The second section locates traditional leadership in an international context. In this case countries like Britain, Norway and Sweden will feature in this chapter. Thirdly, the chapter deals with the institution of traditional leadership in an African context including of countries such as, Ghana, Zimbabwe, and Botswana. The focus is mainly on the transformation of the institution of traditional leadership through pre-colonial, colonial and post-colonial era. The fourth section explores and analyses the institution of traditional leadership in South Africa. In particular attention is directed at policy framework that underpins traditional leadership in South Africa, and the role of traditional leadership in South Africa's democratic local government. This chapter is also dedicated to the challenges of traditional leadership in South Africa. The first and last section of this chapter discusses the role, relevance and challenges of traditional leadership in Jozini local municipality.

2.2. CONCEPTUALIZATION OF TRADITIONAL LEADERSHIP

Traditional leadership is a form of leadership often defined in contrast of the modern leadership. When defining traditional leadership some commentators make a mistake of defining it as though it is only applicable to African nations while it is a global phenomenon (Luthuli, 2015). Traditional leadership is a global phenomenon and the difference is on roles and functions which differentiate on whether it's Kings, Tsars, Emperors or Kaisers (Luthuli, 2015; 9).

Traditional leadership is an institution that has developed from pre-colonial to post-colonial period (Kurebwa, 2018; 1). Traditional leadership is the leadership that is based on the belief of sacred traditions that has existed since time immemorial (Baloyi, 2016; 13). Traditional leadership generally refers to the collective establishment of traditional leaders that traditional communities highly recognize as a structure of leadership and administration (Mdluli, 2022; 12). Traditional leadership is a leadership that developed in the midst of traditional societies or in newly developing societies (Yusup, 2022:41).

The concept of traditional leadership refers to an establishment assigned the power and authority to administer or govern a specific tribe sharing certain norms, cultural values and customs (Mafunisa, 2019:13). Mzelemu (2019: 11) defines traditional leadership as an establishment or organization that governs a particular tribe using the dictates of customary law. Mawere *et al.* (2021) define traditional leadership as a style of leadership where power is given to a leader based on traditions of the past.

Traditional leadership is also based on the culture of patronage and patriarchy perpetuated by given spiritual authority handed down by the ancestral spirits of hereditary clan leaders, which means that power belonged to the hereditary leaders (Koenane, 2017; Mathonsi and Sithole, 2017; De Visser *et al.*, 2021). In the context of traditional societies, the concept of traditional leadership comes up as an immediate answer to objective circumstances they experience when difficulty in their life and their lives happen to collide (Yusup, 2022). This view justifies that traditional leaders are regarded by their communities as father figures, a view that the proponents of traditional leadership advance (Koenane, 2017).

Traditional leadership refers to customary institutions and structures, customary systems and procedures of governance practiced by traditional communities (Baloyi, 2016). Luthuli (2015:11) holds the view that the institution of traditional leadership has performed dual functions stretching from traditional responsibilities to redistribution of wealth, protection of communities from bad things such as colonial demands, collection of taxes, land allocation and the enforcement of a number of laws and policies. Basically, the concept of traditional leadership is a governance model that is based on traditional principles (Yusup, 2022).

Traditional leadership style does not easily shift from its principles.

2.3. TRADITIONAL LEADERSHIP IN AN INTERNATIONAL CONTEXT

2.3.1. Traditional Leadership in the United Kingdom

Britain has been part of the group of states that has traditional leadership as head of state. Since she left the European Union in 2020, Britain has remained as one of the nations that have traditional leadership as a form of governance (Menon and Hazell, 2023). It is, however, a matter of history that different countries practice traditional leadership in different ways. Britain has a monarchy as the head of state. It must be noted that for almost 200 years, the powers of the British monarchy were not limited. Which means the king had absolute powers across the kingdom (Tyson and Toolin, 2022).

In Britain, like in many other countries across the globe, traditional leadership is hereditary (Bulmer, 2017; Menon and Hazell, 2023). The British monarch represent a highly respected, symbolic, prominent and ceremonial of all monarchs across the globe (Luthuli, 2015; Bulmer, 2017; Menon and Hazell, 2023).Historically, Britain has been a powerful monarchy envied by almost all monarchies across Europe and also globally. According to British traditions and norms, there is a close relationship between the throne and the Church of England (Hazell, 2022:10). Menon and Hazell (2023:9) argues that the monarchy is the Supreme Governor of the Church of England.

The British monarchy is regarded as the most powerful monarchy across the world because it managed to converge a number of different independent states under one umbrella of the Commonwealth of Nations (Luthuli, 2015; Menon and Hazell, 2023). In addressing the roles and functions of the monarchy in Britain, Hazell (2022) and Tyson and Toolin (2022) argue that the British monarchy is a constitutional monarchy that works alongside with parliament and performs functions as directed by the constitution. The king is a respected figurehead of England; Head of state and the nation; Gives permission to parliament to pass any legislation even though his say is rarely making any difference; Holds weekly meetings with the prime minister; and His role is more social (Tyson and

Toolin, 2022).

Menon and Hazell (2023:9) provides the summary of the roles and functions of the British monarchy by ascertaining that the monarchy has to observe the role of:

- Head of State and Nation.
- Ceremonial roles like the opening of the parliament.
- Supreme Governor of the Church of England.
- Head of Commonwealth of Nations

Apart from Menon and Hazell (2023), Hazell (2022:10) reiterates that the monarch has ceremonial roles as the symbol of national unity and performs the role of host and guest when it comes to national visits. What is remarkable is that the British monarchy has transformed overtime. In its inception it was an absolute monarchy, but has since been transformed into a constitutional monarchy. The United Kingdom is one monarchic system that has been ruled by the Queen for a longer period (Luthuli, 2015; Menon and Hazell, 2023). Queen Elizabeth II has been the longest serving monarchy who had great influence in the world and wielded enormous reserved and personal prerogative powers (Wood, 2023).

2.3.2. Traditional Leadership in Sweden

The European Union have countries who are against all odds still practising traditional leadership. As part of the family of states that still have traditional leadership, Swedish traditional leadership is headed by the constitutional monarchy (Wenander, 2020). The Swedish monarchic system is hereditary and non-sexist (Swedish Institute, 2020). History indicates that Sweden ended her status as an absolute monarchy in the 18th century (Swedish Institute (2020).

The power of the monarchy in Sweden is distributed by the constitution which articulates that the monarchy has no formal powers, something that has prompted political analysts in Sweden to question the status of Sweden as a monarchy (Wenander, 2020:32). Despite the constitutional dictates, the Swedish monarchy has enormous influence because it works closely with the Prime Minister (Wenander, 2020:34).

When it comes to the roles and functions of the Swedish monarchy, the Swedish Institute (2020) states that the monarchy opens the Riksdag, which is a Swedish parliament every September; serves as Chair of Council of State of the royal palace for briefing on political matters, legislation and investigations; Chairs the advisory Council on Foreign Affairs; and perform duties of host or guest during state visits. In Sweden performance of the monarchy in state visits is taken as a very important task because it articulates into good relationship with other states (Swedish Institute, 2020). The position of traditional leadership in Sweden is indicative of the way traditional leadership is gradually transforming. The question that remains, is whether the institution will survive into the future or not?

2.3.3. Traditional Leadership in Qatar

Qatar is one of the constitutional monarchies in the Gulf that has shown durability in the midst of the volatile political revolutions that force many countries to succumb to transformation (Snyder, 2015; Katzman, 2022). The Middle East is one region that has traditional leaders who are perceived to be complex to understand as they continue to survive with their absolute regimes while the whole world is shaken by the wave of change towards constitutional monarchies or Republics (Bank, Richter and Sunk, 2015).

Snyder (2015:1028) views the survival of the monarchies during the Arab Uprisings was a political revolution in the Middle East is absurd and contradictory to expectations. Gause (2013:1) argues that “[n]o Arab monarchy has fallen during the Arab Uprisings, and only one-Bahrain-has had a regime shaking crisis”. The Survival of Bahrain, Jordan, Morocco, Kuwait, Omar, Qatar, Saudi Arabia as well as the United Arab Emirates has created questions on the durability of these authoritarian governments (Bank *et al.*, 2015:1-5).

Arab monarchies are durably in their governance and they employ different approaches in their regimes (Luthuli, 2015; Bank *et al.*, 2014). According to Bank *et al.* (2014), Qatar remained unshaken during the Arab Uprisings and falls under the rentier and dynasties like Bahrain, Kuwait, Saudi Arabia and the United Arab Emirates. Qatar's governance structure resemble that of the Gulf Cooperation Council (GCC) (Katzman, 2022:4). As Qatar falls under the group of monarchies under GCC, which uses strategies that support coalitions of interest groups, regional allies and foreign patrons to strengthen regime authority and stability (Gause ii, 2013:19).

In Qatar, like in other GCC states, ascension to the throne is hereditary, Islamic law informs legislation, there are restrictions in the freedom of speech and opposition is not visible, as alleged by Katzman (2022:4). In Qatar, politics is personalised as the rentier and dynasty is based on material distribution and family rule (Gause ii, 2013). Power is in the hands of extended families who have access to resources and wealth and distribute it to target groups to gain loyalty. Thus, there is co-option and inclusion in decision-making and rulership is in the hands of the Emir family which has a monopoly to rule, as alleged by Bank *et al.*, (2014). In this case the family uses traditional and religion to justify its authority.

2.3. TRADITIONAL LEADERSHIP IN THE AFRICAN CONTEXT

2.3.1. Traditional Leadership before Colonialism

Before colonialism, communities in Africa were governed by traditional leaders who wielded legislative, executive and judiciary power and authority that was unchallenged by employing indigenous forms of governance based on traditions and customs (Mathenjwa, 2017; Koenane, 2017; Boateng and Afranie, 2020). Traditional leadership is the oldest form of governance that existed in the pre-colonial era and were at the centre of political and administrative activities in their communities (Mawere *et al.*, 2022:253).

Prior to colonial rule, governance in Africa rested on chiefs. However, colonialism and

other currents of social changes reduced the powers and functions of chiefs (Boateng and Afranie, 2020:25). According to Koenane (2017:4), the pre-colonial era was an era when Africa was genuine and authentic to itself and had not yet encountered other world view. Traditional leadership has ruled African societies in times of wars, slavery, struggle for freedom and economic restructuring (Henn, 2022).

The pre-colonial era was an era where the institution of traditional leadership was principled, ascension to the throne was hereditary and guided by customs and traditions (Simelane and Sihlongonyane, 2021). Traditional leaders served as spiritual leaders, political leaders, army leaders and father figures to all those who were under their jurisdiction, as acknowledged by (Koenane, 2017; Luthuli, 2018 and Mtengwane, 2021). Accordingly, traditional leaders were responsible for passing laws, safeguarding peace and security, resolution of disputes, allocation of land, leading warfare, collecting tributes and general organization of their communities (Mawere *et al.*, 2022: 254; Ragolane and Malatji, 2023). In explaining how communities benefited from the institution of traditional leadership before the advent of colonialism, Mtengwane (2021:23) points out that the palaces of traditional leaders were important places where everyone would go for support and protection in times of difficulties.

It is ascertained that traditional authorities in the pre-colonial era or before democratic era performed roles and functions and had several responsibilities (Ragolane and Malatji, 2023:256). Mtengwane (2021:22) posits that traditional leaders controlled land and were regarded as the custodians of that particular land on behalf of the people. Mathenjwa (2017:202) holds the view that the characteristics of traditional governance resembled a prescribed legal system where the king or chief was the originator, the executor of laws and the judge as he worked with his council which guided the authority of the king or chief. Boateng and Afranie (2020:27) reiterate that prior to colonialism, the Ashanti, Yoruba and Zulu societies of Ghana, Nigeria and South Africa respectively, had highly developed centralized political organizations with differentiated hierarchies of office.

On the role of the institution of traditional leadership before colonialism, Boateng and

Afranie (2020:26) maintain that before the advent of colonialism chiefs performed important functions that were directed toward the survival and security of their subjects. Chiefs were commanders of their respective armies and safeguarded their communities (Boateng and Afranie, 2020: 26). Mathenjwa (2017:202) sustains argument made by Boateng and Afranie (2020) by arguing that the traditional leaders had multiple powers such as: the power to order his subjects to work on his land or provide labor for community works, to maintain order, to preside over disputes resolution, to support the needy, and to attend to the welfare of his people, control over immigration and emigration, the allocation of land and initiation schools and the army.

In addition to Boateng and Afranie (2021) and Mathenjwa (2017) and Mawere *et al.* (2022;254) posit that traditional leaders were responsible for passing of laws, safeguarding peace and security ,resolution of disputes, allocation of land ,leading warfare, collecting tributes and general organization of their communities. Mtengwane (2021:23) points out that “the palaces of traditional leaders were places where everyone would go for protection in times of difficulties”.

Pre-colonial African societies are believed to have had a kind of participatory democracy in the form of general assemblies of all adult men known among other terms, as kola (Tswana), pitso (Sotho), ibizo (Ndebele) or imbizo (Zulu),the community participated in decision-making on important issues that affected the community (Koenane, 2017; Mawere *et al.*, 2022). The existence of these councils made African democracy more democratic than the modern system because decisions were taken on consensus basis and the power of the chief was significantly controlled (Koenane, 2017). This view is however, challenged by modernists who believe that the institution of traditional leadership is autocratic and does not accommodate diverse views as modern democratic governance.

Legitimacy and sacredness of traditional leadership in pre-colonial Africa is not without controversies (Boateng and Afranie, 2020; Ntebenza, 2020 and Ubink and Duda, 2021). In as much as the institution of traditional leadership played an important role in preserving and advancing culture, customs and tradition or safeguarding indigenous authority,

incidents of slavery, bribery, corruption and power abuse were prevalent before colonialism and colonial Africa, especially in West African countries (Igboin, 2016). This is arguably one of the issues that made traditional leadership unpopular among some indigenous communities. Pre-colonial African traditional authorities are also accused of excluding women and youth in their decision-making processes (Igboin, 2016; Mathonsi and Sithole, 2017; Ntsebenza, 2020).

The pre-colonial era was followed the colonial era, an era which represented a great storm that shackled the institution of traditional leadership (Boateng and Afranie, 2020). All the powers, functions and roles of the pre-colonial traditional leadership in Africa transformed when Africa was colonized by the Europeans (Mathenjwa, 2017; Koenane, 2017). The representation and style of traditional governance was changed, diluted and distorted by colonial powers, as acknowledged by Mathenjwa, (2017); Koenane, (2017); Mtengane, (2021); Mawere *et al.* (2022). The power and authority of traditional leadership transformed to suite the objectives of foreign rule when colonial powers employed direct and indirect rule to manipulate the African indigenous system of governance (Mabunda, 2020; Simelane and Sihlongonyane, 2021; Mtengwane, 2021; Mawere *et al.*,2022).

2.3.2. Traditional Leadership during Colonialism

The era of colonialism and conquest was a devastating period in the history of indigenous leadership in Africa (Koenane, 2017). Colonization marked the period of dispossession of African people of their land and natural resources through forceful means by colonial powers (Mtengwane, 2021:229). The era of colonialism brought about a political system that drastically changed indigenous governance and the functioning of traditional leaders in Africa (Ngcobo, 2016; Koenane, 2017:4; Mathenjwa, 2017, De Visser *et al.*, 2021). After colonization and conquest African indigenous leaders were made subordinates of settler governments, as acknowledged by Mathenjwa (2017:203).

During colonialism in Africa, the traditional African government system was systematically weakened, and the relationship and influence the institution had with traditional communities before colonialism was significantly reduced and eradicated (Koenane, 217;

4; Mawere *et al.*, 2022: 255). The power and authority was taken over by the colonial regime (Mathonsi and Sithole 2017; Simelane and Sihlongonyane, 2021). Luthuli (2015:11) argues that in order to effectively destabilize the African governance system, colonizers employed different strategies during colonization. Other colonies used direct rule while others used indirect rule (Mawere *et al.*, 2022: 255). For example, the English wanted to minimize the power of traditional leaders in order to ensure traditional leaders remain in power, but work to advance the interests of the English. On the other hand, the French and Portuguese wanted to do away with the African way of life as they believed they were brute savages (Van Heun, 2019).

As a result of colonization, traditional leadership was modified, corrupted and distorted (Shembe, 2014; Simelane and Sihlongonyane, 2021; Mtengwane, 2021). Ascension to the throne was no longer hereditary and automatic or according to custom and traditions, but traditional leaders were changed by colonizers at any time as long as it suits the ambitions of the colonial regime (De Visser *et al.*, 2021; Van Heun, 2019; Mathenjwa, 2017; Mathonsi and Sithole, 2017). Ngcobo (2016:45) posits that the colonial system traditional leaders were appointed and turned into servants who serve under the colonial regime as dictated to by colonial authorities. In this way traditional rulers had little or no discretion whatsoever on how to govern their own subjects.

In the context of how colonialism transformed and modified African traditional leadership, a plethora of legislations were passed and enforced to guide and compel traditional leaders to work as servants of colonial regimes (Mathonsi and Sithole, 2017; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022). In South Africa, the South African Act of 1909 contemplated that the control and administration of Natives affairs was placed under the Governor-General as the chief administrator of the colony, the Native Land Act of 1913, and the Black Administrative Act of 1927, which was the basis for Bantustans managed and controlled the manner in which traditional leaders preside over traditional matters, as acknowledged by Mathenjwa (2017); Mathonsi and Sithole (2017). The Land Act regulated the purchasing and leasing of land by Africans while the Native Administration Act imposed authority as it dictated on matters pertaining to traditional leadership (Mzelemu, 2019:23 -

24; Simelane and Sihlongonyane, 2021:4).

Colonizers brutally enforced colonial rule, and the institution of traditional leadership was manipulated and used against indigenous communities (Koenane, 2017:4&5). Those traditional leaders who tried to resist colonial policies were dethroned and replaced with those that complied with colonial policies (Mathonsi and Sithole, 2017). One would agree with the view that traditional leaders were made puppets ,and forced to submit to colonial control or lose power, as alleged by Mathonsi and Sithole (2017:37).The pressure that was imposed on traditional leaders and fear to lose power, forced some traditional leaders to collaborate with foreign rule and implemented colonial policies. This collaboration made the institution of traditional leadership to lose its original dignity and trust it had among their own subjects (Mzelemu, 2019; Mathonsi and Sithole, 2017; De Visser *et al.*, 2021).

In the context of South Africa, Mathonsi and Sithole (2017:37) add that through the passing and implementation of the Bantu Authorities Act, Black Administration Act, and the Native Administration Act that was passed in 1927, the day-to-day operation of government activities became the task of traditional leaders who governed as agents of their ~~and~~ masters. This clearly denotes that traditional authorities were no longer accountable to their communities as it was prior to colonialism and apartheid, but were accountable to colonial powers. Koenane (2017:4) maintains that the manner in which traditional leaders were dragooned into becoming an extension of colonial regimes turned their own subjects against them.

Ngcobo (2016:17) adds that “apartheid regime on the other hand, ensured that roles and powers of chiefs are deliberately reduced to civil officers of Bantustans leaded into distrust towards chiefs by local natives”. Mathonsi and Sithole (2017:37) note that in the apartheid regime (specifically in South Africa traditional leadership was utilized to entrench the apartheid policy in rural areas best known as Bantustans. Traditional institutions were transformed into tribal authorities who were given more powers to control the African population in order to advance colonial and apartheid interests (Ntsebenza, 2020).

In context of the resilience displayed by the institution of traditional leadership, scholars like Koenane (2017) acknowledge the way traditional leadership demonstrated its

resilience against the adversity they encountered during colonialism and apartheid. Koenane went on to reiterate that instead of breaking down or relinquishing their position in their communities they maintained their rulership positions as father figures in their communities.

Challenges and transformation that faced traditional leadership during colonialism and apartheid did not end there, as the institution of traditional leadership had to continue to fight for its survival during the independence of African states and the advent of democracy. The previous history of traditional leadership during colonialism and apartheid made the new independent states and democratic governments to question the legitimacy of traditional leadership.

2.3.3. Traditional Leadership in Post-Colonial Era

The role and inclusion of traditional leadership in independent African states, especially in modern democracies, is multifaceted and complex (Van Heun, 2019). One would argue that this controversy and complexity is as a result of the past historical role traditional leadership have played during colonialism and apartheid which portray them as though they were collaborators than freedom fighters (De Visser *et al.*, 2021). There has never been full consensus about the status, role and relevance of traditional leaders in post-colonial Africa (Ntsebenza, 2020:3).

African historical discourses has revealed that after independence many African states saw the institution of traditional leadership as a threats to their power and an obstruction to transformation, modernization, and nation-building (Van Heun, 2019 and Ntsebenza, 2020). Consequently, Africa saw the curtailment of the powers and role of traditional leadership in politics and governance because colonialism and apartheid imposed laws on traditional leadership (De Visser *et al.*, 2021). Despite the lack of trust in the institution of traditional leadership many African states have been able to entrust the institution of traditional leadership with responsibilities such as settling disputes in communities and other ceremonial duties, however, ignored at local government level (Augustine, 2016).

The role and status of traditional leadership in many independent African states has never returned to pre-colonial or colonial status (Kurebwa, 2018). However, there has been a lot of debates about the incompatibility of traditional leadership in modern governance system, and the role the institution of traditional leadership should play in independent and democratic African states (Van Heun, 2019:1). Almost all African countries, whether Ghana, Zimbabwe, Botswana, Namibia, Zambia, it might be Mozambique or South Africa; history shows that different countries deal with the institution of traditional leadership differently (De Visser *et al.*, 2021).

The next sections discuss traditional leadership in Ghana, Zimbabwe, and Botswana.

2.3.3.1. Ghana

History reveals that the institution of traditional leadership was resilient during colonialism, and remained resilient during independent Africa (De Visser *et al.*, 2021). In Ghana, attempts were made to totally do away with the institution of traditional leadership. In Ghana, the institution of traditional leadership survived further weakening when the country gained its independence (Luthuli, 2015:11; Boateng and Afranie, 2020:29). Nkrumah played a deadly role against traditional authorities by taking away the power they had during pre-colonial and colonial era, and replacing them with elected leaders (Koenane, 2017:5&8). As a result of their resilience, traditional authorities in Ghana play a significant role of custodians of land and natural resources, social development, dispute resolution custodians of tradition, norms values and principles in their communities (Augustine, 2016).

2.3.3.2. Zimbabwe

During independence in Africa, Traditional leadership in Mozambique and Zimbabwe were marginalised by liberation movements who cited their previous role in colonial governments as a reason for their subjugation (De Visser *et al.*, 2021). In Zimbabwe, immediately after independence traditional leaders were subjugated. There was complete

chaos as traditional leaders were removed from power and replaced with elected representatives (Mzelemu, 2019:20). They were removed as they were viewed as enemies that supported the oppressive white rule.

Mzelemu (2019) posits that the vacuum in relation to service delivery was created because of a weak state and there was a need to reinstate traditional leaders. The recognition of the institution of traditional leadership in Zimbabwe is consequently entrenched in the constitution, and traditional leaders in local government are represented on an ex-officio position as they do not have the voting powers. Makhoba (2020:14) argue that the constitution of Zimbabwe entrust the institution of traditional leadership with the power to manage communal land, prevent illegal invasion of land and also approve new occupations. All these roles and functions show that traditional leaders are playing an important role in democratic governance of Zimbabwe.

2.3.3.3. Botswana

Traditional leadership in Botswana, like in many other African countries were confronted with great uncertainty after independence as it lost almost all of the power, role and authority to modern institutions, however the institution was resilient to survive the wave (Augustine, 2016; Mzelemu, 2019; Tshishonga and Dipholo, 2023). Makhoba (2020: 15) concur that traditional leaders in Botswana were stripped their powers. Consequently seeing disturbances in service delivery, national government introduced majors to strengthen the institution of traditional leadership, and the institution today co-exist with modern governance structures as the institution is highly respected and recognised as the most efficient form of leadership by most rural communities in the country (Tshishonga and Dipholo,2023).

The institution of traditional leadership has been able to survive attempts to invalidate their legitimacy and authority and remain relevant and important in respective communities (Augustine(2016).Traditional leadership has played an important role in the lives of African communities and can still play a role in the future (Augustine, 2016;Koenane,

2017;Mathenjwa, 2017;Mafunisa, 2019;Simelane and Sihlongonyane, 2021 and Mawere *et al.*,202).Despite the applause the institution is accorded by various scholars, in South Africa scholars like Ntsebenza (2020), are very much concern about the unclear recognition of traditional leadership and legislation that they view as a means to reverse the gains of freedom and promises of the will of the people.

2.4. TRADITIONAL AUTHORITIES IN A SOUTH AFRICAN CONTEXT

2.4.1. HISTORY OF TRADITIONAL AUTHORITIES IN SOUTH AFRICA

The institution of traditional leadership in South Africa has transformed through colonial and apartheid, and has survived many challenges. African countries, including South Africa have had customary leadership as part of culture for a very long time (Mzelemu, 2019:15).Traditional leadership in South Africa is an imperative body historically and politically (Ragolane and Malatji, 2023:356). Koenane (2017:4) maintains that the institution of traditional leadership in South Africa historically has been of value. According to Mathonsi and Sithole (2017:36) traditional leaders have contributed immensely in the fight against White minority rule.

During colonialism and apartheid the institution of traditional leadership was manipulated and used to strengthen foreign rule while it was stripped off all important powers and incapacitated in terms of financial and natural resources (Mawere *et al.*, 2022). Mzelemu (2019:14) notes that during colonialism and apartheid South Africa saw the emergence of fake traditional leaders who were put in positions by colonial governments to strengthen colonial rule. This basically implies that the institution of traditional authority in South Africa, like in many parts of Africa was dislodged and left powerless by both colonialism and apartheid. Despite all the challenges, traditional leadership remained resilient until the dawn of democracy in 1994.

In South Africa, traditional leadership has fought for recognition (Simelane and Sihlongonyane, 2021:4). During colonialism and apartheid, the institution of traditional leadership fought unprecedented battles against the English and the Boers in South Africa

when the colonial powers forcefully dispossess them of their land and natural resources. Mzelemu (2019:16) acknowledges that colonialism in South Africa was characterized by wars between the English and the Boers.

The debate on the on the status, role, and functions of traditional leadership in South Africa is still very strong. This has happen despite constitutional recognition and a plethora of legislations that has been passed since 1994. Tshishonga and Dipholo (2023:58) argue that different perceptions exist on how South Africa's traditional leadership institution work collaboratively with democratic government, particularly in the local government sphere.

Subsequent to colonialism, the apartheid government in South Africa passed a number of legislations that were directed at controlling the affairs of indigenous communities and to protect the interests of the National Party government (Mawere *et al.*, 2023:257). Mzelemu fortifies this argument by arguing that the position of Governor-General, who became the supreme power and authority responsible for the affairs of the natives in South Africa was introduced, and subsequently the National Party introduced the notorious notion of separate development that aimed at empowering Whites and depriving natives opportunities.

The apartheid regime formalized the colonial programme of indirect rule and continue to manipulate traditional authorities for their benefit while traditional leadership on the other hand continue as apartheid puppets that oppressed their own subjects (Tshishonga and Dipholo, 2023). The formalization of indirect rule through legislation created a rift between traditional communities and their leaders and traditional leaders lost trust.

The apartheid government in 1959, introduced the Promotion of Bantu Self Governing Act which facilitated creation of the notorious Bantustans and self-governing territories (Mzelemu, 2019:17) which divided black communities and further weakened traditional authorities. The Promotion of Bantu Self Governing Act was effective in entrenching divide and rule because it conferred key powers to traditional leaders which amongst others,

included control over land, the upholding of law and order and day-to-day administration of local government, which was welcomed by many traditional leaders as it benefited them, as alleged by Mzelemu (2019:18).

It is important to acknowledge that the institution of traditional leadership in South Africa played a role in the liberation struggle, as it had a relationship with the ANC which started during its formation (Mathonsi and Sithole, 2017:37). The founding fathers of the ruling ANC were traditional leaders, one may mention Inkosi Albert Luthuli and Inkosi Mangosuthu Buthelezi's uncle, Pixely ka Seme. These important leaders one may argue that their role in the liberation movement should not be underestimated. In his address to the House of Traditional Leaders, Buthelezi (2022) claims that "traditional leaders have been in the forefront of the struggle and many were key leaders in the liberation movement".

As mentioned earlier, it must be noted that the institution of traditional leadership in South Africa has persevered through colonialism, apartheid, and is still fighting for survival in the democratic dispensation (Koenane, 2017 and Mawere *et al.*, 2022). South Africa embarked on negotiations for a democratic dispensation in the early 1990s. This resulted in an interim constitution in 1993 which paved the way for the first democratic elections in 1994 and the final constitution in 1996 (Koenane, 2017; Tlou, 2020). The issues pertaining to the recognition, role, and functions of traditional leadership was substantially deliberated during the democratic negotiations of the 1990s (Mathenjwa, 2017; Tlou, 2020).

Tlou (2020:1) argues that among issues tabled for discussion when South Africa got its freedom in 1994 was the issue of the role and position of traditional authorities in governance. Mawere *et al.* (2022:261) acknowledge that with the advent of democracy, issues related to traditional leadership had to be discussed in order to address the distortions caused by colonialism and apartheid. This was the task the ANC as the main liberation movement had to champion.

The agreements of the discussions for South Africa's independence were outlined in chapter 11 of the interim constitution of 1996 and the remainder of issues were left to be dealt with in the constitution of 1996 (Tlou, 2020:1). The task the ANC was faced with as the ruling party was to incorporate both traditional leadership and former Bantustans governments into the new democratic government. However, since the dawn of democracy the role and position of the institution of traditional leadership has not been addressed, and is still trapped in confusion and ambiguity (Mathonsi and Sithole, 2017:37&38).

Consequent to the push by CONTRALESA and the Inkosi Mangosuthu Buthelezi of Inkatha Freedom Party (IFP), the constitution of 1996 was adopted with clauses that recognise the role of traditional leadership in South Africa (Ntsebenza, 2020:27). However there is much discontent on the way the constitution recognises the role and functions of traditional leaders because it is not clear about the actual role the institution must play in democratic governance and local governance in particular, as noted by Koenane (2017); Mathenjwa(2017); Mawere *et al.* (2022); Tshishonga and Dipholo (2023).

History has shown that despite the constitutional recognition and other legislations, the role and function of traditional authorities has remained the subject for debate (Shembe, 2014; Mathonsi and Sithole, 2017; Koenane, 2017; van Heun, 2019; Mawere *et al.*, 2022). However, on the other hand some scholars, like Ntsebenza (2020) are adamant that the speed at which reforms in traditional legislation might be against the democratic principles as envisaged in the 1996 constitution. These conflicting views confirm that even in South Africa the cold war between traditionalists and modernists is raging.

Arguably, the institution of traditional leadership in South Africa has pre-existed both colonial and apartheid eras, and has played a role in the struggle as part of the liberation movement and successfully thrive up until today (Ntsebenza, 2020). Despite such an enormous contribution, both in safeguarding indigenous customs, tradition and culture, the institution has not been accorded the position it deserves in democratic governance in South Africa (Mathenjwa, 2017; Koenane, 2017). The question that remain is whether the

failure by government to accord traditional leaders clear roles is based on their succumbing role during colonialism and apartheid or is based on them being feared to be more popular than elected leaders? One wonders because history shows that they have played their part as custodians of indigenous governance.

Scholars like Ntsebenza (2020:27) attribute the failure of the ANC government regarding the role and position of traditional authorities. Ntsebenza went on to argue that the ANC from start never had a clear policy on traditional leaders, however, its methodology was based on working closely with those chiefs it perceive as progressive. This strategy did not actually work because from CODESA until now traditional leaders have never been silent about the recognition of their role and position in governance since they believe they have a role to play in governance (Tsipa, 2014:30).

2.4.2. POLICY FRAMEWORKS UNDERPINNING TRADITIONAL LEADERSHIP

In South Africa, a plethora of legislations have been passed to recognise and guide the role and function of traditional leadership in the new dispensation. Consequent to these legislations, both elected representatives and traditional leadership are allowed to coexist (Mabunda, 2020:7). The legislative basis of legislation underpinning traditional leadership in South Africa rests both on the 1993 interim constitution and the final constitution of 1996.

2.4.2.1. Interim Constitution and Constitution of 1996

The Interim Constitution through section 81(i) provides that the institution of traditional leadership will have a place in the new dispensation, thus creating optimism to traditional leaders that they will be part of role players in the democratic dispensation (Mtengwane, 2021:10). The constitution of the Republic of South Africa recognises the institution of traditional leadership as a governance institution and states that national legislation may provide for the role of traditional leadership as an institution at local level on matters affecting local communities (Mathonsi and Sithole, 2017:39). Tlou (2020:1) agrees with Mathonsi and Sithole (2017) by noting that the constitution recognise the institution of traditional leadership as an institution that should observe the legislated customary law.

In South Africa, Chapter 12, section 211 of the Constitution of the Republic of South Africa (Act No.108 of 1996) provides that the "institution, status and role of traditional leadership, according to customary law, are recognized, subject to the constitution" (RSA 1996:109). Section 212 of the 1996 constitution of South Africa provides that "national legislation may provide for the role of traditional leadership as an institution at local level on matters affecting communities" (RSA 1996:109). According to the RSA (2003:3) "[t]raditional leaders must constitute part of the cadre of leadership that should continue the struggle for a better life for all in the democratic South Africa". Section 212 (2) (a) mandates national and provincial legislation to provide for the establishment of Houses of Traditional Leaders to deal with matters affecting traditional leaders.

2.4.2.2. White Paper on Traditional Leadership and Governance 2003

As anticipated by the constitution of 1996, the White paper on Local Government of 1998 and the White Paper on Traditional Leadership and Governance of 2003 were introduced to articulate and bring some clarity on the role of traditional leadership (Mathonsi and Sithole, 2017:40). Tlou (2020:2) argues that the White Paper on Local Government was designed to lay the foundation for transformation of local government and to outline the norms and standards for legislative frameworks that will guide the drafting of provincial legislations related to the role and function of traditional leadership institution in the new dispensation.

Tlou (2020) reiterates that the White paper was a step towards restoring the dignity and accommodation of the institution of traditional leadership in the new governance system. The White Paper on Traditional Leadership and Governance acknowledges that the institution of traditional authority can play an important role in bettering the quality of life for communities under its area of jurisdiction (Mtengwane, 2021:10-11).

2.4.2.3. National House of Traditional Leadership Act of 2009

In 2009 the South African government made advancements towards the recognition of the status and role and functions of traditional leaders by enacting the National House of

Traditional Leaders (Act) of 2009. This Act states that traditional leaders will be advisors of government on matters affecting traditional leaders. The Act, as mandated in the constitution paves the way for the establishment of houses in provinces and other spheres as entrenched in the constitution.

2.4.2.4. Municipal Systems Act 2000

An issue that was critical in South Africa was the creation of municipalities on a wall to wall basis. This inevitably affected the role and function of the institution of traditional leadership because local government is where traditional leaders have authority. In dealing with the situation the Local Government Municipal Systems Act was enacted in 1998 and amended in 2000.

Section 81(i) to (5) outlines how traditional authorities are identified for membership in municipal council's proceedings, while section 81(3) mandate councils to inform and ask for opinion from a traditional leader before any decision is taken on a matter affecting communities within his or her jurisdiction (Mawere *et al.*, 2022). This Act aimed at strengthening the relations between councilors and indigenous rulers, which unfortunately failed to accomplish as traditional leaders are even today still lobbying for better representation in municipal councils.

2.4.2.5. Traditional Leadership and Governance Framework Act 41 of 2003

To provide clarity and specifying the role and function of Traditional leaders, the Traditional Leadership and Governance Framework (Act 41 Of 2003) was introduced (Tlou, 2020:2), Mathenjwa (2017:205) posit that "amongst other things the object of the Act is to provide for the functions and roles of traditional leaders and, thus, define the place and role of traditional leadership within the new system of democratic governance and constitutional supremacy in South Africa".

According to the Traditional Leadership and Governance Framework (Act 41 of 2003), the institution of traditional leadership is expected to be custodians of customs and culture, play an advisory role and be supportive, promote none-sexism, human dignity, equality,

freedom, uphold customary law and practices, promote peace and harmony, promote linguistic and cultural rights, and administer justice in a fair manner (Mawere *et al.*, 2022:262). According to Mafunisa (2019:17), the Traditional Leadership and Governance Act, 2003, provide for the establishment and recognition of traditional councils whilst the Communal Land Rights Act 11 of 2004, provide that these traditional councils will be conferred authority and power in respect of land allocation and administration.

In South Africa two views are expressed when it comes to the legislative framework on traditional leadership. One view is that there has been reluctance on the part of the ruling party (ANC) to deal decisively with the matter pertaining to the role and functions of traditional leaders in a democratic government. On the other hand, there are those who feel as though current legislations are as a result of enormous pressure exacted on government which end up agreeing on enacting legislations that are unconstitutional and against the promise of the will of the people made in 1994 (Ntsebenza, 2020 and Ubink and Duda, 2021). Accordingly, analysts and academics agree that both the constitution and subsequent legislations are vague, unclear, and thus not explicitly pronouncing on the role and functions of the institution of traditional leadership.

Emanating from different scholarly views, many scholars are critical of the way the recognition of the institution of traditional authorities is managed by government in South Africa (Koenane, 2017). From the start the ANC led government of National Unity took about ten years to begin the process of promulgating legislation that deals with the roles and functions of traditional leadership as the legislations were only passed in 2003 and 2004 (Ntsebenza, 2020:16).

Traditional leaders are recognized by both the constitution and other policy documents, such as the White Paper of 2003 on traditional leadership, however both the constitution and subsequent pieces of legislations are vague and ambiguous (Mathenjwa, 2017; Koenane, 2017; Ntsebenza, 2020; Mawere *et al.*, 2022). Shembe (2014:7, 2017) concurs with Koenane (2017); Mathonsi and Sithole (2017); Ntsebenza (2020) and Mawere *et al.* (2022) by maintaining that the legislation as arranged is found to be ineffective in bringing

clarity about the roles and functions of the institution of traditional leadership. Ntsebenza (2020) is of the view that legislative arrangement pertaining to traditional leadership are result of pressure put on the ANC by traditional leaders which force the ruling party to act hastily to appease traditional leaders at the expense of the democratic principles.

The views expressed by various scholars are evidently indicative of a fierce debate that has been going on since independence, and has either not been addressed in the years of democratic governance (Van Heun, 2019; Mtengwane, 2021). One may therefore, argue that in the democratic South Africa, traditional leaders still have to fight like they did with colonial and apartheid governments. The question that remains unanswered is, why?

In South Africa, as alluded earlier in this chapter that the institution of traditional leadership coexist in what Tshishonga and Dipholo (2023) call a “marriage of inconvenience”. Emanating from the constitution and other legislative frameworks, traditional leaders are in a certain way represented and take part as leaders in local government in municipalities where the institution exist, particularly those municipalities that are in rural areas. However, working together between traditional authorities with modern structures is done for the sake of the people, and not because it has any clear guidance. In actual fact, it is in limbo.

2.5. TRADITIONAL AUTHORITIES IN DEMOCRATIC GOVERNMENT

As articulated earlier that traditional leadership has been there prior to colonialism, has survived colonialism and apartheid in South Africa, and that the institution is recognised by the constitution of South Africa (Act 108 of 1996) as an institution that have a role in the democratic government. The constitution of 1996 anticipated parliament to enact legislation that will provide for the role and functions of traditional authorities (Mathenjwa, 2017). This brought hope to traditional leaders, as they believe the interim constitution has paved way for their place in the democratic government.

In South Africa, when political deliberations commence in the early 1990s, the ANC’s policy guidelines conferred ceremonial role for traditional authorities. CONTRALESA rejected the

ceremonial role conferred to the institution of traditional leadership and later demanded the restoration of the powers the institution enjoyed during apartheid (Ntsebenza, 2020:27). It is historical fact that since then, there has been a fierce debate on the role of traditional authorities in democratic governance in South Africa (Mathonsi and Sithole, 2017; Van Heun, 2019). One would argue that the South African government, the governing party in particular find itself in huge dilemma because it was like it has to choose between traditional leadership governance values and modern democratic governance values. It must also be highlighted that, in fact traditional leaders wanted nothing less than the powers they had during apartheid (Ntsebenza, 2020).

As an attempt to make sense and to address the roles and functions of the institution of traditional leadership, the South African parliament passed two pieces of legislation that recognize the powers of the traditional councils, namely; the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003 and the Communal Land Rights Act, 2004 (Act 11 of 2004). The first Act provides for the establishment and recognition of traditional councils, while the second act provides that these traditional councils will have authority or power in the area of land allocation and administration (Mafunisa, 2019:17). However, Boateng and Afranie (2020: 92) lament the failure of current legislation in providing the most needed formalized process of collaboration between the two actors which result in conflict and tensions between them.

It is evident from literature that the legislative and policy frameworks have failed to integrate the institution of traditional leadership into modern governance. Similarly to Boateng and Afranie (2020) Mathonsi and Sithole (2017:35) argue that despite “a plethora of legislative and policy frameworks to integrate traditional leadership system into modern liberal democratic system in South Africa, incompatibilities are becoming increasingly evident, especially in the sphere of governance”.

What is interesting in the South African democratic state is that the ruling ANC goes back and forth when it comes to a clear determination of the role and status of traditional authorities (Maseko, 2015; Ntsebenza, 2020). On the other hand, modernists who are

strongly opposed to the inclusion of the institution of traditional leadership into modern democratic structures boldly insist that the institution is incompatible within a democratic dispensation (Van Heun, 2019; Mtengwane, 2021; Mawere *et al.*, 2022). Based on the views by different scholars, it is clear that there is a need to deal with the role of traditional leadership effectively in order to improve governance in South Africa.

To date, the roles and functions of the institution of traditional leadership in South Africa are not clearly defined by the democratic government (Koenane, 2017; Mathenjwa, 2017; Ntsebenza, 2020; Tshishonga and Dipholo, 2023). This has been the case despite the constitutional recognition of traditional leadership, which anticipated legislation to determine the clear role, nothing has happened, instead traditional authorities are completely dissatisfied on the matter. Available literature indicates that this situation has caused unprecedented challenges, particularly in local governance due to contestation for power in that sphere of government.

It is an undeniable fact that the constitution of 1996 mandated the establishment of the houses of traditional leaders, which were indeed established by the House of Traditional Leadership (Act 22 of 2009), which meant that traditional leaders would be in a position to advise government on matters relating to traditional leadership. This was indeed a remarkable milestone in the government's attempt to address the concerns of lack of representation of the institution of traditional leadership in a democratic South Africa (Mawere *et al.*, 2022:262). However, it cannot be overlooked that the institution of traditional leadership has suffered serious blows, just like in the colonial and apartheid era (Maseko, 2015; Simelane and Sihlongonyane, 2021). When the South African democratic government introduced wall to wall municipalities as a strategy to strengthen democracy in South Africa traditional leaders were affected (Mzelemu, 2019).

The introduction of municipalities meant that the power traditional leaders had in rural areas would be conferred to elected councillors (Shembe, 2014:10). This according to

Shembe (2014); Mathenjwa (2017) reduced the power, authority, and influence of traditional leadership into assistants for community mobilization and an institution that merely makes recommendations in municipal councils. Mawere *et al.* (2022; 254 and Ragolane and Malatji, 2023). The institution of traditional leadership is regarded as the remnants of colonialism and apartheid that is in operation (Mzelemu, 2019:19). The arguments as presented by many scholars show that traditional authorities are confused about their role in governance, local governance in particular.

Indeed, as anticipated by the constitution the South African parliament promulgated legislation dealing with the role of traditional leadership. In this context traditional leadership hoped that the challenge with regard to their roles and functions would be addressed in the legislations. However, the role and function of traditional leadership remains unresolved (Shembe, 2014; Koenane, 2017; Ntsbenza, 2020; Mawere *et al.*, 2022). The relations between democratic structures and traditional authorities remains fragile and characterized by contestations when it comes to rural development resource allocation and service delivery (Ramolobe, 2022). This is sparked mainly by the popular perception that legislatively there is no clarity on how traditional authorities should side-by-side the elected councillors perform their duties. In South Africa, the institution of traditional leadership is regarded as the remnants of colonialism and apartheid that is in operation (Mzelemu, 2019:19). Tshishonga and Dipholo (2023:53) note that despite poor relations and confusion, [i]n South Africa, traditional leaders are the custodians of African culture and heritage, and command respect because communities in rural areas still believe in their ability to lead.

The position, role, and functions of the institution of traditional leadership in the democratic government has been steadily improving because traditional leaders did not give up their fight (Mdluli, 2022:14). Despite the slow pace there has been legislations that deal with the roles and functions of traditional leaders. Mathonsi and Sithole (2017:40) provide a summary of roles and functions as provided for in the White Paper on Local government and White Paper on Traditional Leadership and Governance of 2003 by stating that the two frameworks give sense to the role and functions of traditional leaders in the democratic

context by stating that traditional leaders should:

- Act as heads of the traditional authority and further exercise legislative, executive and administrative powers.
- Preside over traditional courts and maintain law and order.
- Consult traditional communities through imbizo/lekgotla.
- Assist community members when dealing with the state.
- Through the houses of traditional leadership advise government on traditional affairs.
- Convene meetings to consult communities on needs and priorities as well as providing relevant information.
- Protect cultural values within their communities.
- Speak on behalf of communities.
- Be a unifying figures with their communities.
- Be custodians and protectors of customs and well fair in communities.

Mathonsi and Sithole (2017:41) posit that as much as the legislations are there, the clarity on the roles and functions of traditional authorities is not sufficient because it does not provide on how the mentioned roles are to be executed. The improvement and gains in the improvement of the role and functions of traditional authorities are because of the pressure traditional leaders exact on government (Ntsebenza, 2020:18). In line with this argument Ntsebenza (2020) mentions an instance in 2000 where traditional leaders threatened not to take part in the local government elections that was imminent, and the amendment increased the representation of traditional leaders in councils from 10% to 20% of the total number of councilors.

Alluding to the view that roles of governance pertaining to traditional authorities at local level is happening without a clear framework, Tshishonga and Dipholo (2023:52) equate the co-existence of traditional authorities and democratic institutions in rural local sphere of government to a marriage of inconvenience, where the two institutions are to work together for the sake of the benefit of their constituencies and not based on a formalized cooperation.

On the other hand, critics of traditional authority's incorporation into democratic institutions like Ubink and Duda (2021:197) and Ntsebenza (2020:28) view the incorporation of the institution of traditional leadership into modern governance as a move constituting a breach of the promise made during transition from apartheid to democracy, of the rule by the will of the people. The incorporation of traditional leadership into the democratic system is accompanied by challenges of incompatibility and these challenges are highly visible at local government level (Msomi and Sithole, 2017). Despite such challenges, the democratic government structure and traditional leadership structures are expected to co-exist as per the legislation.

2.6. THE ROLE OF TRADITIONAL LEADERSHIP IN DEMOCRATIC LOCAL GOVERNMENT

The issue of local government and traditional leadership remains a thorny issue in the South African political space. It must be mentioned that the introduction of a wall to wall municipal system completely changed the way traditional authorities exercise their power, especially in rural areas (Mathenjwa, 2017; Koenane, 2017; Smelane and Sihlongonyane, 2020; Mawere *et al.*, 2022). The involvement of traditional leaders in modern local governance in South Africa is constitutionally entrenched and also guided by legislation.

Section 212(i) of the South African constitution of 1996, provides that the institution of traditional leadership is an institution that is recognised at local level on matters affecting local communities (Mathonsi and Sithole, 2017:39; Mawere *et al.*, 2022:262). With regards to the collaboration between the institution of traditional leadership and democratic local

government institutions, the Traditional Leadership and Governance Framework Act of 2003 entrench that the municipalities and traditional councils must enter into a partnership at local level (Mathonsi and Sithole, 2017:39; Simelane and Sihlongonyane, 2021:6).

The Municipal Structures Act (1998) is at the centre of governing representation and participation of traditional leaders in municipal councils. Section 81 of the Municipal Structures Act of 1998 as amended provides for a 20% representation of traditional leaders based on a number of elected councillors in council (Mathonsi and Sithole, 2017; 39). According to Simelane and Sihlongonyane (2021:6), the Structures Act permits traditional leaders to participate as ex-officio members in municipal councils in South Africa.

When it comes to the roles and functions of traditional leadership in the democratic local government in South Africa, Mathenjwa (2017:205) maintains that the functions include assisting municipalities in identification of community needs, facilitating the involvement of traditional leadership in the development and amendment of the integrated development plan of a municipality whose area that community resides, recommending after consultation with relevant local and provincial house of traditional leaders, appropriate intervention to governance that will contribute to development and service delivery within the area of jurisdiction of the traditional council. This also includes participation in the development of policy and legislation at local levels and participation in development programmes of municipalities and of the national and provincial spheres of government.

Koenane (2017:1&12) highlights the inconsistency of the South African legislation when it comes to the recognition of the role of traditional leadership in democratic governance. He argues that both the constitution and other legislations are vague and confusing, thus calling for clarity on the matter. Apart from Koenane (2017), Tshishonga and Dipholo (2023:50) hold the view that rural communities are placed in an awkward space because they find themselves in a dual administration, where they have traditional leadership and elected councilors as governance and development leaders.

As far as the empirical view, Mathenjwa (2017:207&213) in his article, titled, Revisiting the participation of traditional leaders in municipal councils in South Africa, in a study conducted in KwaZulu-Natal, and Mpumalanga. The findings highlight the policy gaps in legislation guiding participation of traditional authorities in municipal councils, such that ,there are visible inconsistencies and confusion on the matter, in fact what is happening in one municipality does not happen in other municipality. Due to these findings Mathenjwa (2017:213) recommends revisiting of the roles of traditional leadership, because side-lining traditional authorities "does not help to improve what he calls, "unhealthy relationships" between traditional leaders and councilors, nor to strengthen democracy in local government.

Tshishonga and Dipholo (2023:52) equate the co-existence of traditional authorities and democratic institutions in rural local sphere of government to a marriage of inconvenience, where the two institutions are just working together for the sake of the benefit of their constituencies and not based on a formalized cooperation. Looking at how day-to-day contemporary governance is taking place, Baldwin (2016) perceives traditional leaders as an organized and responsive institution in the absence of modern governance institutions regardless of their undemocratic nature, and this to her is ironic and absurd, hence refer to it as the paradox of traditional chiefs.

Most scholars emphasize the important role the institution has played and could play in future, and call for clarity on their roles and functions for the sake of communities. Scholars like Mabunda (2020:7) argue that roles and responsibilities of traditional leaders must be explicitly clarified to avert existing confusion about planning and implementation of development programmers and service delivery. According to Boateng and Afranie (2020:93), traditional leadership and local government play an important role in safeguarding communal resources and development in order to ensure that these resources and development is sustained for generations to come.

In a nutshell, the institution of traditional leadership has been for the most part of the democratic dispensation fighting for more recognition and clarity with regards to their

powers and functions. Traditional leaders regard themselves as true leaders of society who deserve a rightful place in the new dispensation, especially the recognition of the authority they had before the democratic era (Ntsebenza, 2020). This has brought challenges of how the matter can be adequately addressed and how the democratic model of governance can best accommodate this old leadership institution.

2.7. CHALLENGES OF TRADITIONAL LEADERSHIP IN MODERN GOVERNANCE

Traditional leadership in South Africa is recognized by the constitution and legislation, however the kind of recognition is characterized by many challenges, as noted by Matrons and Sithole (2017); De Visser *et al.* (2021); Simelane and Sihlongonyane (2021); Tshishonga and Dipholo (2023). The institution of traditional leadership is embroiled in a debate about its undemocratic nature and its incompatibility within the democratic dispensation (Mathonsi and Sithole, 2017; Van Heun, 2019). This debate makes the recognition of traditional leadership impossible, as traditionalists are agitating against the incorporation of the institution of traditional leadership into modern governance structures.

One of the challenges of the institution of traditional leadership is that it is not recognised as a tier of government, but is rather recognised as a stakeholder that has a role to play in governance (Simelane and Sihlongonyane, 2021:6). Lack of good relationship between traditional leadership and municipal government structures is another challenge that threaten development. Where there is poor relationship between traditional leadership and the different spheres of government rural development will suffer (Mabunda, 2020:5).

Scholars such as Koenane (2017); Mathenjwa (2017) hold the view that the main cause of the challenges of traditional leadership is the constitution of the Republic of South Africa which impartially recognize the institution of traditional leadership without stating the actual role the institution should play in the democratic institution. Despite the constitution and other pieces of legislations, the challenge of incompatibility of traditional leadership is still there and highly evident at local government level (Mathonsi and Sithole, 2017; Tshishonga and Dipholo, 2023).

There are several challenges that are linked with traditional leadership roles and functions, in the context of municipal level. The lack of demarcation of roles and functions at local level has relegated traditional leaders into mere assistants who assist in the facilitation of community participation (Mzelemu (2019). However, De Visser et al.(2021) is of the view that despite several challenges encountered, traditional rulership cannot be simple abolished as it continue to show its resilience in modern African societies (De Visser et al., 2021).

As articulated earlier by Simelane and Sihlongonyane (202) the institution is not a government tier means that there is no budget dedicated to it, thus it lacks both financial and human resources to effectively conduct its business within its constituency. South Africa cannot run away from the reality that traditional leaders have a constituency that look up to it for services when government fail to provide (De Visser *et al.*, 2021). There are also other arguments that view government inability to respect traditional leadership as a means to look for government collaborators that will serve the interests of the ruling elite in South Africa (Ntsebenza, 2020). This view therefore, does not rule out that South Africa's traditional leadership has a challenge of political meddling by the ruling elite in order to manipulate the institution of traditional leadership. Nkomo and Kambule (2023) raise the issue of disputes regarding to who ascends to the throne in traditional leadership families and clans. This is one of the crippling factors that demeans the pride and strength of the institution that has been resilient for decades.

2.8. TRADITIONAL LEADERSHIP IN KWAZULU-NATAL PROVINCE

2.8.1. Role, Relevance and Challenges

In the early nineteen century, King Shaka built what is now known as the Zulu nation by conquering and uniting various tribes into one organic unit (Luthuli, 2015;27). During the pre-colonial era traditional leadership had unchallenged authority and power (Koenane, 2017). During colonial and apartheid era, traditional leadership was transformed and

manipulated by colonial and apartheid regimes for their own gain (Maseko, 2016: 31).

Historical and political discourses show that in the post –colonial era, traditional leadership coexist with modern democratic government structures despite challenges (Mdluli, 2022). The hierarchy of traditional leadership in KwaZulu-Natal comprised of the Isilo (His Majesty the King) who is the head of the structure, Inkosi (chief), Izinduna (headmen) (Luthuli, 2015; Maseko, 2016). Various legislations have guided the institution of traditional leadership in KwaZulu-Natal. The prominent ones are the KwaZulu-Natal Amakhosi and Iziphakanyiswa Act 9 of 1990, which provides that a minister was in control over traditional leadership, and has the power to through consultation to appoint, remove and recognize any person as an Inkosi; Ingonyama Trust Act 3KZ of 1994, at ensuring that the land that is under traditional leaders is left in the custody of the king on behalf of traditional communities, and the KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005, which recognizes the Isilo, Amakhosi, izinduna as leaders under customary law (Luthuli, 2015; Maseko, 2016; Mzelemu, 2019).

It is common knowledge that KwaZulu-Natal has a strong traditional leadership base, as the hierarchical structure show. When the South African government introduced a wall to wall municipal structure, tensions went up between those standing for election as councillors and traditional leaders as well as traditional communities (Luthuli, 2015). Despite the challenges posed by the creation of municipalities, chiefs and headmen have a greater status within their communities (Nzmande, 2021: 9). In KwaZulu-Natal, the office of the premier introduced the service delivery initiative called Operation Sukuma Sakhe (OSS) that is based in all municipalities in the province, and traditional leaders play a crucial role in such a forum (Nzimande, 2021). The OSS operation is testimony that traditional leadership has a crucial role to play in contemporary governance because they host and take part in OSS activities initiated by the provincial government.

Isilo as the monarch of the KwaZulu-Natal province, promote provincial and national unity, promote law and order, perform government ceremonial duties like opening of the provincial legislature and other Zulu related national ceremonies, develop, support and

install amakhosi (Luthuli, 2015; Mdluli,2022). Traditional leadership perform several duties, including, land allocation and management, ensuring the wellbeing of communities, customs, agriculture conflict resolution, and assist government in the implantation of projects (Nzmande, 2021:22).

Traditional leaders play a huge role as the defenders of customary law and holistic development of rural communities (Mdluli, 2022: 22). Maseko (2015) is very critical of the hierarchical structure of the Zulu kingdom, he believes that it does not represent the aspirations of the people as decisions are centralized.

2.8.2. Traditional leadership and Ingonyama Trust Act 3KZ of 1994

One of the legislations that addresses the issue of traditional leadership in KZN is the Ingonyama Trust Act of 1994 (Luthuli, 2019: 16). In the context of this study, the Ingonyama Trust (Act 3KZ) of 1994 is accorded the status of being the first legislation South Africa experienced as a result of the negotiations leading to the democratic government. The Ingonyama Trust (Act 3KZ) of 1994 as amended, provides for the establishment of the Ingonyama Trust Board and for certain land to be held in trust; and to provide for matters incidental thereto (Luthuli, 2015). This Act was the first move that South Africa enacted to allow for the ownership of the land by amakhosi in the province of KwaZulu-Natal. This Act resulted from the persistent pressure exacted by the Zulu King, late King Zwelithini ka Bhekuzulu and the Prime minister of the Zulu Nation, Inkosi Mangosuthu Buthelezi.

The Act is highly recognized in rural KZN, while highly criticized in many quarters, as acknowledged by Luthuli (2015). Maseko (2016: 153) argue that the Act is controversial, in his view the act deprive amakhosi the right to control land in their communities. On the positive outlook of the Act, Luthuli (2019; 16) maintains that the Act is responsible for the administration of the land under amakhosi for the material benefit and social welfare of the members of the community living on the land.

The role of Amakhosi (Chiefs) under the Ingonyama Trust land would be to use the land

as a resource to improve the lives of communities residing on the land under their jurisdiction (ITB, 1994). Maseko (2016) holds the view that the Act does not benefit the people living in the areas of amakhosi because the power of traditional leaders in the province is centralized according to the hierarchy of the Zulu kingdom, where the king has a final word (umlomo ongathethi manga). What is not clear in the Act is the modus operandi that will be used to ensure that indeed the land become a resource that will benefit communities living on that land (Luthuli, 2019). The Act aims to keep the land under amakhosi under the control of the king who is the head of the traditional institution in the province. The Act also ensures that the land benefit the people living under amakhosi.

2.8.3. Challenges of traditional leadership in KwaZulu-Natal province

When analysing the challenges of traditional leadership in KwaZulu-Natal, there are the same as those that trouble traditional leaders across South Africa. The legislative framework that has been described as flawed by scholars like Mathenjwa (2017) and Koenane (2017). The institution of traditional leadership in KwaZulu-Natal is governed by the same legislation that regulate other traditional authorities across South Africa. Despite the current unique circumstances of the Ingonyama Trust Board which give traditional leaders power when it comes to Ingonyama trust land there is poor working relationship between democratic structures and traditional leadership structures in KwaZulu-Natal.

Traditional leadership has some challenges when it comes to enforcing authority and law. Lack of discipline, illegal invasion of land is a challenge because the powers that previously made traditional leaders to enforce law and discipline in communities is no longer there as a result of democratic transformation (Nzimande, 2021:5). Cooperation of the institution of traditional leadership with modern governance is still a challenge (Maseko, 2016). Traditional leaders under Ingonyama Trust Board have institutional capacity challenges and skills that hinder the use land as a resource to improve lives of traditional communities as envisaged by the Ingonyama Trust Act (Luthuli, 2015).

The institution is known all over South Africa including KwaZulu-Natal for its lack of

capacity, human resource that prevent it to function effectively in the new dispensation (Maseko, 2016; Mdluli, 2022). Traditional courts, traditional administrative units do not have fulltime and competent staff that handle day-to-day administrative functions (Farisani, 2022). This factor has been part of the complaints of traditional leaders in the whole country. Lack of capacity on the part of traditional leadership is caused by the fact that traditional leadership is not capacitated through workshops and formal education that can bridge the gap between indigenous governance system and the new governance system. This is why scholars like Mzelemu (2019) reiterate that in municipalities, traditional leaders are undermined as though they are backward and illiterate by staff.

Basically, the challenges found in the province of KwaZulu-Natal in terms of traditional leadership are as a result of legislation that is inconsistent with the highly entrenched traditions and norms as well as the wellbeing of traditional leadership institution. One cannot overlook that lack of resources coupled with kingship disputes destroys the integrity of the institution of traditional authority. It is out in the public domain that there has been many disputes, the most common and huge dispute is that of the Zulu kingship which is in and out of the courts.

2.9. TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY

2.9.1. The Role of Traditional Leadership

It must be acknowledged that the traditional leadership institution in Jozini local municipality is governed by the KwaZulu-Natal Traditional Leadership and Governance (Act no: 5 Of 2005) as amended. The Act provides for the recognition and existence of customary communities, the establishment of traditional councils, and articulates on the duties and obligations assigned to traditional councils (COGTA, 2005).

According to the KwaZulu-Natal Traditional Leadership and Governance (Act no: 5 Of 2005), traditional councils are assigned responsibilities relate to service delivery which

include the following:

- To work collaboratively with municipal councils to identify needs for traditional communities.
- To encourage community participation in Integrated Development Planning (IDP).
- To play a consult the local and district house of traditional leaders on matters related to possible interventions in service delivery.

Although traditional councils have no power to make decisions, they can effectively influence service delivery (Maseko, 2016; Mdluli, 2022). The Act empowers them to assist municipal councils in service delivery to traditional communities, as noted by Mzelemu (2019:31). In the context of this Act, traditional leadership in Jozini is entrusted with a responsibility to work together with municipal structures to ensure that communities participate in municipal programmes and ensuring that service delivery is realized in traditional community areas. The issue of demarcation of powers and responsibilities is however not clear, but there has to be co-existence between the two governance institutions (Tshishonga and Dipholo, 2023).

In the context of land ownership, the institution of traditional leadership in Jozini local municipality play an important role, as they are the custodians of land that is under the Ingonyama Trust Board (Luthuli, 2015). As mentioned earlier, the Ingonyama Trist (Act no; 3KZ of 1994) as amended, gives the institution of traditional leadership control of the land under Ingonyama Trust Board to benefit traditional communities, thus, making them custodians of that land. It must be however, noted that questions are asked, as to whether the land under the Ingonyama Trust benefit traditional communities or not?

Through the Ingonyama Trust, the institution of traditional leadership in the province of KwaZulu-Natal including Jozini control land even where municipalities exist, which makes the institution in other areas to be crucial in land allocation for community development, not only in municipal context ,but even for national and provincial development initiatives

that need land (Msomi, 2016:3). One would argue that traditional leadership in Jozini by virtue of being in KwaZulu-Natal, has control over some land despite the negative recommendations of the high level panel that was led by former deputy president Motlante. Farisani (2022) notes that traditional leadership still has the power to allocate land to traditional communities, government and other non-governmental organizations.

Traditional authorities in Jozini local municipality play a crucial role in community development, it does not matter whether development initiatives come from UMkhanyakude District Municipality, National and Provincial government, NGOs or Jozini municipal council, as acknowledged by Eskom(2016); KZN Department of Health (2019). In this regard, institutions consult traditional leaders on upcoming development, upraise them on progress with regards to projects or challenges encountered with regard to programmes. This is indicative of the power and authority traditional leaders wield in the Jozini local municipality.

To make an illustration of some of the initiatives that show that traditional leadership in Jozini bolster power and authority, one would provide minutes between Myeni-Ntsinde Traditional Council and Eskom in 2016. In these minutes, Eskom meets the traditional council to report on an environmental assessment with regards to expansion of electrification projects, outline the programme and ask for permission to undertake the environmental assessment within the area of an inkosi (Eskom, 2016). This paints a picture that the institution of traditional leadership in the area is hands on in development initiatives, and is recognized.

Amakhosi within the area of Jozini municipality are still very influential in their respective communities. Government departments depend on traditional leadership in ensuring that development initiatives are well publicized, sustainable and benefit the relevant target groups. For example, the Department of Health (DoH) in the province of KwaZulu-Natal constantly hold briefing meetings with the traditional leadership about up-coming development, existing developments and challenges they encounter while delivering services in the areas under traditional authorities (KZN Department of Health, 2019).

Traditional leaders in Jozini local municipality are recognized by the UMkhanyakude District Municipality as a gateway to traditional communities. According to COGTA (2020) the UMkhanyakude District municipality deliver services to thirteen traditional leaders in four municipalities where Jozini and Hlabisa municipalities account for 62% of traditional communities. This, in many ways give an impression that for the district municipalities to get access to communities their gateway is the institution of traditional leadership as it stay with communities and communities trust them as local leaders.

In the promotion and support of community initiatives such as SMMEs, the institution of traditional leadership in Jozini play an important role in the provision and allocation of land without difficulty (Farisani, 2022). In Jozini municipality “three traditional authority institutions are recognized as influential actors in SMME sustainability. These are Ingonyama Trust, local traditional chief (inkosi) council and induna council” (Farisani, 2022). In terms of the role traditional structures play, Farisani (2022) posits that “[t]he local traditional chiefs’ council and indunas’ council process land allocation for local SMEs and do not have to wait decisions on small land claims and propositions”. Traditional leaders in Jozini participate in municipal council processes and do not have the power to vote, however, their participation is valued and recognized by the council. According to Jozini (2021:4), the relations between traditional leaders and elected councilors is smooth and municipal structures work successfully with traditional leaders. This is evidenced by the Mayoral speech during the annual report of 2021, where he states that “My special appreciation to the traditional leadership councils and leaders (Amakhosi Asendlunkulu” Akhele Umkhandlu wase Jozini) for working together as leaders successfully”.

The cordial relations in governance is further evidenced by Join IDP (2020/21:5) when arguing that “[a]s councilors we have learnt a lot in working with Amakhosi Asendlunkulu...” Councilors thank and bow down before traditional leadership for their role in municipal governance in Jozini. This indicates that Jozini traditional leaders enjoy being part of governance than their counterparts in other traditional jurisdictions.

In a nut shell, traditional leadership in Jozini local municipality has an important role in service delivery, and there is a good relationship between the municipality and traditional leadership. One would argue that the Jozini situation is different when compared to other municipal areas. According to Jozini IDP (2021:5), the role of traditional leaders in Jozini is attributed to the “Synergistic Partnership” programme which they have implemented successfully. Jozini IDP, 2021) reiterates that through the “Synergistic Partnership”, there has been good participation by traditional leaders in council which translates to good governance and increased service delivery in communities.

Like in other areas of KwaZulu-Natal, as stated earlier in the study, traditional leadership in Jozini are part and parcel of the KZN OSS operations that involve the participation of communities in government development activities. Their meaningful participation in OSS indicates the relevance of traditional leaders as they are the ones who mobilize traditional communities to attend these activities.

2.9.2. The Relevance of Traditional Leadership

Land ownership makes the institution of traditional leadership relevant and crucial in Jozini because the greater part of the municipality fall under the Ingonyama Trust (Nyawo, 2017). The issue of land in Jozini municipality makes traditional leaders an important and relevant stakeholder because a municipality cannot do without the support of traditional leaders when it comes to land allocation and distribution.

In ensuring public participation, the municipality and other drivers of development need the buy-in from traditional leaders to access communities and land (Luthuli, 2015 and Msomi, 2016). This is evidenced by the approach used by Eskom, Department of Health, UMkhanyakude, Jozini municipality to mention a few. ESKOM (2016); COGTA (2020) and KZN Department of Health (2019) have all first consulted the institution of traditional leadership to get their view on development affecting their areas.

The institution is relevant because it has improved service delivery and governance as a whole in the area of Jozini local municipality (Jozini IDP, 2020/2021). The role that the

institution of traditional leadership play in Jozini is attributed to the Synergistic Partnership between amakhosi and the municipality the view is that the participation of traditional leaders in Jozini governance has not only improved relations between the two institutions, but it has also instilled the culture of good governance.

The picture painted by available literature on the role of traditional leadership in Join local municipality cannot be analysed in separation with the broader South African context when it comes to traditional leadership's role in governance particularly local governance. What the literature indicate about Jozini is evidence of the inconsistencies taking place in municipalities across the province of KwaZulu-Natal, where participation vary depending on a municipality (Mathenjwa, 2017).

The fact of the matter is that there are challenges surrounding the role and relevance of traditional authorities in South Africa, including Jozini local municipality. One could argue that Jozini has a seemingly workable role, and cordial relationship between a municipality and traditional leadership because the municipality is led by the IFP which is known for supporting the institution of traditional leadership.

2.9.3. Challenges of Traditional Leadership

The challenges of traditional leadership in Jozini local municipality cannot be separated from those that trouble traditional leaders across South Africa, because of the legislative framework that has been described as flawed (Mathenjwa, 2017). Traditional leadership in Jozini local municipality is regulated by the same legislation that regulate other traditional authorities across the province of KwaZulu-Natal and South Africa. Despite the current unique circumstances of good working relationship between democratic structures and traditional leadership structures in Jozini local municipality, challenges continue to exist.

The first challenge is the legislation that does not explicitly pronounce on the demarcation of the roles and functions of traditional leadership (Mathenjwa, 2017; Koenane, 2017 and Ramolobe, 2023). The working relations between traditional authorities and the

municipality might be seen as cordial, however, legislation is not serving its purpose because it is clear that the party governing Jozini municipality is improvising by using the Synergistic Partnership. What is currently happening in the co-existence between the two structures in Jozini local municipality is what Tshishonga and Dipholo (2023:50) “the marriage of inconvenience” where an arrangement is made to work positively for the sake of community advancement, and not because the conditions are conducive.

The second challenge is that of lack of resources. Farisani (2022) and the Jozini IDP (2020/2021) acknowledge that traditional leadership in Jozini, like the municipality itself, lack resources that can capacitate the institution, provide sustainable development in areas under traditional leadership, support business development in traditional areas.

Leadership disputes that lead to instability in traditional communities seem to be prevalent in Jozini local municipality. One may argue that the cause is multi-dimensional, and may include political meddling in the affairs of traditional authorities or simple hunger for power by people not even entitled to the throne. In substantiating this context, one would provide an example of the Mngomezulu chieftaincy, a dispute that has dragged for many years in courts for the Mathenjwa chieftaincy; and the Nyawo chieftaincy.

To make an illustration, the KwaZulu-Natal High Court in Pietermaritzburg presided over a matter between Mngomezulu and others vs. the Premier of the Province of KwaZulu-Natal and Other in 2011 in case no:6404/11(KwaZulu-Natal High Court, Pietermaritzburg, 2011).These disputes stifle development in rural areas and cause uncertainty among traditional communities.

The relationship between the municipal council and the institution is for now normal. However, this does not mean that the current status will be sustained for a long period since the current situation is attributed to the fact that the municipality is governed by the IFP which makes everything possible to satisfy traditional leaders (Mzelemu, 2019; 41). Despite all the challenges Farisani (2022) points out that the authority and power of traditional authorities is crucial in supporting development in Jozini, whether its SMME

development support or local economic development support.

2.10. CONCLUSION

This chapter reviewed the role, relevance and challenges of traditional leadership. It reviewed international, African and South African traditional leadership including Jozini the study focus. Britain, Sweden and Qatar have been used as case studies to understand traditional leadership in an international context. Ghana and Zimbabwe case studies were used to understand traditional leadership in an African context. With regard to South Africa, the province of KwaZulu-Natal and Jozini local municipality were interrogated. This chapter found that traditional leadership is a global phenomenon, and has suffered some blows that drastically reduced its power and influence during colonialism and apartheid. The literature review also highlighted the role played by traditional leaders in the past and that it is still relevant in the new dispensation despite challenges. The chapter also found that the recognition of traditional leadership institution depend on a political setting of a particular country. There are countries that fully recognize the role of traditional leaders by conferring them with the right to vote in government, especially local government. In other countries, like in South Africa, traditional leaders are recognized by the constitution, however, their participation in local government is on an ex-officio basis which makes it a subject for debate in many circles.

CHAPTER 3: THEORETICAL FRAMEWORK

3.1. INTRODUCTION

This chapter explores the theories of traditional leadership in order to understand the evolution of traditional leadership theory. It focuses on the theories of traditional leadership including the Great Man theory, Trait theory, behavioral, Contingency theory, Transactional, Transformational and Distributed leadership approaches in order to understand the dynamics of traditional leadership theory. The actual styles of leadership

are interrogated to understand the application of different styles. The characteristics of traditional leadership, the traditionalists and the modernist theories are used to create an understanding of the different views with regard to traditional leadership. The modus operandi of traditional governance in context of king/chief in-council is used to interrogate the incompatibility of traditional governance and modern governance. The chapter concludes by defining the different concepts surrounding traditional leadership and governance as used in this study.

3.2. EVOLUTION OF TRADITIONAL LEADERSHIP THEORY

There are various theories that seek to interrogate leadership (Mzelemu, 2019:6). Throughout history attempts have been made to explain leadership through theories (Miller, 2020:72). A study on leadership is one of the complex and multifaceted phenomena, it has been studied in the past years and is being studied in contemporary studies as the world is becoming more challenging (Benmira and Agboola, 2021:3). A number of explanations, perceptions, theories and classifications exist with regard to the definition and conceptualisation of leadership in modern literature (Khan, Nawaz and Khan, 2016:1). Traditional leadership theory has developed from Trait Era, Behavioral Era, Situational Era, and New Leadership Era (Benmira and Agboola, 2021:3&4; Yusup, 2022). The traditional leadership theory has evolved from the Great Man theory (19th century), which says not everyone can become a leader, but leaders are born and not made through the Trait theory (1930s-1940s) which put forward the idea that everyone can become a leader if they possess certain qualities or skills needed to lead, until the Modern theories, which uphold a view that leadership is a skill that can be learned from behavioural experiences and experience through learning (Yusup, 2022). Literature on leadership shows that theories have changed and also refined and as time moves on all remain relevant as each theory depends on its application (Khan *et al.*, 2016).

3.3. TRADITIONAL LEADERSHIP THEORIES

3.3.1. The Great Man Theory

According to the Great Man theory leaders are special people and are born to lead, thus, a leader is born a leader and cannot be made but are born with talent to lead (Yusup, 2022: Sivaruban, 2021). The Great Man theory postulates that other people are born with personalities and characteristics that basically predispose them to possess great leadership abilities (Cornel, 2023). Based on the Great Man theory Benmira and Agboola (2021:3) argue that ...only a few individuals possess the unique characteristics and skills to be effective leaders and it is very rare since those unique skills can only be attained through divine design. The Great Man theory emphasizes that the leader has natural characteristics and features inherited that make a leader to take a lead as a great leader (Sivaruban, 2021:58). Early researchers assumed that no matter what the circumstances, there is a group of characteristics that made a leaders successful (Fleenor, 2017:2). The Great Man theory was attributed to successful historical leaders like Julius Caesar, Napoleon Bonaparte, Abraham Lincon and Mahatma Ghandi, it was assumed that these leaders were born possessing innate characteristics which allowed that to run their race by shaping history (Benmira and Agboola, 2021:3). The Great Man theory has since evolved into the Trait theories.

3.3.2. Trait Approach

Trait theory is one of those theories that emerged during the 20th century (Akin, 2022). Literature reveal that the trait theory came as a modification for the Great Man theory. Trait theory argues that effective leaders share a number of common personality characteristics or traits (Baloyi, 2016: 13). The trait approach to leadership was one of the first theories of leadership and forms the basis for research dealing with leadership (Fleenor, 2017:2). The Trait theory is based on the assumption that leadership traits can be acquired through learning and experience gained in the environment, but not inherited (Sivaruban, 2022:58). Sivaruban (2021), Yusup (2022:45) argue that the Trait theory views everyone as capable of being a leader as long as they possess certain skills and qualities needed to lead. This theory modifies the notion that leaders cannot be trained to become leaders. The trait approach tries to understand leadership based on a belief that good leadership have natural characteristics from both physical and personality traits (Verawati and Hartono,

2020:15).

3.3.3. Behavioral Approach

Behavior theory is based on the belief that leadership can be formed with education and training, and that training on leadership functions is more prominent than the leader's character (Verawati and Hartono, 2020:13). Behavioral approach believe that leadership can be learned from the behavior patterns and not traits, which means that those that have been trained in good leadership can become best leaders (Verawati and Hartono, 2020:18).

Behavioral theories pay attention to the behavior and actions of leaders and not on qualities based on traits of leaders (Baloyi, 2016:13). According to the behavioral theories, leaders can learn to be leaders through teachings and observations (Baloyi, 2016:14). Behavioral theory developed and changed from trait theories as it states that leaders are mostly made and that particular behaviors can be learnt to achieve effective leadership (Benmira and Agboola, 2021:3).

Behavioral theories of leadership stresses the actual behavior of a leader and no characteristics or traits (Benmira and Agboola, 2021:3). Behavioral theories of leadership focus on how leaders behave in the execution of their role, their preferences and relationship with followers (Mzelemu, 2019:7). Behavioral leadership theories hold that teachings and observations can be instrumental in making great leaders (Aw and Darius, 2022:79).

3.3.4. Contingency Approach

Contingency theory of leadership states that effective leadership is dependent on the situation at hand, someone can be an effective leader in one situation and an ineffective leader in another situation (Mile, 2022).Contingent or situational theories of leadership is based on the idea that the environment plays a pivotal role inn leader-follower dynamics (Benmira and Agboola, 2021:3).

The contingency theory believes that leadership styles are determined by situations,

quality of followers and the ability of a leader to make decisions (Mzelemu, 2019). The focus of contingency theories is on leadership on particular situations as opposed to traits and characters (Benmira and Agboola, 2021). Contingency theories of leadership revolve around how good leadership is influenced by the various situations (Mzelemu, 2019:7). Contingency leadership theory emphasizes the elements that may have an impact on which leadership style best fits a specific environment (Aw and Darius, 2022:79). According to Benmira and Agboola (2021) leaders must according to the contingency theory assess the context in which they apply their leadership and decide on a viable leadership style to be applied. According to contingency theories of leadership, there is no single theory or style of leadership that befits all situations (Mzelemu, 2019:7).

3.3.5. Transactional Approach

Transactional leadership is based on a belief that there should be motivation of followers through rewards on best performance and punishment of poor performance (Singh, 2021:7). Transactional leadership refers to a leadership that openly announce their expectations, rewards and penalty based on whether the followers have fulfilled their agreed goals or not (Ibrahim, Yusuf and Ibrahim, 2022:1355). Transactional leadership theory rely more noon authority to motivate followers (Benmira and Agboola, 2021).

Benmira and Agboola (2020) define transactional leadership as a kind of leadership where performance is linked to rewards and punishment when work is executed, a reward is given when work has been successfully done and punishment is handed down when there is failure to do the work. Singh(2021:3) argue that traditional leadership is transactional and revolves around an exchange of follower performance by a reward when the set goal is achieved and punishment if a set goal is not been achieved. Transactional leadership is seen as outcome based leadership, where a belief in mutual beneficial exchange between leaders and followers is prominent (Thapa, 2022:56). Transactional leaders simply set realistic, achievable and timely goals for followers and monitor their followers when work is done (Singh, 2021:3).

In summary transactional leadership is a kind of leadership where the leader and follower's

relationship is based on formal institutional rules, rewards or punishment.

3.3.6. Transformational Leadership

Transformational leadership is a leadership style that is more democratic as it involves the support of a collective in order to achieve set goals, and is consensus based where all stakeholders including followers are accountable to the realization of the set goals (Mark Ligot, 2022). Transformational is the leadership that encourage, motivate and inspire followers to excel in what they do (Singh, 2021). According to Yusuf (2022:42), transformational leadership is understood to be a leadership that focuses on the wellbeing of the followers, and its components are idealized influence; inspirational motivation; individualized consideration and intellectual stimulation.

Transformational leadership entails a relationship that is based on a view that a leader is a role model to be imitated by followers (Benmira and Agboola, 2020). Transformational leadership refers to the leadership that is able to adapt to an existing environment. Transformational leadership is always ready to undergo or facilitate change (Mark Ligot, 2022). Khan *et al* (2016:1); Benmira and Agboola (2020:4) agree that transformational leadership is not self-centered but participatory in nature, ethical and accountable.

Transformational leadership entails a relationship that is based on understanding, where a leader is a role model to be imitated by followers (Singh, 2021). Transformational leadership refers to the leadership that is able to adapt to an existing environment. Transformational leadership is always ready to undergo or facilitate change. Transformational leadership is not self-centered but believe in participatory, ethical and accountable leadership (Khan *et al*, 2016).

3.3.7. Distributed Leadership (DL)

Distributed leadership is one of the most complicated and complex theory of leadership in organizations (Chaudhary, Rashid and Jhamat, 2020). Distributed leadership deals with the understanding the approach of how leadership functions with different ideas in a complex organization (Goksoy, 2015). DL should be understood as a unique management

structure that can be applied in any organization when an organization is changing its leadership or management methods (Indeed Editorial Team, 2023).

Distributed leadership deals with the understanding of the approach of how leadership functions with different ideas in a complex organization (Chaudhary *et al.*, 2020). Goksoy (2015:110) opines that distributed leadership results from organizational changes that in their application may even be seen as changing and ignoring the traditional meaning and conceptualization of traditional leadership (Chaudhary *et al.*, 2020:162). Goksoy (2015) defines DL as a method of leadership that encourages sharing and distribution of leadership where leaders and their members interact.

DL applies a horizontal management structure where leadership roles are easily accessible across the organization (Indeed Editorial Team, 2023; Chaudhary *et al.*, 2020). DL is based on an idea that leadership roles and positions should be shared (Goksoy, 2015:110). In DL the emphasis is on team work and preparation for any changes that may occur in an organization (Chaudhary *et al.*, 2020). Distributed leadership is a form of shared leadership that encourages the disperse of responsibilities from one leader to the next (Harris, Jones and Ismail, 2022). In DL, decision-making is done without waiting for authorization. In distributed leadership power shifts from being the role of one individual and dispersed horizontally with the organization (Indeed Editorial Team, 2023). What seems common with DL is that it occurs when organizations change leadership and management methods and adapt to new organizational structure.

DL emphasizes networking, interaction and team work as compared to a top down management approach (Indeed Editorial Team, 2023). DL applies a horizontal management structure where leadership roles are easily accessible across the organization (Indeed Editorial Team, 2023). What the literature on distributed leadership suggest is that within the teams, members with expertise can access leadership roles easily because the system is flexible.

The benefits of DL are summarized as follows by the Indeed Editorial Team (2023):

- Every member in an organization can share ideas feedback.
- Everyone can innovate and improve the organizational performance.
- Everyone can advance as there is multiple sharing of responsibilities.
- Everyone has the opportunity to collaborate in completion of tasks.

In context of the benefits of DL, Harris *et al.* (2022) maintain that there is speed, high productivity and innovation as well as talent retention. DL may be seen as some advanced form of leadership sharing in an organization, where every member is able to voice out his views about innovations and inventions without waiting for a senior leader or manager to advise.

3.4. TRADITIONAL LEADERSHIP STYLES

3.4.1. Autocratic style of leadership

Autocratic leadership is the style of leadership where the power and authority to make-decisions is vested in the leader (Makhdoom, Shaik and Baloch, 2021). Autocratic leadership is the kind of leadership where a leader controls almost everything, does not consider views of the followers, assertive, lacks creativity and very limited when it comes to communication (Costa, 2023:5). This is a kind of leadership that does not support transformation and innovation. In an autocratic leadership environment, there is one man dominance, the leadership behavior is coercive, tyrannical, and exercise of power is based on authoritarian principles (Hassnain, 2022:2021; Aw and Darius, 2022:81). The flow of power is rigid in its approach and never encourages initiative, suggestions or participation (Hassnain, 2022:2021). Hassnain (2022) claims that autocratic leadership style can impact positively in an organization when it has been effectively applied by the leader, however warns about its impact on employee performance as the style is very much intimidating, coercive, and cannot be used to motivate followers.

3.4.2. Democratic leadership style of leadership

This style of leadership is also referred to as servant leadership because of the relationship that exist between leaders and followers, where the leader works with the people in a transparent and open manner when making decisions. Democratic leadership is interpreted as a style of leadership that encourages the participation of followers in decision-making (Makhdoom *et al.*, 2021). Democratic leadership is the kind of leadership that embraces the democratic governance principles. In democratic leadership there is a low power distance between leaders and those that are led, there is a culture of participation, ideas play an important role regardless of who come with a view (Costa, 2023:6). This definition of democratic leadership shows that democratic leadership and democratic governance cannot be separated as democratic leaders exercise democratic governance principles of inclusivity, transparency and accountability. Democratic leadership is regarded as the most positive form of leadership because it produces high capability as well as refined participation of followers (Ayekin and Temizkan, 2022:1106).

3.4.3. Laissez faire style of leadership

Laissez-faire leadership style is based on a philosophy that assume that people are uncontrollable an unpredictable, and as such there is no need to spend time in trying to understand their behavior (Houlihan, 2020:9). The laissez faire leadership style is believed to be a leadership where a leader is relaxed and delegating all the decision-making powers to the followers, as acknowledged by Singh (2021) and Makhdoom *et al.* (2021). Laissez-faire leaders demonstrate very limited levels of participation in crucial matters of the organization and always fail to respond timely on matters until they get worse (Khan et al, 2016:6). In laissez-faire, a leader basically does not follow-up on work processes, but instead relies mostly on a few loyal members of the team (Hooligan, 2020:9). Robert and Vanderberghe, 2020) argue that laissez-faire leadership style is one of the full range of leadership styles, but can be very much disappointing and may also lead to undesired results.

3.5. CHARACTERISTICS OF TRADITIONAL LEADERSHIP

3.5.1. Authority over Power

Deliberations about leadership, whether traditional or modern context revolve around power and authority. Power and authority are very important elements of leadership since it impact on how leadership is exercised (Waters, 2021). Power is the capacity of an individual to influence others to follow certain direction, while authority is termed as the exclusive right given to a person to instruct or command others in an organization (Surbhi, 2017; Waters, 2021). According to Waters (2021) power is acquired from knowledge and expertise and is not hierarchical while on the other hand, authority is entrusted to a leader and is hierarchical; when interrogating the styles of leadership, it becomes clear that power and authority is often abused when particular styles of leadership are applied. This means that the style of leadership is mainly influenced by power and authority, power and authority can produce a good or bad leader.

3.5.2. Hereditary Leadership

A hereditary leader is a leader who inherited a throne from the prior generation through birth. Hereditary leadership is leadership attributed to traditional leadership (Luthuli, 2015). In a hereditary system of leadership, leaders inherit their positions in order of their birth rather than being elected into these positions. In a hereditary system, power and authority is viewed to be the sole property of the ancestors, thus there is loyalty to position and there is no doubt that the one on the throne is the rightful owner of the throne (Koenane, 2017). This is what characterizes African rulership. Leadership in an African context is known to be hereditary because traditional leaders, unlike modern leadership is not elected but entitled by virtue of birth.

3.5.3. Guidance and Direction

The role of leaders in societies is to guide and give direction in order for their followers to attain the set goals (Microtodd, 2020). Guidance is the act or action to provide advice, assistance or support to enable an individual or member of a team to successfully achieve the set goals, while direction is applied to convey a direct or specific instructions to followers (Microtodd. 2020). Basically, when a leaders leads, there has to be a tactic of

providing guidance and direction because the followers whether in politics or management need some guidance and direction about how to perform their tasks. In simpler terms failure by a leader to guide and direct his or her followers may result in unintended consequences.

3.5.4. Motivation

Motivation refers to the process with which an individual's efforts are directed, energized and sustained towards achieving a specific goal (Hassnain, 2022:2021). In modern context, leaders are expected to be motivational when interacting with their followers. Motivation is a pressure that propels people in the direction of needs, and energize people to be productive in order to satisfy their needs (Meirinhos, Cardoso, Neves, Silva and Rego, 2023). Chourasiya (2022) argues that motivation is a guider that is always at the center of human behavior, it guides, motives and is a sine qua-none of learning. In this context, all human beings take actions because of their inner motives and motivation from their leaders. Motivation is perceived to be a distinguishing characteristic that assist individuals to learn, gain and apply skills in an organization for the attainment of the set goals (Hassnain, 2022:2021).

3.5.5. Charisma

The leader that displays the highest order or form in influencing his or her followers is termed as charismatic (Sacavem, Martinez, Da Cunah, Abreu, and Johnson, 2017). Leadership is about achieving set goals, if a leader is able to in the highest form achieve the goals as set, then we can say that that leader has charisma. A charismatic leader is an effective individual with superior leadership characteristics which are observed when he or she influences followers and individuals (Awamleh, 2022). Charismatic leaders have been viewed as friendly, strong, dynamic, and powerful and warm (Sacavem *et al.*, 2017).

According to Awamleh (2022) individuals or followers follow a charismatic leader because they consider him or her to be an extraordinary person, superhuman and supernatural. Charismatic leaders are optimistic and enthusiastic leaders who are able to encourage their teams or followers to dedicate themselves in accomplishing the set goals(Sacavem

et al., 2017). There is generally an agreement that charismatic leaders are confident and enthusiastic, hence, are able to achieve good results (Awamleh, 2022; Sacavem *et al.*, 2017). Charisma may be interpreted as an extra-ordinary ability that a leader has in conveying and communicating and influencing other people or followers on a particular agenda.

3.5.6. Loyalty to the position

Loyalty centers on attitudes and behavior that manifest itself in perseverance, patriotism and dedication that promotes collective success as opposed to individual achievement (Stanford Encyclopedia Philosophy, 2022). Loyalty is bringing together stakeholders as a glue that makes relationships to last for long, it can flow from whatever direction in a relationship as it must happen horizontally and vertically in a leader-follower relationship (Russell-Bennett and Parkinson, 2015). Loyalty encourages leaders and followers to prioritize collective commitments, combine all the ideas into real or tangible realities (Stanford Encyclopedia Philosophy, 2022).

Loyalty to position is generally attributed to traditional societies, who believe that leadership is from the ancestors and not the living beings (Koenane, 2017). In hereditary community power and authority of the traditional leader on the throne is not viewed as his own, but is viewed as the power from the ancestors. Loyalty to the position is therefore, automatic due to African beliefs that suggest that power and authority is from the ancestors who are highly respected in African tradition.

3.6. TRADITIONALISTS PERSPECTIVE VERSUS MODERNISTS PERSPECTIVE ON TRADITIONAL LEADERSHIP

3.6.1. Traditionalists Perspective

Traditionalists advocate for the inclusion and integration of the institution of traditional leadership into the democratic system of governance (Msomi, 2016:20). Traditionalists believe that the traditional leadership institution is democratic in its own right and can

contribute positively in the development agenda of modern societies (Koenane, 2017). Traditionalist theory can be understood as practice that dates back to the 1st century, influenced by historical tradition, and define historical lifestyles of societies that existed before modernism (Msomi, 2016:19).

Traditionalists as promoters of the institution of traditional leadership argue that traditional leadership is the foundation of society and their governance system is authentic (van Heun, 2019:6). According to Mtengwane (2021:30) “traditionalists view advocates for the institution of traditional leadership to be retained in the democratic system of governance”. Mtengwane’s argument is based on the assumption that the institution is still relevant and can still make positive contribution in the development of rural areas.

Traditionalist promoters hold the view that the institution of traditional leadership provide very important leadership functions because it is community based when compared to elected leadership (Maseko, 2016:45). Traditionalist’s believers base their view on the fact that traditional leaders are personification and real representatives of rural African communities, their history laws, traditions, values and norms (Van Heun, 2019:6). Traditionalists believe traditional leaders are presumed leaders in their communities, they wield enormous power than it is pronounced in the legislation, and practically they are a vital force in rural communities (Mtengwane, 2021:14).

Traditionalists repudiate an assumption that traditional leadership is undemocratic, arguing that the institution of traditional leadership is compatible with modern democracy since it possesses democratic features (Koenane, 2017). For this group of scholars, the modern democratic system of governance and the institution of traditional leadership can be integrated (Koenane, 2017:6). Mzelemu (2019:8) posits that in the traditionalist perspective, an embraced belief is that traditional leadership is the center of rural domination, play crucial roles such as preserving peace, culture, traditions and customs, allocating land, and as a political force. When presenting the traditionalists view, Koenane (2017) and Mawere *et al.* (2022) agree that the traditionalists approach maintains that the institutions of traditional leadership is the heart of rural governance, political stability and successful policy implementation ,and hence, rural development(Msomi, 2016; Mawere *et*

al., 2022). Maseko (2016:45) acknowledges that the institution of traditional leadership plays an important role in social cohesion, maintenance of peace, land administration and general administration in rural communities.

Mathonsi and Sithole (2017:39) hypothesize that traditionalist theorists hold a view that traditional institutions are ductile and adaptable, and that they draw on the historical roots in unique and ~~old~~ ways.

3.6.2. Modernists theoretical perspective

The modernists theory appeared in the late 19th and 20th century and view the institution of traditional leadership as old fashioned system of governance that must be abolished (Msomi, 2016:16). The proponents of the modernist perspective base their views on the fact that by retaining traditional forms of governance will compromise democracy (Ntsebenza, 2020).

As an antithesis for the traditionalists perspective, modernists are completely skeptical about integrating the system of traditional leadership into modern governance structure (Mathonsi and Sithole, 2017). Modernists regard the institution of traditional leadership as old fashioned, patriarchal and oppressive to women and young people and excluded from their structures. They further look to the institution as irrelevant in a democratic era (Koenane 2017:6).

In his presentation of the modernist approach on traditional leadership, Mtengwane, (2021:16) argues that modernist approach calls for a rejection of the institution of traditional because the institution does not embrace the requirements of modern, non-sexist and non-racial democracy. In fact, modernists believe the institution of traditional leadership is no longer relevant and must not be integrated into modern governance structures (Mathonsi and Sithole, 2017; Van Heun, 2019; Mtengwane, 2021).

According to Van Heun (2019:6), modernists believe that the traditional leadership system of governance is a closed system that is defined by stratification, hereditary legitimacy,

and subjectivism which they believe is untenable features in democratic dispensation. For modernists, democracies embrace representation and unlimited participation in decision-making whilst in traditional leadership, leaders are hereditary and not voted into power, women and unmarried men are banished from decision-making and based on that it must be declined (Mtengwane, 2021:15).

Mathonsi and Sithole (2017:39) argue that “modern theorist consider that the institutional forms of democracy are universally valid, and that Africans aspire to democratic system of rule that look much the same as those in the west”. The debates that is raging between traditionalists and modernists is indicative of the fact that to incorporate traditional leaders into modern governance structures will lead to a paradox (Van Heun, 2019; Ntsebenza, 2020).

What can be read in this debate is that the rejection of the inclusion of traditional leaders into modern democratic governance is fueled by many factors. One of these factors is the fact that traditional leaders have a history of working with both colonial and apartheid regimes, and surviving while liberation movements were either in exile or in the bush fighting for liberation (Mzelemu, 2019). Another possible factor is that traditional leadership in Africa soon after independence was viewed by the new government as a threat to fragile democracies (Van Heun, 2019). The question of interest is on when will there be consensus on compatibility of traditional leadership in modern governance?

There is no conclusive factors that one can attribute to modernists who advocate for the repudiation of the institution of traditional leadership on African soil where traditional leadership is viewed by proponents of traditional leadership, like Koenane (2017). Mawere *et al.* (2022) as the bedrock and sine qua non for rural mobility and stability. This debate may on the other hand can be viewed as the fight for survival between the theories of traditionalism and modernism as alleged by Mdlalose (2015).

According to Mtengwane (2021:30-31) modernists argue that “in traditional leadership institutions, leaders are born and not elected”. Moreover, it is argued that women and unmarried men are often excluded from decision-making bodies as a result the institution

of traditional leadership should be rejected. Kompi (2018:41) adds that the traditionalist theory and modernists theory is important when analyzing the status quo in terms of traditional leadership because it has impacted on the recognition, role, and even societal perception about the institution.

Mathonsi and Sithole (2017:39) argue that “modern theorist consider that the institutional forms of democracy are universally valid, and that Africans aspire to democratic system of rule that look much the same as those in the west”. In clearer terms, modernists do not trust that traditional leadership can prosper in any way, except when the traditional institutions emulate the Western system of governance. This is interesting because the proponents of traditional leadership believe that the traditional governance system has been democratic and is accepted by traditional communities (Mathenjwa, 2017).

3.7. KING/CHIEF-IN-COUNCIL AS A MODUS OPERANDI FOR TRADITIONAL GOVERNANCE SYSTEM

Traditional form of governance is labeled as an anachronistic institution which does not have a future, however, traditional forms of governance persisted after many currents of change attempted to destroy it (Boateng and Afranie, 2020:25). History shows that despite all the challenges faced by the institution of traditional leadership, the institution is resilient. The main question surrounding the resilience of this oldest institution still remains. Is the institution of traditional leadership still in existence after decades of suffering because it is loved by the people, is it because it is democratic in nature and operation or it's because it performs better when compared to the new democracies? What exactly is the reason for its continuous resilience? Where then, do we place the issue of incompatibility between traditional governance and modern governance system?

Traditional governance represents an antithesis of a view that portrays traditional governance system as incompatible within the democratic system of governance (Mathonsi and Sithole, 2017:41). Koenane (2017:6) argues that in African traditional governance system, the process of decision-making was based on consensus. For example, the siting of the traditional court comprises of a structure which is known as the

king/chief –in-council.

The modus operandi for the execution of decisions in traditional governance system is democratic because it followed democratic principles, where decisions are not taken unilaterally by the king or chief but a meeting of the council members (Koenane, 2017). In their study on the Royal Bafokeng, Mathonsi and Sithole (2017) found that the Royal Bafokeng practice is a dual form of governance, where the characteristic of both African customary governance and Western democratic system are merged.

In traditional governance system, the Zulus convene an imbizo, the Ndebele's convene an ibizo, and the Sotho's convene the kgotla to consult the community on matters affecting them (Koenane, 2017; Mathonsi and Sithole, 2017). In this meeting open and transparent decisions are taken in the meeting and processed through consultation for implementation (Koenane, 2017). The democratic characteristics manifest themselves in the traditional governance system which makes the traditional governance system a democratic system.

Mathonsi and Sithole (2017) state that traditional forms of governance are compatible within the modern democratic governance system as evidenced by the study of the Royal Bafokeng. According to Koenane (2017) the chief's power has some forms of checks and balances in traditional governance, and this qualifies the institution of traditional leadership to be accepted as one form of democracy.

The issue of compatibility and incompatibility of traditional governance methods and modern democratic methods still has a long way to go, it needs consensus about what democracy is in both African and Western context of governance? The proponents of traditional leadership clearly defend the institution by arguing that it is democratic in its context, while the modernists argue that the institution has no place in modern governance citing its undemocratic nature (Mawere *et al.*, 2022). The matter of compatibility and incompatibility is a matter that needs further research and engagements because if traditional governance is not needed by communities it would have long faced its demise. The question then is, why is the institution across the length and breadth still in limbo?

3.8. DEFINITION OF CONCEPTS

3.8.1. Tradition

The concept of tradition and that of culture cannot be defined in isolation because they are related as traditions are shaped by culture (Luthuli, 2015). Tradition is a practice or belief that are passed from generation to generation (Rangel, 2022). In Africa communities are divided according to different tribes and nations. The style under which traditional communities live is symbolized by culture, traditions, and customs.

Tradition refers to the values and norms guiding the community or tribe that are inherited from generation to generation (Luthuli, 2015). In a nutshell, traditional communities depend on traditions for unity, prosperity and survival. For example, in many countries raising the national flag on particular times has become a tradition. The Zulu nation perform functions such as the Reed Dance every year celebrate Shaka's legacy, and all these functions has become a tradition (Luthuli, 2015).

3.8.2. Leadership

Leadership is an important factor in any organization which acts as a motivational force for subordinates to perform desirable and achieve desired objectives (Hassnain, 2022). Leadership is defined as the method used in guiding or channeling other people's activities for the attainment of specific goals (Mzelemu, 2019:10). Leadership involves the ability to command and inspire people or groups of people to willingly follow your aspirations (Baloyi, 2016:12; Mzelemu, 2019:10).

Leadership is an ability and method to stimulate people to willingly devote their power and energy towards achieving group or organizational goals using only the influence and not force (Baloyi, 2016:12). Leadership involves the application of skills and influence in order to guide and control other people's activities and ensuring that they are inspired by the leader's guidance. The leadership role can only be successfully done if the leader is motivational and has the ability to guide others for the achievement of a certain goal.

Noble (2012) weighs in and emphasizes the importance of leadership by arguing that “any leader and all teams ,organizations and nations succeed in long run because of the strategic support and expert they receive that keeps them and their organizations on the right path”. Sharma and Jain (2013:310) define leadership as “a process by which a person influences others to accomplish an objective and directs the organization in a way that makes it more cohesive and coherent”. Mdluli (2022:10) summarizes leadership as simply a relationship between leaders and their followers.

3.8.3. Traditional Leader

Traditional leaders are generally understood to be those leaders that a entrusted with traditional leadership positions. A traditional leader is an individual that is in position of power by virtue of their forefathers and culture, customs, and customs of a community occupying the area (Msomi, 2016:8). A traditional leader refers to an individual who is entrusted with a traditional leadership position, like the king (Isilo), chief (Inkosi) or headman (Induna) who ascend to the throne according to traditions and customs of a specific tribe (Mzelemu, 2019:10). A traditional leader usually inherits the throne from one generation to the next (Msomi, 2016:8).

3.8.4. Governance

Fukuyama (2013:30) defines governance as a government’s ability to make and enforce rules, and to deliver services, regardless of whether that government is democratic or not”. In defining what governance is, Unesco-IBE (2022) posits that governance mean structures and processes that are directed at ensuring accountability, transparency, responsiveness, rule of law, stability, equity, and inclusiveness, empowerment and broad-based public participation.

Prinsloo (2013:3) defines governance as the process of decision-making and the process by which decisions are implemented or not implemented. In presenting what governance represents, the Unesco-IBE (2022) maintains that governance represents the norms, values and rules of the game through which public affairs are managed in a manner that is transparent, participatory, inclusive and responsive.

When describing what governance includes, Ysa, Albareda and Forberger (2014:8) argue that “governance includes the role of sub-national and trans-national authorities as well as private organizations (business and non-profit organizations)”.

3.8.5. Democratic Governance

Democratic governance has developed into a dominant concept to promote public sector reforms in many countries and has gained much interest from various scholars (Paribadi and Iqbal, 2022:255). The culture of democratic governance does not just revolve around democratic practices, but stretches to maintaining democratic institutions to ensure political participation, pluralism, and sustainability (UNMIT, 2012).

Democratic governance means a governance system that practices democracy. In a nutshell, democratic governance can only be successful if it is driven by democratic leadership, a leadership that will ensure sustainability of the institution of democratic rule. When referring to democratic leadership, Aytekin and Temizkan (2022:1106) state that it is a leadership that take into consideration the suggestions and views of the followers in decision-making processes.

In a nutshell, democratic governance means a governance system that is inclusive in decision-making, listening to communities or electorate. It is also governed by the will of the people, and deliver on its mandates as expected by the electorate in their majority.

3.8.6. Corporate Governance Defined

Definitions of corporate governance vary considerably (Manuel Alfonso 2021:180). According to Aydemer (2012:4) Corporate governance term has many theoretical and empirical definitions in the literature. There is no universal accepted definition of corporate governance, it can be seen as a narrower broader subject.

Morris (2022) argues that “corporate governance refers to the system of rules, practices and policies that outlines the individual rights and responsibilities of every member of the company—shareholders, board of directors, company management and how they interact.

It is how the company is controlled and run". In presenting the intricacies of corporate governance, OECD (2015:9) add that "corporate governance involves a set of relationships between a company's management, its board, its shareholders and other stakeholders".

Corporate governance is termed as a system and modus operandi of aligning the conflicting interests of different parties within the firm and ensuring that everyone works toward the firms' common goal (Alguilera and Griffiths 2014:14). In presenting what corporate governance concerns, Aydemir (2012:1) argue that corporate governance is a system that interrogate how the company is controlled and directed by its owners and managers. It is a service on the behalf of individuals, corporations and society.

OECD (2015:9) is of the view that corporate governance provides the structure through which the aims and objectives of the company are set, and the means of attaining those objectives, and monitoring performance are defined. Through effective corporate governance the aims and objectives of an institution can be achieved.

3.8.7. Governance Leadership

Governance leadership is one of the many leaderships that the concept of leadership embraces in solving contemporary leadership challenges (Schwab, 2023). All institutions and organizations, whether public or private need the leadership of governance leadership, In order to understand the concept of governance leadership, one need to understand the meaning of leadership.

Sharma and Jane (2013) define leadership as the planned process of influencing others to understand and agree about what needs to be done and how to do it, and the process of facilitating individual and collective efforts to accomplish shared objectives. To be precise, governance leadership is the leadership entrusted with the duty to lead governance institutions that are designed to deliver services.

The pros and cons of governance leadership can be defined as the process focusing on-specific practices and styles of leadership through which a leader whether in public or private sector motivate and inspire followers about a shared vision and enabling them to

act in a way that would help the organization achieve its goals (Morris, 2022). The characteristics of governance leadership may include integrity, empathy, and courage, ability to delegate, responsiveness, accountability, efficiency and effectiveness as should be practiced by transformational leaders (Unesco-IBE, 2022).

Governance leadership should be understood to be spread across all spheres of government, private sector and non-profit organizations (Morris, 2022). Governance leaders inspire, lead, guide and motivate teams and spans of control in an effort to accomplish the organizational objectives. In a nutshell governance leadership ensures governance entities achieve their aims and objectives through efficiency. This means that without effective leadership in governance, governance structures would fail.

3.8.8. Good Governance Defined

According to Towah (2019:2) since the 1980s, governance has been a debatable topic and scholars, international organizations, and governments have assumed different interpretations of good governance. Prinsloo (2013:3) argue that good governance begins with the political will to govern well. The concept of good governance is rather new and came into usage since early 90s (Madhu 2011:1). Ali (2015:67) posits that [t]he terms of governance and good governance has been defined in many ways but it lacks uniformity and unanimity. Holiday (2013: 21) acknowledges that there is still no universal clear description of good governance, however, there is a momentous degree of consent on most principles related to good governance.

Towah (2019:5) maintains that good governance embodies the ability of a nation to encourage public participation and publicly reveal abuse of office and corrupt leaders even when it endangers their political future. According to Ali (2015:67) good governance is a competent management of a country's resources and affairs in a manner that is open, transparent, accountable, equitable and responsive to people's needs. In fact good governance means clean governance that is competent, transparent, accountable and responsive to the needs of communities.

Good governance refers to “governing systems which are capable, responsive, inclusive, and transparent” (Gisselquist, 2012:6). According to Madhu (2011:6) “[i]n good governance the governments at various levels and the market forces operating should be accountable to citizens and their wellbeing”.

Good governance could be linked to the efficient and effective administration in a democratic framework organization, how responsive is an organization reflects how governance is handled (Towah, 2019). Similarly to Towah (2019) Madhu (2011) points out that governance may also entail improvements and innovations in governmental institutions that may translate into sound development management and needs delivery.

3.8.9. Network Governance Defined

In addressing where governance network theory originated from, Klijn and Koppenjan (2012) argue that notions do not suddenly emerge, but rather tend to be constructed on long tradition. Current theories on governance networks have clearly built on a history that stretch at least 40 years of organizational science, political science, and public administration. According to Kapucu (2014:30) “[t]he ability of organizations to collaboratively work across sectors in order to solve complex public policy problems exists through networks, governance networks, collaborative governance and collaborative public management”.

Klijn and Koppenjan (2012:6) acknowledge that the distinctiveness happens between network governance and traditional inter-organizational management. Wyngaard and Hendricks (2010:21) claim that networks can be broadly explained in terms of linkages between stakeholders, and concept of network governance becomes important when those linkages become more structured, and adapting to achieve their objectives. Wang and Ran (2023) argue that networks can take either form, they can be self-grown networks emerging from below or policy guided networks from the above. They might be subjected to informal contracts and relations or take the form of highly validated networks.

For Klijn and Koppenjan (2012:5), the evolving theory of (governance) networks is characterized by the use of the following core concepts and assumptions; actor,

interdependence and frames, Interaction and complexity, Institutional feature and Network management.

In explaining how network governance fits into the governance function Wang and Ran (2023) posit that network governance concerns a state theory, policy networks, co-implementation, and co-service delivery of services when different stakeholders in a policy and political system cooperate in addressing governance issues.

3.8.10. Municipality

A municipality is a town, city or district that has legislative and executive authority over an area of jurisdiction in a country. The definition and allocation of powers vary by country while the aim is to ensure service delivery to local communities. For example, the Constitution of the Republic of South Africa (Act no: 108 of 1996) provides for the establishment of municipalities at local government level. In this context a municipality is a government that is established in the local sphere of government in terms of the local government Act. A municipality has the right to govern on its own initiative, the local government affairs of its community, subject to national and provincial legislation" (RSA, 1996). Municipalities are accorded executive authority and a number of service delivery functions because it is closest to the people.

3.8.11. Rural Area

Rural area is defined differently by different people depending on context or country. Rural areas are usually underdeveloped parts of a country where ethnic traditions, culture and customs are highly respected (Luthuli, 2015). Amakhosi or traditional leaders mostly control these areas when it comes to community protection, land allocation and management, and other day-to-day administration of the area. Rural areas are huge settlements where people survive on subsistence farming and are characterized by small towns and villages that are scattered all over the area (Mzelemu, 2019:12). In rural areas traditional communities believe in indigenous rulership and traditional livelihoods.

3.8.12. Inkosi/Chief

Inkosi (chief) refers to the leader of a tribe under a specific kingdom entrusted with the power to administer day-to-day operations within the tribal area. According to the hierarchical structure, the inkosi is responsible to the king (Mzelemu, 2019:11). According to African traditional customs, chieftaincy is hereditary. The role of an inkosi (chief) is to protect the traditional communities in the area, distribute land and manage all the day-to-day affairs of the tribe.

3.8.13. Induna/Headmen

Induna (headman) is appointed by the chief or elected by the traditional community to be the head of an isigodi (local area) under the authority of the inkosi (chief) (Mzelemu, 2019:11). Generally, the headman is also hereditary once a person is appointed generations to come will be entitled to the position. The role of induna is to ensure peace and stability in the local area, allocate land, preside over traditional local disputes, and be a link between Indlunkulu (royal house) and the local community, it is through the advice of inkosi in council on how the induna can execute his duty.

3.8.14. Indlunkulu/Royal House/Royal Headquarters

This concept is an African/Zulu concept that developed due to the hierarchical nature of the traditional leadership structure. Its application fits all the hierarchies, be it an Inkosi/chief or Ingonyama/His Majesty the king. Indlunkulu is a royal family or royal house. This is the headquarters of the kingdom or royal family. The head of the Indlunkulu or Royal family is the king of a nation. Indlunkulu is the highest hierarchy in the ranks of traditional leadership.

3.8.15. Traditional Authorities

Traditional authorities and traditional leadership are generally used in the same context. In fact, traditional authorities refer to traditional leadership (Luthuli, 2015 and Baloyi, 2016). In the same way as traditional leaders, traditional authorities are custodians of traditional indigenous governance that derive power and authority from hereditary customs and traditions of a particular community. According to Baloyi (2016) traditional authority is the traditional leadership that has been transformed in terms of the Traditional Leadership and

Governance Framework Act 41 of 2003.

3.9. CONCLUSION

This chapter highlighted a number of traditional leadership theories and that leadership has evolved overtime. The chapter also revealed that traditional leadership can be applied using different styles and modus operandi. It has been discovered that the various styles of leadership depending on their application can produce good leadership results and bad leadership results. The chapter further interrogated the modernist and traditionalists theories on traditional leadership. It also found that the traditionalists are in favour of the incorporation of the institution of traditional leadership into modern democratic governance, while modernists are vehemently opposed to the incorporation of an institution that they regard as undemocratic into democratic system. The chapter went on to critically discuss the governance operations in the context of traditional governance system, paying attention to the king /chief-in-council. The analysis showed that traditional leadership to a certain extent is democratic in nature and also found that whether the institution is incompatible with democratic principles is a matter for further scrutiny.

CHAPTER 4: RESEARCH METHODOLOGY

4.1. INTRODUCTION

This chapter presents the methods used to obtain data in order to achieve the aims and objectives of this research. The main aim of this study was to explore in an explanatory manner the role, relevance, and challenges of traditional leadership in South Africa, with special focus on Jozini local municipality. In an attempt to achieve this aim, this chapter discusses the qualitative approach that was used. The study adopted a qualitative approach. The chapter paid attention to the research design including the descriptive, explanatory, and exploratory designs. The chapter further presents the data collection techniques and methods used in a qualitative study. The chapter also looked at the advantages and disadvantages of using primary and secondary data to create a distinction between the two data collection techniques. Data collection for this study was derived from

secondary data. Lastly the chapter addressed validity, reliability, and limitations of the study.

4.2. RESEARCH METHODOLOGY

To produce a scientific research, a researcher needs to have a clear understanding of the concepts of research methodology and research methods. The two concepts (methodology and methods) are often used exchangeable and taken as similar in their meaning, however it will be notable to use the two terms as two separate terms for clarity purposes (Adedoyin, 2020).

Igwenagu (2016:4) define research methodology, as “a systematic, theoretical analysis of the methods applied in a field of study. It comprises a theoretical analysis of the body of methods and principles associated with a branch of knowledge”. According to Hamusunse (2015:7) a research methodology is a way or system through which a researcher is able to collect, analyses, and interpret data so that the research aim, and objectives may be achieved. Research methodology should be regarded as a broader technique and plan for conducting the study (Kapoor, Mahamuni, Bowmick and Qureshi, 2022:18-19).

For Adedoyin (2020) methodology denotes an understanding of the whole research process, which includes the organizational setting, philosophical inferences, ethical doctrines and the political concussions of the new body of knowledge from the research. Sileyew (2019) asserts that research methodology is the way in which researchers frame research problems and objectives and give their outcome from data collected. Adedoyin (2020) argues that research methods are a set of procedures that are used in the data collection, analysis and reporting. A research methodology encompasses ways and means of addressing the research problem, and how research can methodologically be approached to produce dependable and reliably research findings (Kapoor *et al.*, 2022:24). Basically, research methodology is simply a justification of the use of particular methods (Chukwuemeka, 2023).

Unlike the methodology, research method interrogates the actual strategies and the rest of tools and components that are employed in the research process. It is a section that defines the actual research processes (Adedoyin, 2020). Research methods are specific processes and procedures and tools used in the collection and analysis of data (Egunjobi, 2020). Research methods focus on data collection and tools selection from a view point of a researcher (Chukwuemeka, 2023). Methods are strategies, tools, and techniques that are employed in the research process (Bhosale, 2023). According to Egunjobi (2020) research methods are a research paradigm. Research methods discuss the research approach and ways in which the rest of other components of research work in the process of answering research questions and solving a research problem (Chukwuemeka, 2023).

Bhosale (2023) posits that research methods aim at providing intense information of research design, participants, equipment, variables, materials as well as procedures that can allow other researchers to produce similar findings based on the documented methods. Research methods provide the modus operandi for a particular research based on the choices of a researcher. In this context, research methods and research methodology emphasize the determination and importance of different research approaches in the execution of research.

4.3. RESEARCH APPROACHES

In order for a researcher to produce a scientific that will be adequate to answer research questions and resolve the research problem a correct and relevant research approach must be determined right from the start. Research approaches include quantitative, qualitative, and mixed approaches. In this context, the three mentioned research approaches are interrogated. When choosing a research approach, it is important to consider that there are three important research theories to consider, which include deductive, inductive and abductive theories.

Table 4.1 illustrates the basic characteristic for qualitative & quantitative research

Criteria	Qualitative Research	Quantitative Research
Purpose	To recognize & construe social interactions.	To test theories, look at cause & result, & make expectations.
Group Studied	Lesser & unsystematically Selected.	Longer & unsystematically selected.

Variables	Study the entire thing, not the variables.	Specific variables considered
Type of Data Collected	Words, images, or objects.	Numbers and statistics.
Form of Data Collected	Qualitative data such as open-ended answers, interviews, impressions of participants, field notes, & reflections.	Quantitative data using organized & validated data collection methods based on reliable measurements.
Type of Data Analysis	Identify trends, attributes, themes.	Identify relationships with statistics.
Objectivity and Subjectivity	Subjectivity is predictable.	Objectivity is critical.
Role of Researcher	Participants in the study may be aware of researchers & their prejudices, and participant characteristics may be known to the researcher.	The researcher & their prejudices are not identified to the study participants, & the features of the participant are purposely concealed from the researcher (double blind studies).
Results	Relevant or specialized assumptions that are less generalizable.	Discoveries that can be extended to other populations.
Scientific Method	Exploratory or bottom-up: From the knowledge obtained, the researcher develops a new idea and theory.	Confirmatory or top-down: With the details, the researcher checks the hypothesis and theory.

View of Human Behavior	Dynamic, situational, social, & private.	Systematic & expected.
Most Common Research Objectives	Explore, discover, & build.	Describe, clarify, & expect.
Focus	Wide-angle lens; discusses the scope and depth of phenomena.	Narrow-angle lens; checking a particular hypothesis.
Nature of Observation	In a natural environment, research behavior.	Under regulated conditions, research behavior; isolate causal effects.

Source: Abuhamda, Ismail and Bhsarat (2021:72-73).

There are various approaches which include quantitative, mixed methods and qualitative. The following sections discuss the different research approaches. This study however, used a qualitative approach as it was best suited to solicit data.

4.3.1. QUANTITATIVE RESEARCH APPROACH

Quantitative research approach focuses on the formula for understanding the world through complex concepts and surveys based on numerical or statistical data (Cropley, 2023:6). Asio (2021) affirms that quantitative research approach involves comprehending some characteristics of a phenomenon in line with numerical representation. A quantitative research approach is designed for the collection of data from a large number of participants, and envisions the world to be static (Dawadi, 2021). In essence a quantitative research approach is guided by positivism paradigm compared to interpretivism that guides qualitative approach. Quantitative research approach involves research methods like surveys, experiments and other tests that allows the

acceptance or rejection of the hypothesis(, and employs close-ended questions(Thakur, 2021; Asio, 2021).Thakur (2021:54) points out that quantitative research is based on close-ended questions which involves experiments, surveys as well as other quantifiable data on studies. Quantitative research approach is inductive in theory, uses statistical tools and instruments, and depends on quantitative data collection (Asio, 2021). Quantitative research approach revolves around structured data collection technique (Taherdoost, 2021). Mohajan (2022) argues that in quantitative research, a variable is manipulated in an experiment as the study focus on numbers and measurable phenomenon and their relationships.

4.3.1. Advantages of Quantitative Research Approach

The approach uses statistical and mathematical methods which is accurate and time saving (Daniel, 2016:93; Abuhamad *et al.*, 2021:79).The mathematical and statistical methods make generalization possible (Abuhamad *et al.*, 2021). Daniel (2016:93) argues that the method used in quantitative research approach reduces guess work because research is guided by specific guidelines and procedures in the execution of the research. In quantitative research approach, the researcher's objectivity is not compromised because the research process follows specific guidelines and procedures (Abuhamad *et al.*, 2021; Daniel, 2016). In summary, there is a strong belief that the research findings are valid and can be tested using the very same technique.

4.3.2. Disadvantages of Quantitative Research Approach

This kind of research approach employs deductive techniques which does not allow for too much generalization, but focus on facts about a phenomenon. Quantitative is guided by procedures that direct the thoughts and ability of a researcher which limits the researcher and reduces in-depth researching (Daniel, 2016:93). In quantitative research approach, there is separation between a researcher and participants which prohibits in-depth analysis of the phenomenon within its natural setting (Abuhamda *et al.*, 2021:79). Daniel (2016) affirms that in qualitative research approach, participants have no room to contribute to the study because the study aims at accepting or rejecting the hypothesis (Daniel, 2016). In summary, quantitative approach is rigid in its analysis as it only focuses on the hypothesis.

4.3.2. MIXED RESEARCH APPROACH

Mixed methods research approach is termed a more powerful method because it interweaves qualitative and quantitative methods which results in meaningful explanations of research issues (Dawadi, Shrestha and Giri, 2021; George, 2021; Ngulube and Ngulube, 2022). Mixed approach provides an alternative method of conducting research as it converges qualitative and quantitative paradigms in solving complex questions. Dawadi *et al.* (2021:25) view mixed methods of research as equitable to the traditionally used qualitative and quantitative approaches. Hafsa (2019:45) adds that mixed methods approaches implies the incorporation of qualitative and quantitative approaches in a single research. In mixed methods approach the philosophy used is dependent on qualitative and quantitative approaches. This approach integrates philosophies and becomes an alternative that can assist in solving complex research problems. According to George (2021) it can help a researcher to gain more complete findings in a research because it combines elements of both quantitative and qualitative approaches to research. Dawadi *et al.* (2021) affirm that in as much as it is a method in its own right, a mixed methods approach offers the benefits for approaching complex research issues as it accommodates philosophies of post-positivism and interpretivism. Mixed methods research approach with its pluralistic methodological approach has an advantage of allowing a researcher to explore a phenomenon comprehensively (Ngulube and Ngulube, 2022).

4.3.2.1. Advantages of Mixed Approach

Mixed approach interweaves qualitative and quantitative approaches, thus combining two methods to fully explain complex research issues (Dawadi *et al.*, 2021:27). Ngulube and Ngulube (2022) point out that the advantage of mixed approach rests with its pluralism. Dawadi *et al.* (2021:27) argue that mixed approaches to research offers methodological flexibility. A mixed approach allows the researcher to explore the phenomenon comprehensively. Mixed approach also allows researchers to answer research questions in an efficient manner because the researcher moves from qualitative to quantitative approaches in an attempt to answer research questions (Dawadi *et al.*, 2021). Ngulube and Ngulube (2022) assert that researchers are assisted by the methodological diversity found in mixed approach to investigate reality innovatively, without sticking to one approach. Dawadi *et al.* (2021) recommend mixed

approach as it offers an integrated approach.

4.3.2.2. Disadvantages of Mixed Approach

According to Dawadi *et al.* (2021) critics of the mixed approach argue that the two approaches are incompatible with each other because qualitative approach is guided by interpretivism while on the other hand quantitative approach is guided by positivism. Hafsa (2019) argues that the two approaches are not compatible to each other because quantitative research embody an objective role of a researcher, a deductive theory and well organized structure for data collection and analysis, while qualitative is subjective and follows an inductive theory. The fact that qualitative approach believes that the world is multiple dynamic and quantitative believe the static allude to the fact that the two approaches have different conceptions and therefore, are incompatible with each other (Dawadi *et al.*, 2021). Hafsa (2019) argues that mixing the two theories and approaches of research create complexities because the mode of operation of the two approaches differ and a new approach to amalgamate the two has to be developed. In summary, mixing the two varying approaches, with completely different theoretical applications cannot be left unchallenged because it compromises both approaches.

4.3.3. QUALITATIVE RESEARCH APPROACH

Qualitative research approach concerns those studies that are descriptive, exploratory, and not easy to quantify. When defining qualitative research, Langkos (2014) states that qualitative research provides a full character and reasoning of a subject of study without any confines. Aspers and Corte (2019:142) holds a view that qualitative research encompasses different methods in focus involving an interpretative, realistic approach to its subject matter. Qualitative approach is designed to gather non-statistical data to produce predictions or assumptions (Cropley, 2023:6). Qualitative explores and understand the meaning of individuals or groups that ascribe to a social or human problem (Dangal, 2021). Qualitative research is defined by Thakur (2021:54) as a study concerned with open-ended questions that embraces an interpretivism philosophy, descriptive and exploratory theories and all data that is difficult to quantify. Quantitative research approach is inductive in theory, uses statistical tools and instruments, and depends on quantitative data collection (Asio, 2021). Qualitative research approach emphasizes words as opposed to quantitative quantifications in data collection (Dangal, 2021).

4.3.3.1. Advantages of Qualitative Approach

Qualitative is viewed as an approach that encompasses many instruments needed for the purposes of solving problems (Daniel, 2016:92). Qualitative research approach is characterized by meanings, concepts, definitions, metaphors, symbols and description of phenomenon's (Daniel, 2016:92; Abuhamda *et al*, 2021:73). This kind of research approach uses open-ended questions and in-depth interviews which collect data from participants in their natural setting (Daniel, 2016). Abuhamda *et al*. (2021) argue that that the use qualitative data collection methods provide an inclusive overview of the study for the participants. Which make interaction between the researcher and participants meaningful. In this kind of research method comprehensive and in-depth data collection and analysis is evident and provide comprehensive solutions to problems. Mohajan (2018) hold the view that qualitative approach is reliable, objective and can restructure very complex problems to a reasonable number of variables. In a nutshell through qualitative research a comprehensive scientific research is possible without engaging in statistical and mathematical methodologies.

4.3.3.2. Disadvantages of Qualitative Research Approach

Qualitative research is an approach that does not have a structured procedure, but rely on the researcher's interpretations who collects and analyses data which compromises reliability of the research findings. (Daniel, 2016:95). Abuhamad *et al*. (2021:78) is of the view that qualitative research approach lacks effective investigative techniques when compared to quantitative research. Daniel (2016) argue that as qualitative research views the world as dynamic and not static the research findings produced are confined to a specific phenomenon under study. Qualitative research approach confines the researcher to the phenomenon under study, which make the findings to be base only to the phenomenon under study (Abuhamda *et al*, 2021:78). The approach lacks concrete findings because the findings are not empirically tested. Scientific and mathematical fact finding has been abandoned which leads to findings that are fiction and cannot be verified (Daniel, 2016). Lack of numbers and statistical methods makes the research findings not easy to qualify (Daniel, 2016).

4.3.4. Approach Chosen for this Study

Having explained the popular research approaches, the methodology chosen for this

study was the qualitative research methodology. The main reason for choosing qualitative approach was because the research employed interpretivism theory. The study employed an exploratory design and a deductive approach. Another reason for choosing qualitative approach was because the research study investigated discourses relating to the role, relevance and challenges of traditional authorities. What has been compelling in choosing qualitative approach was the fact that data used in this research was qualitative secondary data that was previously gathered using a thematic approach. Hence, this methodology was best suited for this study as it focused on producing an informed independent supposition based on valid and open ended research conducted previously.

This type of research approach was suitable for investigating the causes, effects and dynamic analysis of the role, relevance and challenges of traditional authorities in local governance at Jozini local municipality in particular. The qualitative research approach was suitable for this kind of a research because the study described and analysed the role, relevance and challenges of traditional authorities in democratic local governance without any limitations as there was vast literature for data collection and analysis.

4.4. THEORIES OF RESEARCH

Research approaches are clearly separated by research theories that are used in different research approaches.

4.4.1. Deductive Approach

In deductive research approach, a researcher develop and evaluate a research hypothesis, approves or disapprove the hypothesis (Kapoor et al, 2021:19). Deductive research approach begins with the proposed or supported theory that must ideally result in new proposed, supported theory, or an enhanced theory (Akoli, 2021:4). The deductive approach tests and evaluate, accept or reject the existing hypothesis and end up with a new proposed hypothesis. Mohajan (2022) states that a deductive approach is experimental in nature and seeks to know in advance.

4.4.2. Inductive Approach

In inductive approach, a research starts with the research question and goals and objectives to be met during a research (Kapoor *et al*, 2021:19). Okoli (2021:4) argues

that inductive theory starts with the non-theoretical empirical phenomenon, which should ideally result in a proposed or supported theory. According to Kapoor *et al.* (2021:20) in inductive approach a hypothesis is not necessary, but what is necessary is meeting the aims and objective of the study.

4.4.3. Abductive Approach

Abductive theory begins with theory-in-progress which ideally should result in a proposed or supported theory (Okoli, 2021:4). In abductive theory the main focus is on an incomplete observations that need some explanation.

4.4.4. Chosen and Applicable Theory for this Research

Due to the fact that this study was qualitative and exploratory, the theory suitable for the collection and analysis of data was inductive theory, supported by thematic and content analysis. This was because data collected was used to explore discourses with regard to the role, relevance, and challenges of traditional leadership in South Africa, including Jozini local municipality. Inductive approach fits in well when a researcher focuses on the research question, the aim and objective of the research and not specifically the hypothesis that needs to be proven, accepted or rejected.

The data collected and employed was secondary data, which means that document reviews and content analysis were at the center in the answering of the research questions and achieving the aims and objective of this study. Content analysis obviously demanded the support of the thematic approach. The data collected and analyzed in this study was previously collected in a grounded theory in a primary research setting and now treated as secondary in the form of documents, books, internet articles, policy documents etc.

4.5. RESEARCH DESIGNS

Research design provides strategies and a plan on how particular research will be conducted (Thakur, 2021). Research design is important for any research because it provides the structure and guide in addressing the research questions, aims and objectives (Asenahabi, 2019). It is common knowledge that good/scientific research require a clear design.

According to Thakur (2021:54) a research design is important to a research aim and works as a main light to guide the research activities. For research to be carried out successfully, it requires suitable research design and method of execution. This is a plan adopted by a researcher before data collection commences so as to achieve the research objective in a valid way (Asenahabi 2019:76). Hamununse (2015:7) posits that “[a] research design is a plan or blueprint of how one intends conducting research”. Research design is an idea or plan upon a specific researcher’s consideration that assist to reduce any kind of resentment by holding together all different parts of a research for the purposes of answering the research questions (Asenahabi, 2019). In essence there is a plethora of research designs and strategies that guide basic activities in research, such as data collection and analysis. The most common research designs may be explanatory, exploratory and descriptive.

4.5.1. Explanatory Research Design

Explanatory, as its name explains, revolves around the explanation of casual relationships between phenomenon (Shai, 2017:19). Explanatory research design concentrate on the explanation of the phenomenon under study and investigation of those phenomenon that has been inadequately investigated and explained (Kapoor *et al.* 2022:44). Explanatory design explains things and further validate theories (Shai, 2017:19). Thakur (2021) argues that explanatory research design is directed at exploring, expanding and explaining the researcher’s ideas and theories. In the process of explaining the phenomenon, explanatory design also generate hypothesis (Shai, 2017:19).

4.5.2. Exploratory Research Design

Exploratory design is directed at pays attention to new interest or subject through the exploration of new topics in which hinted knowledge is hinted (Shai, 2017:18). The aim of exploratory design is to answer the question and address the phenomenon being studied (Singh, 2021). Through explanatory research design a researcher is able to develop comprehensive findings and provide prospects on future research (Kapoor *et al.*, 2022:44). In the context of exploratory research design, future questions can be developed for future studies (Shai, 2017:18). This kind of research design provide reasons for situations and correlations between phenomenon as well as causes and effects for the happenings (Kapoor *et al.*, 2022:44). Exploratory research design leads to

deductive conclusions instead of acceptance or rejection of the hypothesis (Singh, 2021).

4.5.3. Descriptive Research Design

Descriptive design, is directed at describing the characteristics of a specific situation or event under study (Shai, 2017:19). Descriptive research design is expected to provide an extensive description of a research problem (Kapoor *et al.*, 2022:40). Descriptive design uncovers new meanings while describing the existing meaning (Shai, 2017:19). Descriptive research design is based on a theoretical foundation and encompasses individual data gathering, analysis, preparation, and presentation of findings (Kapoor *et al.*, 2022:40).

In descriptive research design, a researcher observes a particular phenomenon or event and further describe it and provide a detailed outlook of a phenomenon or event (Shai, 2017:19). In descriptive design a researcher observes variables but does not influence them as it is an antithesis for experimental research (Kapoor *et al.*, 2022:40). Descriptive design uncovers new meaning while describing the existing meaning (Shai, 2017:19).The main goal of descriptive design in research is to observe, explain, and interpret the condition of the present by interrogating research aspects like who, what, where, when or why (Mohajan, 2022).

4.5.4. Research Design Chosen for this Study

For the purposes of conducting this study, the researcher adopted the exploratory design. This research design was selected because the study was conducted through inductive, interpretivism philosophy which falls under the qualitative and exploratory paradigm. Another reason for choosing this research design was that the aim and objectives of this research were concerned with exploring discourses relating to the role relevance and challenges of traditional authorities in South Africa, with particular reference to Jozini local municipality. Based on the fact that qualitative paradigm allows an open way to find ideas and formulation of predictions in an exploratory way, the choice of this design was justified. The aim of this study was to achieve an independent hypothesis through textual data, hence, the exploratory design was the most suitable design.

4.6. DATA COLLECTION TECHNIQUES

Data collection is the principal activity in a research which can overshadow the quality of attaining results by reducing the errors possible during the process of research, thus much accuracy must be done in the collection of data to ensure accurate findings (Taherdoost, 2021). Scholars use various techniques for data collection that include interviews, questionnaires and observations, focus groups and other strategies suitable for a study at hand. Choosing the suitable data collection techniques calls for the understanding of various forms of data and data collection techniques.

Taherdoost (2021) acknowledges that quantitative and qualitative data may be gathered depending on a study methodology chosen by the researcher. Data used in a study can be primary, secondary or cross-sectional data (Kapoor *et al.*, 2022). Primary data refers to raw data collected whilst secondary data refers to available data that has been collected and gathered by others, whilst cross-sectional data is gathered by observing a large number of subjects (Taherdoost, 2021; Kapoor *et al.*, 2022). The next paragraphs discuss the techniques that a researcher can employ in data collection, as well as the techniques that a researcher can employ in data collection.

It must be acknowledged that there are many data collection techniques that are used or developed by various scholars when conducting research. There is no data collection method that is superior, however, a researcher decides as to which data collection technique is suitable for his or her research as data can be categorized as primary and secondary data.

Figure.4.2. Bellow shows various quantitative and qualitative, primary and secondary collection methods. In the following sections methods of collecting data including interviews, surveys, case study, questionnaires, observations, focus group, document reviews are addressed.

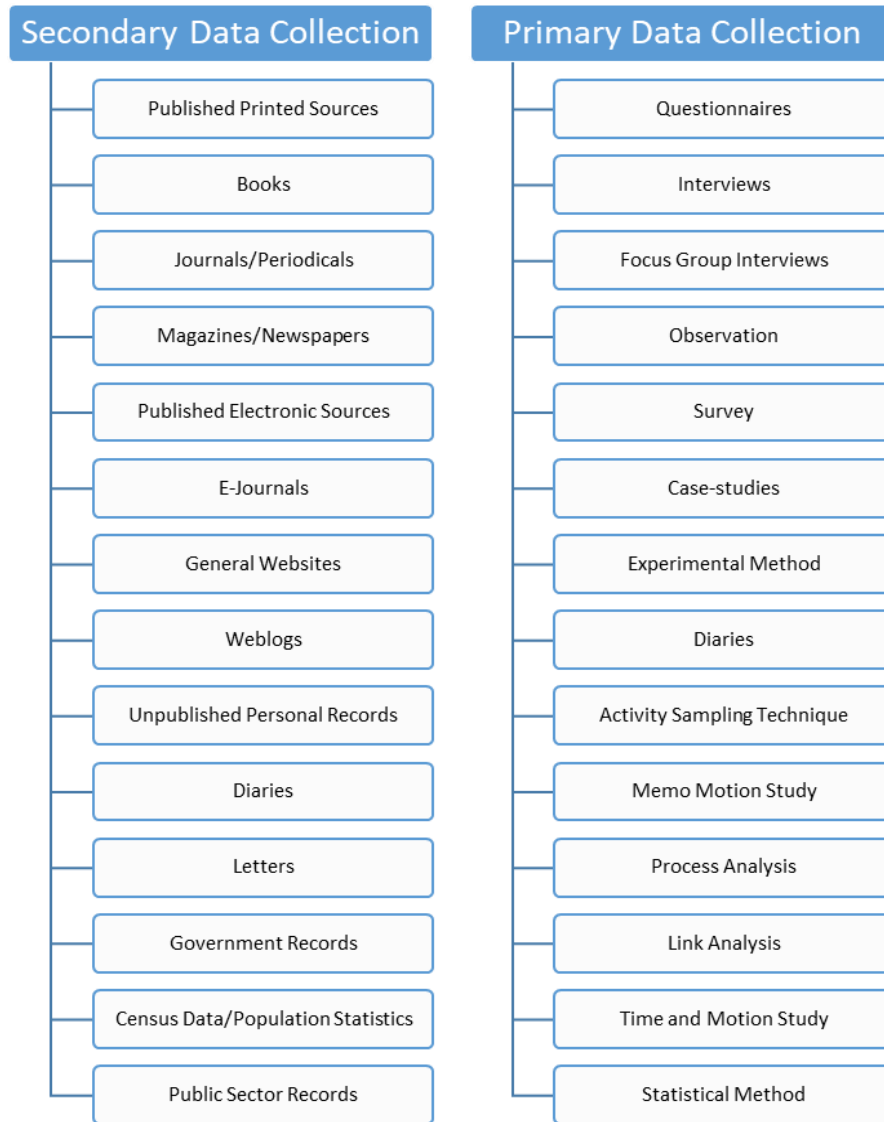


Figure 4.2. Data Collection Methods

Source: Taherdoost (2021:13).

There are various data collection techniques such as interviews, surveys, focus groups and observation amongst others however, this study uses desktop research methods which include literature review and document/content analysis. The following sections discusses the types of data collection techniques that can be adopted in a qualitative study.

4.6.1. Interviews

An Interview is a process of gathering information by asking questions from participants with an aim of finding answers (Ahuja, 2022). Interviews may follow different styles, they

can be structured, semi-structured or unstructured (Taherdoost, 2021). Interviews may follow different styles, they can be structured, semi-structured or unstructured. (Taherdoost, 2021). Interviews can be undertaken through one-on-one or group interviews (Ahuja, 2022). Interviews allow researchers to gather qualitative data and gain insight into thoughts and behaviors of individuals (Indeed Editorial Team, 2021). Interviews may be executed using group or face-to-face interviews, telephonic interviews or through emails (Taherdoost, 2021). This is one of those data collection strategies that gather information from the actual source.

4.6.2. Surveys

Surveys are a systematic gathering of information from respondents in order to understand and predict some aspects of behavior population of interest (Mohajan, 2022). Kabir (2016) states that they involve a list of closed or multiple choice questions that are distributed to a sample online, in person or telephonically to assess thoughts, opinions and feelings. Surveys focus on large and small population by selecting samples chosen from a desired population in order to discover instances, interrelations and distribution (Mohajan, 2022). According to Kabir (2016) surveys are a vehicle to measure a population's characteristics and observes behaviour at intervals.

4.6.3. Questionnaires

Questionnaires are used to collect data for both qualitative and quantitative research approaches (Taherdoost, 2021). A questionnaire is simply an instrument or tool that is used to ask respondents questions to get required information for the answering of a research question (Ahuja, 2022)

The questionnaire is a well-known tool used in data collection which includes a set of questions asked to obtain answers from individual and group respondents (Taherdoost, 2021). The questionnaire method is known for its employment of open-ended-questions and close-ended-questions (Taherdoost, 2021). Ahuja (2022) argues that questionnaires can collect large quantities of data and carry out tests when an intended outcome has been identified.

4.6.4. Case Study

Shai (2017) posits that a case study is a qualitative research that explores contemporary

phenomenon in real life context. The case study is a primary data collection technique that is suitable when researchers are looking for a piece of evidence before beginning with a new broad research (Ganesha and Aithal, 2022). Case studies use multiple data collection methods (Shai, 2017). A case study is instrumental in finding patterns between different instrumental reports in addition to finding differences in identical types of cases (Ganesha and Aithal, 2022). Case studies can be useful in a research that studies the evolution of an individual, group, or event over a period of time in order to establish what is happening in its real life setting (Kapoor *et al*, 2022). It also enable scholars to gain a deeper understanding of a complex phenomenon or many components of the research question and understand a phenomenon in diverse contexts (Ganesha and Aithal, 2022). Figure 4.3 and 4.4 below illustrate the flow of a single case study and multiple case studies as a case study is applicable in different settings (individual or group).

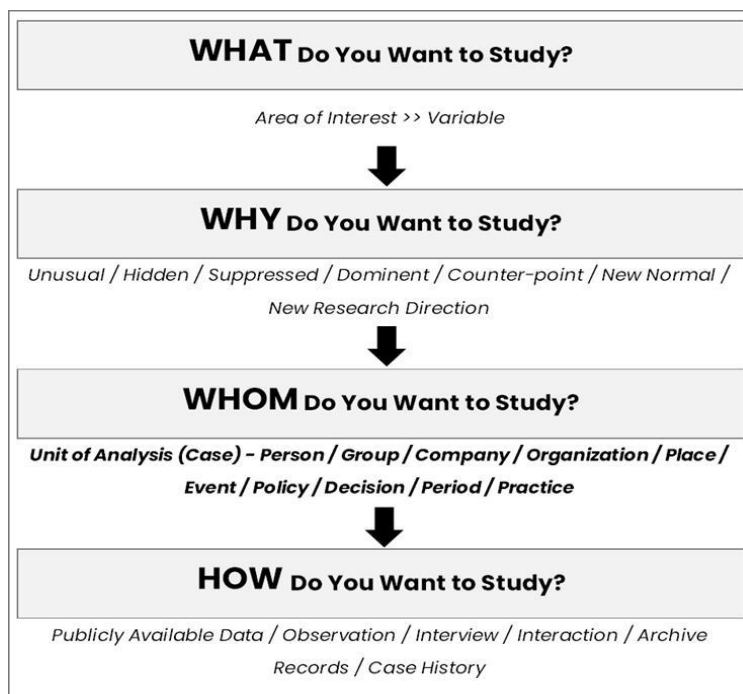


Fig. 4.3: Single Case Study process flow

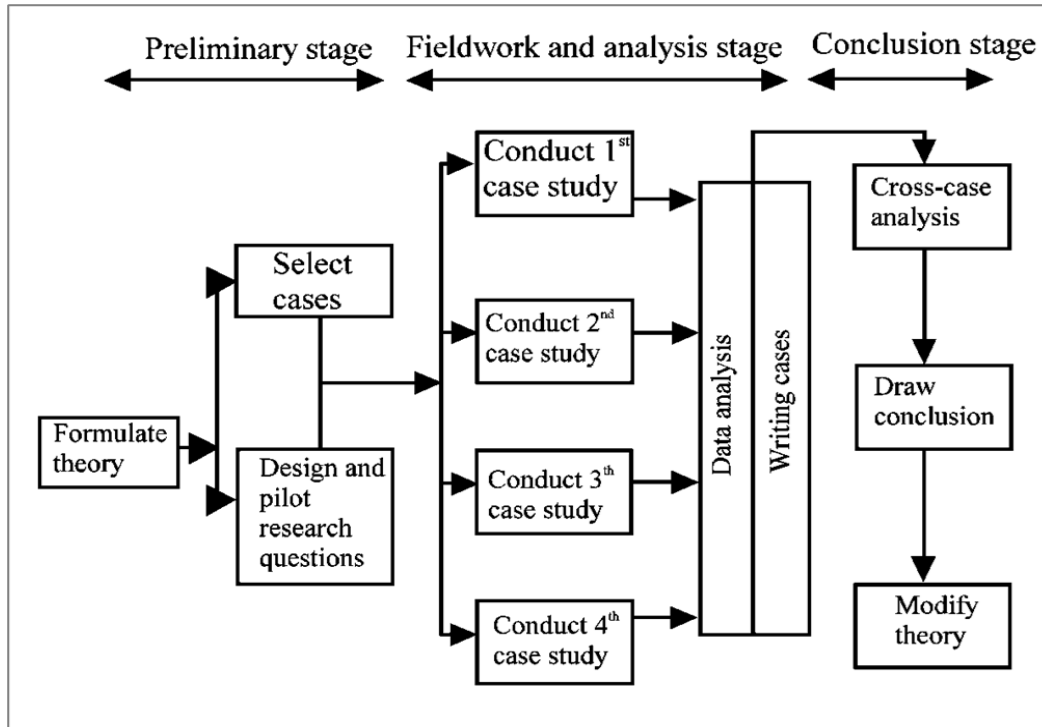


Fig.4.4: Multiple Case Studies process flow

Source: Ganesha and Aithal (2022:13).

4.6.5. Observations

Observations are an alternative to interviews and focus group that can be used to collect qualitative and qualitative data (Taherdoost, 2021). Observations are methods of data collection where the researcher use observation skills to observe behavior of phenomenon in order to draw conclusions (Mdluli, 2022:75). Observations happen when a researcher observes events, behaviors, processes or interactions directly with an aim of understanding the concept (Taherdoost, 2021). Kabir (2016) posits that observation is not just looking, but it help a researcher to examine the world and phenomenon in their natural settings. This type of data collection method can be used by a researcher to determine if the study is progressing or not (Taherdoost, 2021).

4.6.6. Focus group

Focus group is a group interview that is moderated, where a researcher present issues or ask questions that trigger a group discussion, and from the group discussions a

researcher will get diverse views to use when drawing conclusions or inferences (Mdluli, 2022:74). Taherdoost (2021) points out that a focus group allows individual in a group to discuss what they know about the concept, can discover various facts on behaviors as it designed to explore complex issues. According to Indeed Editorial Team (2021) a focus group include the encouragement of group interaction in order to observe their attitudes and insight. Focus group technique assist researchers who want to develop a hypothesis (Taherdoost, 2021).

4.6.7. Document Reviews

This method refers to the collection of data using recorded documents and analysis of contents from those written documents. As has been already mentioned earlier that this study has been conducted using a desktop method where secondary data is employed in data collection and analysis. Mdluli (2022:76) argues that qualitative researchers need to use literature in an inductive logic and in accordance to the methodology used in the study. This study used multiple sources in the form of documents and internet sources to explored discourses with regard to the role, relevance and challenges of traditional leadership in South Africa including Jozini local municipality in a qualitative manner. The principal method and technique employed in the collection of data was a qualitative data collection technique. The data collected was secondary data because the study was a desktop study where data that is in the public domain was used.

Mdluli (2022) argue that in data gathering it is advisable that a researcher uses a triangular data collection methods, where a variety of sources are uses in the data gathering process. In this study triangular data collection technique was used to collect balanced data that reflected on all angles of the study aim and objectives. Secondary data collected and used in this study was gathered through the review of books, articles, policy documents, municipal documents and other documents that detail the role, relevance and challenges of traditional leadership in South Africa and Jozini local municipality. The reviews and critical analysis of documents and internet data on the subject was the only viable avenue to allow the exploration, answering and addressing the research problem in this study. The data collected through document reviews in this regard focused on the role, relevance, and challenges of traditional leadership as well as the research questions, aims and objective...

4.6.8. Chosen Data Collection Technique

Data collected in this study was qualitative in nature. The study employed desktop, textual and literature techniques to solicit data. Qualitative secondary data sources that are already available were used in data collection. The data collection technique revolved around document and literature reviews. This implies that there was no collection of raw data from participants. However, secondary sources such as books, accredited journals, articles, government publications, published theses, opinion pieces as well as internet documents and library resources were used in data collection. Bouchrika (2022) points out that secondary data concerns a methodical combination of data and literature that has been in public arena for some time.

This data collection strategy has made data collection convenient, cost effective while it offers data that is reliable and valid since it is data that has been tested before. The data collection technique used in this study was diverse and multifaceted. The data collected throughout this study revealed that traditional leadership is a global phenomenon. Data collected produced literature reviews that detail the role, relevance and challenges of traditional leadership in an international stage, African, South African as well as Jozini local municipality.

The literature review covered a plethora of legislations and policy documents as well as municipal documents detailing Jozini municipal strategies with regards to cooperation between the elected component and traditional leadership component in the functioning of the municipality. Documents and literature review further revealed that the institution of traditional leadership faced and still faces some challenges with regards to leadership direction in terms of policy and legislation, financial challenges as well as relationships and other multifaceted challenges. The data collected showed that the institution of traditional leadership has some relevance in the daily administration and management of rural communities, and that cooperation between traditional leadership and modern democratic structures need serious consideration in pursuit for development in rural areas. Having stated how qualitative secondary data collection methods provide answers to the research questions, one has embraced this data collection methods in executing this study.

4.7. DATA ANALYSIS FRAMEWORKS

Employing an appropriate data analysis method is important in conducting a successful qualitative research (Shova, Hleza, Tlou, Shonhiwa and Mathonsi, 2021). In data analysis researchers and scholars apply different types of data analysis frameworks (Bouchrika, 2022). Mwita (2022:534) argues that data may be categorized into primary and secondary data. Primary data is data collected for the first time by a researcher from a main source. On the other hand, secondary data is data that has already been collected by other people and is readily available.

Data analysis frameworks employed in this study included thematic and content analysis. Thematic analysis is qualitative data analysis used by researchers to methodologically arrange and analyses complicated data (Dawadi, 2020:62). Thematic analysis allow for comprehensive analysis of data sets across disciplines (Kampira and Meyer, 2019). Content analysis refers to a type of data analysis that is mainly used for both qualitative and quantitative studies (Vaismordi and Snelgrove, 2019). Content data analysis assist in the identification of relevant data for a study as there is vast data available in the public domain.

For the purposes of this study, both thematic and content analysis using the inductive reasoning were used. Lester, Cho and Lochmiller (2020:100-101) assert that in thematic analysis, data can be prepared, organized and categorized for simple understanding and analysis, and the findings can be theory driven or data driven. This study needed the content analysis when analyzing concepts, whilst on the other hand thematic analysis was used in complex data prioritization, categorization, and arrangement for analysis, since this study was complex.

In the context of this study, thematic analysis was used to prepare, identify and categorize data, and document content analysis used in the analysis of the vast data collected through multiple document reviews. Data was categorized according to main themes and sub-themes to ensure there is clear understanding of the discussion and findings. Using this data analysis method revealed some advantages as there was meaning and sense on the use of content and thematic analysis in this complex study. In fact there was simplicity in the data usage. Thematic and content analysis was the simplest form of data analysis that can be used to analyse multiple types of data and data sets (Lester et al, 2020:98). This type of qualitative data analysis allows an in-depth

analysis of phenomena, and this result in a scientific research as there are less limitations, as such would be suitable for the interpretative and exploratory study.

4.8. LIMITATIONS

According to Chivaka (2018:2) there is a problem with data accuracy, as the researcher using data whose collection process, he or she had no control of. The data analyzed in this study has not been first hand or raw data from participants physically observed, and this poses a limitation in terms of validity and accuracy, since there has been no control over the quality of the secondary data collected and analyzed. As data used is secondary, this may affect the reliability of data as data that has been used might be outdated since it might have been collected a long time ago, and at times the focus used in the collection of secondary data was directed not exactly at the same questions as the research at hand.

This study used secondary qualitative data that might be subjective rather than objective, and this sometimes may channel the findings. The researcher encountered some limitations in collecting data that deals with the role and relevance and challenges of traditional leadership in Jozini local municipality. The challenge was that there were few studies that have been done previously on the topic, thus very limited sources that can be used for data collection and analysis. However, the researcher used the sources available including policy documents to have a coordinated information that has answered the main questions, addressed the aims and objective of the study. It is worth mentioning that the study on the role, relevance and challenges with regard to Jozini local municipality still needs to be done through empirical research to extend and strengthen existing research findings.

4.9. VALIDITY AND RELIABILITY

Most scholars and researchers emphasize that scientific research should be characterized by validity and reliability. They argue that validity and reliability depends on the method and instruments used in conducting a study (Coleman, 2021; Surucu and Maslakci, 2022). Coleman (2021) advances the view that for a study to be valid and reliable, it must meet the procedures of reliability and dependability. On the other hand, Surucu and Maslakci (2022) opine that validity is mainly concerned with whether the instruments and tools used in conducting a study were effective enough to produce

intended quality of results, and reliability look at consistency and stability of the instruments and tools used in a study. This means that methods used in designing the research, data collection and data analysis will indicate if the method and instruments used have produced intended, replicable and consistent findings or not, as acknowledged by Surucu and Maslakci (2020) and Coleman(2021).

As mentioned earlier, this study was conducted using a qualitative approach, exploratory design, and interpretative method and inductive approach. Secondary textual data was collected and analyzed. This means that data collected and analyzed is replicable and dependable, as it has been in public domain, thus, valid and reliable. The researcher took steps to ensure that data collected and analyzed was accurate and verified before its inclusion in the process of this study. This research as the product of qualitative methodological approach included all the ingredients needed by any researcher to answer research questions and achieving the aims and objective of a research, thus validity, reliability, transferability and reliability was assured.

4.10. ETHICAL CONSIDERATIONS

Ethical consideration include ensuring participants have given informed consent; ensuring no harm comes to participants; ensuring confidentiality and anonymity; and ensuring that permission is obtained. As highlighted earlier, this study had no participants. Compliance to ethical terms and conditions was adhered to, especially on desktop data collection. There was declaration of identity of the data collected and analyzed, which ensured that there is no plagiarism or misrepresentation of secondary data. There was also compliance with all aspects of transferability and scientific research procedures and conditions.

4.11. CONCLUSION

This chapter discussed methodologies that can be used in a research. The three important research methodological approaches mentioned in this chapter were quantitative approach, quantitative approach, and mixed methods approach. The chapter mentioned that before any research can be undertaken a choice must be made which allows for the employment of particular research theories and reasoning for data collection and analysis.

The chapter identified various research designs that can be followed when conducting quantitative research, qualitative research or mixed approach. The chapter highlighted that research designs are vast and the choice for any design depends on a methodological approach and naturally the choice of a researcher as long as the researcher can explain reasons for his or her choices. It was further found that researchers may decide on the theory for their study depending on the methodology and the research approach followed from the beginning.

Another important aspect that this chapter emphasized was the choice of an appropriate data collection and data analysis techniques. The chapter discussed three crucial theories and reasoning that can be employed depending on the approach chosen by a researcher in data collection and data analysis. It has been found that the theorizing and reasoning adopted influences data collection and analysis which is crucial in the development and construction of findings. This chapter highlighted that a scientific research need an appropriate methodology, approach and data collection and analysis technique.

CHAPTER 5: FINDINGS, DISCUSSIONS AND ANALYSIS

5.1. INTRODUCTION

This chapter focuses on the analysis, evaluation and assessment of data collected in the literature reviews of documents, books, articles, policy documents, and internet sources which explore the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa including Jozini local municipality. This chapter presents and discusses the data collected in order to produce findings. This chapter also present the findings of the research based on the data collected and analyzed. As mentioned earlier, thematic data categorization and prioritization was used, data analysis and presentation of findings mainly revolved around traditional leadership in the pre-colonial era, traditional leadership in the colonial and apartheid era, and traditional leadership in independence and democratic era.

In line with the study topic, the analysis and presentation of findings were therefore, guided by the following research objectives as articulated in the aim and objective of the study:

- To explore the role and status of traditional leadership in South Africa and Jozini in particular.
- The determination of challenges faced by traditional leadership in playing meaningful role in local governance in Jozini local municipality and their consequences in governance.
- To ascertain the relevance of traditional leadership in local governance in Jozini local municipality.
- To make recommendations on how the challenges faced by traditional leadership could be addressed.

Since the study adopted thematic analysis framework, stated objectives determine the main themes for analysis in this chapter. The table below illustrate the themes and sub-themes.

Table 5.1. Illustrates the categorization of the main themes and sub-themes for discussion and findings.

No	THEMES FOR ANALYSIS.	SUB-THEMES
1.	What were the roles and relevance of traditional leadership before colonialism?	Role and relevance in the pre-colonial era in Africa, South Africa including Jozini local municipality.
2	What were the roles and relevance of traditional leadership during colonialism and apartheid?	Role and relevance of traditional leadership in South Africa.
3	What are the roles and relevance of traditional leadership in independence and democratic South Africa?	Role and relevance of traditional leadership in South Africa. Role and Relevance of traditional leadership in KZN. Role and relevance of traditional leadership

		in Jozini LM.
4	What are the challenges of traditional leadership in local democratic governance?	Challenges of traditional leadership in South Africa. Challenges of traditional leadership in KZN. Challenges of traditional leadership in Jozini local municipality.

Source: Researcher's construct, 2023

5.2. DATA PRESENTATION AND DISCUSSION

5.2.1. THE ROLE OF TRADITIONAL LEADERSHIP BEFORE THE ADVENT OF COLONIALISM

Pre-colonial literature reviewed in this study portray traditional leadership as the powerful, solid and the only governance structure known across Africa (Koenane, 2017; Mathenjwa, 2017; Kurebwa, 2018; Mawere *et al.*, 2022). Data gathered from the literature review presents traditional leadership as a leadership system that was not diluted by any other form of leadership, and genuine in its pursuit for unity, peace, security, land control, and general administration of the affairs of their respective communities (Koenane, 2017; Boateng and Afranie, 2021; De Visser *et al.*, 2021).

In context of the role of traditional leadership before colonialism, literature revealed that traditional leadership exercised unlimited authority and power that was unchallenged. There is relationship with regard to the role of traditional leadership before the advent of colonial rule. De Visser *et al.* (2021) and Mawere *et al.* (2022) describe the role of traditional leaders in pre-colonial era as follows:

- Enacting of laws of justice.
- Settling of disputes between community members.
- Allocation of land to community members.
- Leading of warfare.
- Collection of tributes or taxes

- Environmental preservation.
- Preservation and promotion of culture and heritage.
- General management of the affairs of the communities under their area of jurisdiction

Literature also revealed that before colonialism African indigenous communities respected and trusted traditional governance by amakhosi and their hierarchy of power as dictated by customs and traditions of communities (Koenane, 2017; Mawere *et al.*, 2022; Simelane and Sihlongonyane, 2021). It must be mentioned that literature used put emphasis on the fact that traditional leadership derived its authority from heredity, thus attributing all the success to ancestors who own the throne (Koenane, 2017). This made traditional leadership to be the most popular and strong leadership practice until the advent of colonial and imperial forces who transformed and manipulated traditional authorities for their own benefit.

Literature indicates that during the pre-colonial era, all the legislative, executive and judicial powers rest with the king or chief-in-council, where the chief or king-in-council was the democratic way of governance in an African context (Mathenjwa, 2017; Koenane, 2017; Mathonsi and Sithole, 2017). Literature gathered show that governance in the pre-colonial era resembled a democratic form of governance in an African context, as alleged by Koenane (2017). In this case, one would refer to the modus operandi of the king/chief-in-council, which shows how meetings were conducted in order to reach consensus on matters of community interest (Mathonsi and Sithole, 2017; Koenane, 2017).

This modus operandi significantly limited autocratic decision-making and accommodated the views of the community (Koenane, 2017). However, literature of this study does not agree on all issues, as there are segments of literature that are critical when it comes to traditional governance modus operandi, and believe traditional governance has been corrupt, autocratic, and suppressed traditional communities in many ways (Ntsebenza, 2020 ; Ubink and Duda, 2020; Tshishonga and Dipholo, 2023). The question therefore, remains as to whether traditional governance could be regarded as democratic or not?

Most literature on the pre-colonial era, acknowledges that the communities trusted traditional leadership as the only governance system that gave effect to their livelihood (Noyila, 2013). It is in the context of literature used that the authority and power traditional leaders had during the pre-colonial era was later transformed and reduced by the advent of colonialism and apartheid.

5.2.2. THE ROLE OF TRADITIONAL LEADERSHIP DURING COLONIALISM AND APARTHEID

In addressing the question about what was the role of traditional leadership in the colonial and apartheid period, various aspects of changes and transformation in the authority and power of the traditional leadership institution dominates data collected and analyzed. Traditional leadership was weakened by colonial and apartheid regimes (Mathonsi and Sithole, 2017; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022). Data collected reveals that the institution of traditional leadership was stripped off most of the powers and authority they had before colonialism (Koenane, 2017; Mathonsi and Sithole, 2017; Msomi, 2016; Luthuli, 2015; Maseko, 2016; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022).

Multiple literature on traditional leadership in the colonial period represents relationships in data. Almost every author agree that attempts were made to subjugate traditional leadership as a form of governance. For example, colonial powers applied direct and indirect rule in order to manipulate traditional leadership governance system for their own benefit which resulted by opening lope holes for abuse of power, corruption and other mismanagement opportunities (Boateng and Afranie, 2020; Mawere *et al.*, 2022) .

The reviewed literature shows that traditional leaders were forced to accept colonial governments or be dethroned from their positions (Simelane and Sihlongonyane, 2021; Mathonsi and Sithole, 2017). Data presents legislations that were directed at facilitating colonial rule. To illustrate this the Native Administrative Act 38 of 1927 gave power to the colonial powers to appoint, locate areas of jurisdiction or dismiss traditional authorities (Boateng and Afranie, 2020; Simelane and Sihlongonyane, 2021).

According to Mtengwane (2021:25) argue that as a result of colonialism, customary ways of governance were viewed as primitive and useless, to replace customary governance the magistrate and missionary system was introduced. The Black Authorities Act of 1951 paved the way for the establishment of Bantustans (Mawere *et al.*, 2022). It is through these legislations that traditional leadership became easily manipulated against their own subjects for the benefit of colonial regimes (Simelane and Sihlongonyane, 2021).

Multiple data mentions that traditional leaders were compelled to implement colonial rules to an extent that some lost trust in their communities because communities felt their own leaders betray them (Mathonsi and Sithole, 2017; Mzelemu, 2019). Literature revealed that the fact that traditional leaders were in many quarters viewed as though they were sell outs was affirmed during independence where a number of African Independent governments tried to subjugate traditional leaders by taking away their powers and functions and replacing them with new governance structures (De Visser *et al.*, 2021). Mawere *et al.* (2022) is of the view that during colonial era, the institution of traditional leadership was greatly compromised.

The analyzed data showed repeatability and relationship which indicate that data was articulate in providing sufficient information that explored the role, relevance, and challenges of the institution of traditional leadership in the colonial era. The data analysis reflects that there is transferability, validity and trustworthiness in the data used in this research.

5.2.3. THE ROLE OF TRADITIONAL LEADERSHIP IN A DEMOCRATIC ERA

The question of how the independent Africa including South Africa looked like is included in data analyzed. Literature revealed that the independence and democratic dispensation was welcomed by traditional leaders as an end to their persecution by colonial regimes. Van Heun (2019) acknowledges that this era is characterized by continuous debates on compatibility and incompatibility of traditional leadership within the democratic dispensation.

It was also evident that traditional leadership in the democratic era in many African countries including South Africa, the institution of traditional leadership received

recognition from the constitution (Koenane, 2017; Mathenjwa, 2017; Tlou, 2020; Mawere *et al.*, 2022). The constitution of South Africa recognized the institution of traditional leadership and anticipated legislation to expand on specific roles and functions of the institution of traditional leadership (Mathenjwa, 2017). Literature however, shows that since the dawn of democracy, particularly in South Africa, legislation has remained ambiguous about the role and functions of traditional leaders (Koenane, 2017).

Literature also revealed that differences exist in terms of the legislation with regard to the role of the institution of traditional leadership. Other authors believe that the role of the institution of traditional leadership must be clearly defined and the institution be integrated into democratic structures of governance (Koenane, 2017; Mathonsi and Sithole, 2017) while others believe the institution is old and no longer has a role to play in the democratic dispensation (Ntsebenza, 2020). The reviewed literature laid bare the differing views on the role of traditional leaders in democracy.

5.2.4. THE ROLE OF TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY

Literature showed that traditional leadership in Jozini local municipality similarly to the whole of South Africa has survived colonial and apartheid regimes and continue to exist in the democratic era. The role of the institution of traditional leadership is boldly seen in public and private sector initiatives (COGTA, 2020; Jozini Integrated Development Plan, 2020/21; Farisani, 2022). In Jozini the working relationship between traditional leadership and municipal structures in governance is regulated by the Synergistic Partnership (Jozini IDP, 2020/2021). As alluded earlier in the study, literature showed that the traditional leadership institution in Jozini local municipality is governed by the KwaZulu-Natal Traditional Leadership and Governance (Act no: 5 Of 2005) as amended (Luthuli, 2015). This Act provides for the recognition of customary communities, the establishment of traditional councils, and articulates on the duties and obligations assigned to traditional councils (COGTA, 2005).

According to the KwaZulu-Natal Traditional Leadership and Governance (Act no: 5 Of 2005), traditional councils are assigned responsibilities relating to service delivery which include the following:

- Collaborative working relationship with municipal councils to identify needs for traditional communities.
- Encouragement of community participation in Integrated Development Planning (IDP).
- Playing a consultation with the local and district house of traditional leaders on matters related to possible interventions in service delivery.

Despite having no decision making powers, the study found that traditional leadership in Jozini has a role in coordinating service delivery in their areas of jurisdiction as acknowledged by Jozini (2020/2021). The study also revealed that traditional leadership in Jozini local municipality play an important role in municipal integrated development and budget processes as it advises the municipal council on matters of development affecting traditional communities (Jozini IDP, 2022/23-2026/27).

In context of land, the institution of traditional leadership in Jozini local municipality play an acknowledgeable role, as they are the custodians of land that is under the Ingonyama Trust Board (Luthuli, 2015). As mentioned earlier, the Ingonyama Trist (Act no; 3KZ of 1994) as amended, provides that the institution of traditional leadership is the custodian that control and ensure that the land under Ingonyama Trust Board benefit traditional communities economically and socially (Luthuli, 2015). Traditional authorities in Jozini local municipality play a crucial role in community development irrespective of the type of development initiatives. UMkhanyakude District Municipality, National and Provincial government, NGOs or Jozini municipal council, consult traditional leaders on upcoming development initiatives, inform and update them on progress on projects underway or challenges encountered on the ground programmes (ESKOM, 2016; KZN Department of Health, 2019). This demonstrate the nature of how influential traditional leadership is in Jozini local municipality.

The minutes between Myeni-Ntsinde Traditional Council and Eskom in 2016, clearly indicate how important traditional authority is in Jozini. In these minutes, ESKOM meets the traditional council to report on an environmental assessment with regards to expansion of electrification projects, outline the programme and ask for permission to undertake the environmental assessment within the area of an Inkosi (ESKOM, 2016).

This alludes to the fact that the institution of traditional leadership in Jozini is hands on in development programmes of their respective areas.

Traditional leadership within Jozini municipality plays a crucial role in their respective communities. Government departments rely on traditional leadership in making sure that development initiatives are well communicated, sustainable and benefit the relevant target groups. For example, the Department of Health (DoH) in the province of KwaZulu-Natal constantly hold briefing meetings with traditional leadership to appraise them about planned development initiatives, reporting on existing developments and challenges they come across when executing their duties in the areas under traditional authorities (KZN Department of Health, 2019).

The study found that traditional leaders in Jozini local municipality are taken by the UMkhanyakude District Municipality as a bridge to traditional communities because UMkhanyakude District municipality delivers services to thirteen traditional leaders in four municipalities, out of the four municipalities, Jozini and Hlabisa municipalities account for 62% of traditional communities (COGTA, 2020). This, in many ways provide the view that for the district municipalities to reach communities; their gateway is the institution of traditional leadership as it is closest to communities and communities trust them as local leaders.

In Jozini municipality, the traditional authority plays a role in SMME sustainability because local traditional chiefs and indunas process land allocation for local SMEs without waiting for any other stringent or delaying processes (Farisani, 2020). The traditional leaders in Jozini participate in municipal council processes and do not have the power to vote, however their participation is valued and recognized by the council. According to Jozini (2020/2021: 4), the relations between traditional leaders and elected councilors is smooth and municipal structures work successfully with traditional leaders. This is evidenced by the Mayoral speech during the annual report of 2021, where he appreciated the traditional leadership councils and leaders (Amakhosi Asendlunkulu” Akhele Umkhandlu wase Jozini) for collaborating with elected councilors successfully to ensure development of communities within their areas of jurisdiction.

The cordial relations in governance is further evidenced by Jozini (2020/2021:5) in a

speech by the municipal mayor, who praised and gave gratitude to the traditional leaders for their role in municipal governance, which according to the mayor results in good governance. This is indicative of a meaningful role the institution of traditional leadership plays in Jozini. In short, traditional leadership in Jozini local municipality has an important role in service delivery, and unlike other municipalities, there is a good relationship between the municipality and traditional leadership. One would argue that the Jozini situation is different compared to other municipal areas in terms of participation and working relationships. According to Jozini IDP (2020/2021:5), the role of traditional leaders in Jozini is attributed to the “Synergistic Partnership” Programme which they have implemented successfully. Jozini IDP (2020/2021) reiterate that through the “Synergistic Partnership”, there has been good participation by traditional leaders in council which translate to good governance and increased service delivery in communities.

5.2.5. THE CHALLENGES OF TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY

As mentioned earlier in the study, the challenges of traditional leadership in Jozini local municipality are similar to those encountered by other traditional leaders across South Africa. The challenges stem from the legislative framework that is described as a failure in addressing the role of traditional leadership in local governance (Koenane, 2017; Mathonsi and Sithole, 2017; Enwereji and Uwizeyimana, 2020; Simelane and Sihongonyane, 2021; Mawere *et al.*, 2022).

The reviewed literature clearly highlights that despite the current positive role Jozini local municipality’s traditional leadership play, there are challenges. The first challenge is the legislation that does not explicitly pronounce the demarcation of the roles and functions of traditional leadership in context of local governance. The working relations between traditional authorities and the municipality might seem cordial, however, legislation does not serving its purpose in terms of legislating on the role of traditional leadership. What is currently happening in the co-existence between the two structures in Jozini local municipality is what Tshishonga and Dipholo (2023) call “the marriage of inconvenience” where an arrangement is made to work positively for the sake of community advancement, and not because the conditions are conducive to do so. Literature identified additional challenges which included the lack of resources to ensure effective

function of the institution of traditional leadership. Traditional leadership in Jozini lack resources that can capacitate the institution, provide sustainable development in areas under traditional leadership, support business development in traditional areas (Farisani, 2020).

When analysing data the common challenge of traditional leadership in Jozini revolve around leadership disputes that lead to instability as it stifles development in traditional communities. As mentioned earlier in the study, the causes are many, some of which include political meddling in the affairs of traditional authorities or simple ambitions for power by people, some of them not even entitled to the positions. In this context, an example of the Mngomezulu chieftaincy, has had a dispute that has lasted for many years in courts; Mathenjwa chieftaincy; and the Nyawo chieftaincy. To make an illustration, the KwaZulu-Natal High Court in Pietermaritzburg presided over a matter between Mngomezulu and others vs. Premier of the Province of KwaZulu-Natal and Other in 2011 in case no: 6404/11(KwaZulu-Natal High Court, Pietermaritzburg, 2011).These disputes make it difficult for development to take place in rural areas and also cause uncertainty among traditional communities who place their hopes on the institution of traditional leadership.

The case between Mngomezulu and Other vs. the Premier of the Province of KwaZulu-Natal is arguably indicative of political meddling on matters of who actually takes over as traditional leader of a particular chieftaincy. Therefore, political meddling is actually challenge for traditional leadership.

5.3. RESEARCH FINDINGS

The findings of this study were categorized into segments that includes conceptual findings; African traditional leadership roles in pre-colonial era; traditional leadership role in colonial and apartheid era; traditional leadership role in independence and democratic era, as well as the role of traditional leadership in Jozini local municipality. The relevance and challenges as well as debates between traditionalists feature in the findings. The last part of the findings focus on whether or not the institution of traditional leadership is relevant, and can still play a role in the democratic governance.

5.3.1. THEORETICAL CONCEPTUALIZATION

Concepts in any research are viewed and used as a building block for theory (Ngulube, 2015). The findings of this research show that concepts were positioned as a guide to theory of this research and as they included all the component framework of this research. The theoretical conceptualization of concepts covered a scope of governance as well as traditional leadership and its use. The literature discussed the concept of governance and traditional leadership in its broader context. It also provided a theoretical and empirical understanding of the different contexts in which governance and traditional leadership can apply.

Conceptualization in this research provided clarity on what actually leadership and governance is. The theoretical conceptualization of governance and leadership demonstrated that these two concepts can be applied in different contexts. The relationship of the concepts with the topic and questions was utilised in an attempt to address the aim and objective of this research. The study demonstrated that synthesis and meaning in addressing the aim and objective of this research can be created through conceptualization.

5.3.2. WHAT HAS BEEN THE ROLE AND RELEVANCE OF TRADITIONAL LEADERSHIP BEFORE COLONIALISM?

The objectives of this research included the investigation of the role, relevance and challenges of traditional leadership before colonialism. In interrogating the role and relevance of traditional leadership in pre-colonial era, this study made specific findings. First and foremost, the study found that traditional leadership was the only governance institution known and recognized by communities (Koenane, 2017; Mathenjwa, 2017; Mawere *et al.*, 2022). During the pre-colonial era, traditional leadership had unlimited and unchallenged power and authority and communities depend on the institution of traditional leadership for their livelihood (Boateng and Afranie, 2020). This study further revealed that the institution of traditional leadership exercised all the legislative, executive, and judicial powers in an African democratic way (Koenane, 2017).

The study found that traditional leaders played a crucial role as the recognized governance structure in the pre-colonial era. The literature summarizes the role of traditional leadership in the pre-colonial era as follows.

- Enacting of laws of justice.
- Settling of disputes between community members.
- Allocation of land to community members.
- Leading of warfare.
- Collection of tributes or taxes.
- Environmental preservation.
- Preservation and promotion of culture and heritage.
- General management of the affairs of the communities under their area of jurisdiction

It must be noted that the study found that the institution of traditional leadership was highly respected and of value to communities because it preserve culture and tradition which is key to traditional governance (Koenane, 2017; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022). The study also found that traditional leaders were almost everything in the lives of their subjects. Traditional leadership made laws, implemented those laws, protected their communities and managed resources on behalf of their communities (Mathonsi and Sithole, 2017; Koenane, 2017). This study found that the institution's authority and power was significantly challenged during colonial and apartheid era.

The findings of this study revealed that traditional leadership in pre-colonial era did not exist without controversies. It is in the context of this study that a view exist that traditional leaders abused their power as authoritarian and undemocratic leaders who were basically corrupt in their style of governance (Ntsebenza, 2020).

5.3.3. WHAT HAS BEEN THE ROLE AND RELEVANCE OF TRADITIONAL LEADERSHIP DURING COLONIAL AND APARTHEID ERA?

When addressing the role and relevance of traditional leadership during colonial era and apartheid, this study has found that this was the time when the institution of traditional leadership faced many challenges that tested the strength of the institution. It has been

observed that the literature looked at colonial and apartheid position of traditional leadership with regards to their role. The literature is clear on the advent of imperialism, colonialism and for South Africa, apartheid which marked the turning point on the position of traditional leadership (Simelane and Sihlongonyane, 2021; Mafioso, 2019; Methods and Sithole, 2017; Mathenjwa, 2017).

The findings of this research revealed that the power of traditional leaders was considerable reduced and diluted to a point that they became powerless and forced to rely on colonial masters on how to rule and govern their own people(Mzelemu, 2019; De Visser et al, 2021; Sihlongonyane and Sithole, 2021; Mawere *et al.*, 2022). It is in context of the findings of this study that the systems of direct and indirect rule used by colonialists became instrumental in breaking down the traditional governance system and manipulating it for the benefit of colonial regimes (Boateng and Afranie, 2020; Simelane and Sihlongonyane, 2021)

Literature points at some legislations like the Bantu Administrative Act of 1927 and the Black Authorities Act 68 of 1951, which aimed at controlling and managing the affairs of the aborigines in colonies, as alleged by Mathenjwa(2017) and Mawere *et al.*(2022). The findings of this study revealed that it is the view of most scholars that such legislation significantly dislodged traditional leaders as they could no longer command the power and authority they had before colonization.

It is indeed the perception of some of the literature that traditional leaders were through colonialism positioned as servants and surrogates of colonialism and apartheid, which in the long run made their relationship with post-colonial governments bitter and unhealthy. This view prompts one to suspect that, it is for this reason that organizations like the ANC of South Africa became so uncommitted on matters of the recognition of the roles and functions of traditional leadership. One must also relate the same with most African democracies who are evidently hesitant to grant full recognition of the role of traditional leadership in governance, particularly in local municipalities that are located in rural areas.

5.3.4. WHAT IS THE ROLE AND RELEVANCE OF TRADITIONAL LEADERSHIP IN INDEPENDENT AND DEMOCRATIC ERA IN SOUTH AFRICA

The study found that the role of traditional leadership is recognized differently by different

African countries (De Visser *et al.*, 2021). This study found that in South Africa traditional leadership is recognized by the constitution and legislation (Mathonsi and Sithole, 2017; Mathenjwa, 2017; Koenane, 2017; Tlou, 2020; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022). The legislative framework pertaining to traditional leadership in South Africa compel both traditional leadership and elected representatives to coexist (Mabunda, 2020). The recognition of the roles and functions of traditional leadership revolves around legislation. A plethora of legislations that sought to give clarity on the role of traditional leadership were passed. These included the Local Government White Paper of 1998, National House of Traditional Leaders Act of 2009 and Provincial legislations. Traditional leadership and Governance Framework Act of 2003 as Amended and many other subsequent Acts and Bills attempt to articulate the role of traditional leadership in the democratic dispensation (Mathonsi and Sithole, 2017; Noyila, 2013; Mawere *et al.*, 2022; Enwereji and Uwizeyimana, 2020).

The findings of this study established that many legislations were passed in order to define the roles and functions of the institution of traditional leadership. Tlou (2020) argues that traditional leaders in a democratic state perform important roles in dealing with the epidemic diseases, mobilize communities for service delivery, prioritization, preside over traditional courts advise government and law makers on matters pertaining to customs and tradition, however traditional leaders do not have any role in decision-making. Noyila (2013) affirms that traditional leadership according to the Local Government White Paper of 1998 play the role of heads of additional authorities, preside over customary law courts, maintain law and order, consult traditional communities through izimbizo/lekgotla, and assisting members of their respective communities in their dealings with government.

In context of the research findings, Koenane, 2017; Mabunda, 2020; Enwereji and Uwizeyimana (2020) agree that traditional leaders are accorded responsibilities that include the following:

- Promotion of arts and culture.
- Allocation of land
- Promotion of environmental activities.
- Promotion of tourism.

- Facilitating health services.
- Facilitation of housing services.
- Promotion of justice among citizens.
- Dissemination of information from government to communities
- Registration of births and death certificates.
- Issuing of marriage certificates.
- Facilitate poverty alleviation projects in their areas.

Basically, traditional leadership play an important role, relevant in ensuring that government have access to communities, know exactly what communities need. The findings clearly demonstrate that despite all the unhappiness of traditional leadership, the institution continues to be a relevant leadership force within rural communities. The study findings revealed that some view the recognition of the institution by the constitution as vague and ambiguous, and does not do much in harmonizing relations between elected municipal leaders and traditional leaders because both parties claim control over the same authority, particularly in rural municipalities (Mathenjwa, 2017; Koenane, 2017; Mathonsi and Sithole, 2017; Mawere *et al.*, 2022).

Some of the literature advocate for the revisiting of the role of traditional leadership (Mathenjwa, 2017). Some authors of the reviewed literature may be categorized as traditionalists due to their views on the subject under study. Some believe the current recognition is more than enough, basing their view on the fact that the institution of traditional leadership is not compatible within the democratic dispensation due to its undemocratic nature (Ntsebenza, 2020). This makes one identify this perspective to fall under the influence of the modernist view.

Nkomo and Kambule (2023) point out that the institution of traditional leadership in South Africa has played a crucial role in the past, however, the institution has lost integrity among South Africans. In their view, traditional leaders according to the latest surveys are simple not known, let alone their role in local governance despite all the legislations recognizing it. This view, one may argue might be in line with the reasoning that say the role of the institution must be clearly defined in the legislation in order for traditional leadership to openly function because right now it is not clear how they function.

5.3.5. WHAT IS THE ROLE OF TRADITIONAL LEADERSHIP IN SOUTH AFRICA'S LOCAL GOVERNMENT?

The research findings indicated that the role of traditional leadership at local government is guided by the Municipal Structures Act (1998). As alluded earlier, the role of traditional leadership is not clearly defined neither by the constitution and the Municipal Structures Act (1998). The study found that traditional leaders in the first place as per legislation are not members of municipal councils, as such they do not have any decision-making power. Mathonsi and Sithole (2017) affirm that the Municipal Structures Act 117 of 1998 confers all the decision-making powers to elected councilors despite the fact that the terrain of municipalities is where traditional leadership has been governing for decades. This according to data analyzed has caused tensions between traditional leadership and elected councilors.

Legislation is very clear that traditional leaders are represented as ex-officio members in municipal councils, thus, they do not have voting powers. This is the bone of contention in politics and governance circles. Mathenjwa (2017) refers to the current representation of traditional leaders at local government level as making them mere spectators on matters affecting their own jurisdiction. It is however, acknowledged in the findings that despite all the discontent traditional leadership is still playing a vital role at local government level as they are the ones that support government and local government in development programmes. De Visser *et al.* (2021) refers to traditional leadership as the government in the absence of government, as they play crucial role in facilitating programmes government fail to do in rural communities, such as disaster management and other issues pertinent to daily livelihood of rural communities.

In presenting a clear picture, most of the literature argue strongly that there is much discontent by traditional leaders with the reality that their role is ignored by government in South Africa, and that in municipalities they are made to rubber stamp decisions that are not taken by them, but by councilors (Mathenjwa, 2017). This then brings in the issue of service delivery to question because rural municipalities mostly fall under traditional authorities. And Ingonyama Trust when it comes to KwaZulu-Natal Province

Most of the literature argue that traditional leaders have a role to play in local governance, particularly in rural areas (Koenane, 2017; Mawere *et al.*, 2022). The argument

advocates for their role to be fully recognized as they serve as a link between municipalities, provincial and national governments in terms of service delivery and development. Those writers who are perceived by some to be traditionalists (Koenane, 2017), further argue that traditional leadership is much better compared to the failing South African democracies. These authors base their argument on the deteriorating leadership values and the ongoing corrupt leadership in the country. Hence, they suggest that the recognition of the role of traditional leadership should be based on contemporary governance realities.

5.3.6. WHAT ARE CHALLENGES OF TRADITIONAL LEADERSHIP IN DEMOCRATIC LOCAL GOVERNANCE?

5.3.6.1. Legislative Framework is Ambiguous

This study has laid bare the fact that despite the constitutional and legislative recognition of the role of traditional leadership in South Africa, traditional leadership is still characterized by structural and non-structural challenges. The study has established that at the centre of the challenges of traditional leadership in democratic local governance is the legislation that does not clearly define the roles and functions of the institution of traditional leadership (Koenane, 2017; Mathenjwa, 2021; Mawere *et al.*, 2022).

The fact that the role of the institution of traditional leadership is not clearly defined in the constitution and in legislation result in undesirable relationship between traditional leadership and elected councillors (Mawere *et al.*, 2022). In this instance, government failures are attributed to legislation that does not distinguish the roles of elected councillors and indigenous leaders in local government. In most cases, traditional leadership sometimes play a substitutive role in providing services and development in their communities when government has failed or is not responsive.

The matter of clarity on the role traditional leaders should play in local government is clearly stacked in the legislation that is ambiguous. Based on the literature used in this study, there cannot be any remedy that can make local government work as desired unless legislation is reviewed and transformed. The problem of legislation has been

raised from CODESA, parliamentary debates, civil society circles, IFP, CONTRALESA as well as the Coalition of traditional leaders. This shows that there is a problem with legislative frameworks dealing with the recognition of the role of the institution of traditional leadership.

5.3.6.2. Conflict and Lack of Cooperation between Traditional Leadership and Democratic Councillors

Conflict and lack of cooperation between traditional leadership structures and modern councillors is evident and common in local government (Mawere *et al.*, 2022; Tshishonga and Dipholo, 2023). The lack of good relationship between traditional leadership and municipal government structures threaten development (Mabunda, 2020). This raises an argument that in order to cultivate misunderstanding between traditional leadership and elected councillors; there must be clear demarcation between the role of traditional leadership and those of councillors in the legislation. Mzelemu (2019) notes that the lack of demarcation of roles and functions at local level has relegated traditional leaders into mere assistants who assist in the facilitation of community participation.

Amongst the challenges of the institution of traditional leadership is that it is not recognised as a permanent part of government, but rather as a temporary institute that plays a substitutive stakeholder role in democratic governance (Simelane and Sihlongonyane, 2021: 6). Hence, Enwereji and Uwizeyimana (2020) point out that traditional leaders lack information that is required in the promotion of development in their areas.

It is therefore, clear that municipal functions, powers, and roles must be revisited and be restructured to address the sources of conflict in municipalities. Literature is clear that the wall-to-wall municipal demarcation created confusion. Municipal councillors and traditional leaders currently do not know exactly their roles. Mathenjwa (2017) argued in the previous chapters that there is inconsistency in municipalities operations regarding the participation of traditional leadership in KwaZulu-Natal. Evidence from the literature revealed that municipal restructuring can change fortunes in municipal governance and bring about stable governments.

Evidence from literature showed that the South Africa local government wall-to-wall was adopted prematurely. This view emanates from the fact that governance operations in many rural municipalities are dysfunctional due to incompetent cadres, poor communication and relationship between indigenous governance structures and new local government structures under COGTA's watch. If the new local governance model was pre-planned and envisioned by the ruling ANC, the mess that people experience at local government would not exist.

5.3.6.3. Eurocentric Approach to Indigenous Governance

The approaches used by democratic governments in making decisions about traditional leadership seem Western in nature (Mawere *et al.*, 2022). The Eurocentric approach is therefore, a colonized approach and cannot bring about correct and sustainable solutions about how traditional leadership can participate in modern governance. A compromise or amicable solution in this approach cannot be attained. Despite the constitution and other pieces of legislations, the challenge of incompatibility of traditional leadership is still there and highly evident at local government level (Mathonsi and Sithole, 2017; Tshishonga and Dipholo, 2023).

The fact that compromise has not yet been reached between traditionalists and modernists, the issue of coexistence between traditional leadership governance system and modern governance system remains a challenge. Authors like Enwereji and Uwizeyimana (2020) note that the environment in local government, whether legislation or cooperation between the institution of traditional leadership and elected councillors does not enable traditional leaders to effectively execute their duties. However, this study shows that scholars like De Visser *et al.* (2021) believe that despite the articulated challenges, traditional leadership cannot be simply wished away. Traditional leadership has shown resilience and continues to play a role in modern African societies. It is also common view among other authors who recognize the challenges around the institution of traditional leadership in democratic governance.

The fact that traditional leadership is resilient and has a place and role to play in future governance of South Africa means that there is a need for a paradigm shift in the way the role of traditional leadership is approached (Koenane, 2017 and Mathonsi and

Sithole, 2017). The approach to be used must be Afrocentric and free from colonial tendencies. Other scholars such as Koenane (2017) argue that Africa's independence was mainly championed by the ruling elite that was educated in Western political ideology, hence, their interpretation of the concept of democracy has always been Eurocentric in nature. This, according to Koenane has created a situation where the ruling elite in Africa including South Africa would make judgements about African indigenous governance based on the Western political and governance ideology than on African governance realities. This denotes that there is a problem in the handling of traditional leadership matters including its role in modern governance because the method does not work.

5.3.6.4. Lack of Formal Education and Project Skills

The reality of the matter is that as time goes, there should be growth and change in the methods of governance. This, means that for traditional leadership to cope and be compatible within the new governance models, they must be provided with formal education and skills needed in the modern world. As alluded earlier by Mzelemu (2019), traditional leadership is constantly undermined in the municipal environment because they are perceived as uneducated and therefore, backward is indicative of an educational challenge that needs to be addressed when it comes to the role of traditional leadership in governance.

In traditional communities traditional leaders need modern project skills to ensure that effective development is provided in their communities which they currently lack. Enwereji and Uwizeyimana (2020) argue that the lack of education and skills blocks traditional leaders from accessing information regarding development in their respective areas. In order to enable traditional leaders to effectively work compatibly within the modern structure of governance, they must be provided with necessary formal education and skills.

5.3.6.5. Disputes Regarding Kingship or Chieftaincy

Nkomo and Kambule (2023) reaffirm that disputes over who ascends to the throne among ruling families is a factor that affect traditional leadership in South Africa. It is

common knowledge that there have been disputes in almost all traditional communities and that has caused confusion, instability as well as lack of trust in traditional leadership as an institution. The huge and most recent dispute is that of the Zulu throne which has been in and out of courts. The future and dignity of traditional leadership can only be resolved if traditional leadership disputes are urgently addressed without any political meddling.

5.3.7. WHAT IS THE ROLE AND RELEVANCE OF TRADITIONAL LEADERSHIP IN KWAZULU-NATAL PROVINCE

This study found that KwaZulu-Natal traditional leadership play various roles as dictated to by the KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005 and the Ingonyama Trust Act 3KZ of 1994 as amended. In context of these important legislative frameworks amakhosi play a role in bridging the gap between government and traditional communities as they serve as a link between government and traditional communities (COGTA, 2020). The literature reviewed established that traditional leaders in the province of KwaZulu-Natal participate in programmes such as OSS and many other government led initiatives, despite there being no clarity on how they should participate in local government.

The study found that the position of traditional leadership in KZN province seem unique compared to other provinces because of the Ingonyama Trust Act 3KZ of 1994, which gives traditional leaders in the province full control of vast pieces of land. In this regard, the study found that traditional leaders own and distribute land for the government, municipality, and private sector development initiatives. The fact that traditional leadership in the province own and control land allows them to bolster some power and authority compared to other provinces with traditional leaders (Luthuli, 2015; Msomi, 2016). The study also found that the king in KZN has exclusive powers to open the provincial legislature. These roles make traditional leadership important and relevant in the democratic dispensation.

5.3.8. WHAT ARE THE CHALLENGES OF TRADITIONAL LEADERSHIP IN

KWAZULU-NATAL PROVINCE

5.3.8.1. Legislative challenges

The South African national legislation impacts the whole country because it is followed by provincial legislations in its articulations (Koenane, 2017 and Mabunda, 2020). Like all other provinces this study found that legislation ambiguity is a challenge. The role of traditional leaders in local governance in the province create confusion that cause the lack of cooperation between traditional leadership and municipal structures (Mzelemu, 2019). The unclear legislation in the province that has strong traditional leadership such as KwaZulu-Natal fuel conflict and instability when development is planned. It must be acknowledged that traditional leaders in the province control land in many parts of the province and they have power to allocate or not allocate land if their terms are not met. Due to ineffective legislation there is unnecessary competition in governance between traditional leadership and municipal structures.

5.3.8.2. Lack of Resources

This study found that traditional institutions lacked financial and human resources to operate in an effective manner. Traditional leaders in the province control land, run traditional courts and manage affairs of their communities without any support from government (Mdluli, 2022). During the condolences of the late Prince Mangosuthu Buthelezi (prime minister of the Zulu nation), there was an outcry that the person to fill the vacancy for the position of the prime minister will have a problem because the late Buthelezi had no support from the government (Channel Africa, 2023). The Prince ran the nation's office from his own pockets, something alluded as unique, looking at his performance as the Zulu traditional Prime Minister (Channel Africa, 2023) a call was made for the resourcing and financing of the office of the Zulu traditional prime minister because it performs important functions in the governance of the Zulu nation.

5.3.8.3. Leadership Disputes

The study found that the province of KZN is marred with disputes which are crippling the functioning of the institution of traditional leadership in the province. Earlier in the study Nkomo and Kambule (2023) highlighted the impact of traditional leadership disputes

particularly between king Misuzulu and his brothers for the Zulu throne as an example. Another example was made of Mngomezulu and Others vs. The premier of KZN in 2011. This study revealed that these disputes caused instability in traditional governance and create the impression that the institution will not survive into the future.

5.3.8.4. Lack of Cooperation between Traditional Leadership and Municipal Structures

The study established that the ineffective legislation and unclear roles regarding traditional authorities in modern local governance has resulted in conflict and lack of cooperation between traditional authorities and municipal structures (Mzelemu, 2010; Mawere *et al.*, 2022; Ramolobe, 2023). The study established that lack of cooperation stifles development as alluded earlier, traditional leaders through the Ingonyama Trust Board control land which makes development an issue if there are unhealthy relations between traditional leadership institutions and modern governance structures. There has to be a move towards addressing this challenge by restructuring local government roles, functions and policies that cause chaos in governance.

5.3.8.5. Lack of Educational Skills

Throughout this study, there has been a common view about the shortage of educational skills by traditional leadership. To some, the lack of skills hinder development in rural communities. Scholars like Farisani (2022) reiterated that in order for traditional leaders to do their work in a more coordinated way in supporting SMMEs in rural areas they need resources and skills. It was also found that traditional leaders are undermined in municipalities because they are viewed as illiterate and therefore, cannot comprehend modern governance etiquette. To address the lack of education and skills in traditional authorities COGTA should provide education and training for traditional institutions so that they can be compatible within modern governance rather than calling them a primitive institution.

5.3.9. WHAT IS THE ROLE AND RELEVANCE OF TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY?

One crucial objective of this study is to investigate the role, relevance and challenges of traditional leadership in Jozini local municipality. With regards to the role of traditional

leadership in Jozini local municipality, the study found that the institution of traditional leadership is like all traditional leadership t recognized and guided by the constitution and other pieces of legislations. However, the study established that the role and recognition of traditional leaders in Jozini is complex. This is due to the fact that a bigger portion of land of the municipality falls under the Ingonyama Trust, hence, it has no choice but recognize the role of traditional leaders as custodians of land.

It was also established that Jozini local municipality recognized and respected traditional leadership. The Jozini municipality support the incorporation of traditional leaders and recognize its role in governance, a move that has led to cordial relations between the two institutions.

Table 5.2 and figure 5.3 below shows the balance of power in Jozini and also highlights the distribution of land for housing development according to urban, farm and traditional areas.

Table: 5.2. Illustrates the composition of council and Exco for Jozini LM.

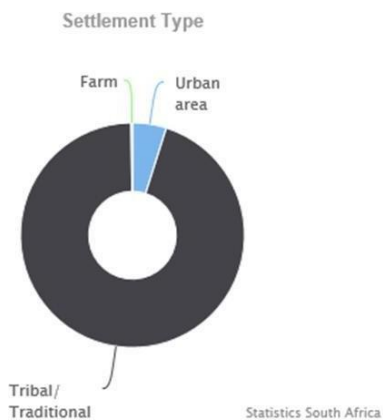
COUNCIL

Political Party	Number of seats
IFP	24
ANC	16
EFF	2
ACU	1
INDEPENDENT CANDIDATE	2
TOTAL	45

EXCO

Political Party	Number of seats
IFP	5
ANC	3
EFF	1
TOTAL	9

Figure: 5.3. Show the how land for housing development is distributed in Jozini LM.



Area	Percentage
Urban	4,9%
Tribal/Traditional	94,9%
Farm	0,2%

Source: Jozini Integrated Development Plan (2022/23-2026/27).

According to the study findings, traditional leadership institutions in Jozini perform roles such as allocation of land, promotion of a safe and healthy environment, dispute resolution and partner with the municipal council, district, national government, provincial government and non-governmental organization in the promotion of development and service delivery (Farisani, 2020; Jozini IDP, 2020/2021; Eskom, 2016; DoH, 2019). Jozini Integrated Development Plan (2022/23-2024/27) maintains that within the municipality traditional leadership is an integral part of the Integrated Development Planning (IDP) Forum which allows them to practically contribute in the processes of municipal development planning.

The research findings emphasizes that through what is referred to as “Synergistic Partnership”, traditional leadership together with municipal councilors play a meaningful role in planning and managing community development which increase community development (Jozin IDP, 2020/2021). It is evident that the role and functions of traditional leaders in Jozini is unique compared to other municipalities because the municipality is

under Ingonyama Trust land which is in no doubt under traditional authorities. As a result, the political party in government in Jozini local municipality embraces the role of traditional authorities (Myeni, 2005) .This in turn has made relations between councilors and traditional leaders to be smooth compared to municipalities where traditional leaders are seen as a threat to governance and transformational agendas by elected councilors.

The study also found that the issue of Ingonyama Trust Board demonstrated the relevance of the institution of traditional leadership in governance in Jozini. The study found that Jozini local municipality is located under the Ingonyama Trust Board, a land under traditional leaders and not the local municipality or the state, which makes traditional leadership custodians of the land needed for development purposes (Jozini IDP, 2020; Nyawo, 2017 and Farisani, 2022). The fact that amakhosi fully control land under the Ingonyama Trust makes them important and relevant players in governance in Jozini. Almost all development initiatives in Jozini, whether driven by national, provincial government or the private sector need land which is under the custody of traditional leadership, hence, they push development projects.

5.3.10. RELEVANCE OF TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY

The study findings demonstrate that traditional leadership in Jozini is relevant due to its role in promoting and supporting municipal, national and provincial, as well as private sector development in their areas (ESKOM, 2016; COGTA, 2020; DoH, 2018; Farisani, 2020). The findings demonstrate that as custodians of land under the Ingonyama Trust Board, traditional leadership in Jozini is important as it allocates land for development (Farisani, 2020). The relevance of the institution of traditional leadership in Jozini is even alluded to by Jozini Integrated Development Plan (2020/2021) when it points out that the participation of traditional leaders in governance in Jozini has led to good governance and improved service delivery to communities.

5.3.11. CHALLENGES OF TRADITIONAL LEADERSHIP IN JOZINI LOCAL MUNICIPALITY

5.3.11.1. Legislative Challenges

This study demonstrated that traditional leadership in Jozini local municipality has what

one may refer to as structural and unstructured challenges. Structurally, the institution's role at local government has not been clearly defined since the advent of democracy (Mawere *et al.*, 2022). The main challenge as alluded earlier is that structural inconsistencies are caused by the legislative framework that is viewed as ineffective. The pieces of legislations cannot distinguish the role of traditional leadership and how it can work with modern local government structures, despite government soft talk about traditional leaders (Noyila, 2013). Without clear legislation there will always be confusion about who does what, when, and how.

5.3.11.2. Lack of Operational Resources

The reviewed literature established that the institution of traditional leadership lacks financial and strategic support as a result of its place and ambiguous role both in the constitution and legislation. Mdluli (2022) argues that the institution of traditional leadership lacks resources and educational skills that can help capacitate the institution to deliver better services to their communities. Despite all the challenges Farisani (2020) maintains that the authority and power of traditional authorities is crucial in supporting development in Jozini, particularly SMME development. Jozini municipality leadership hails the contribution made by the institution of traditional leadership in governance (Jozini IDP, 2020/2021). Without proper and formal education and rolling workshops on skills development the institution of traditional authority will always be viewed as incompatible within modern governance.

5.3.11.3. Disputes over Who Occupies the Throne

Jozini municipality has a traditional leadership institution that is weakened by disputes over thrones. The findings of the study revealed that traditional leadership disputes affect service delivery and destabilizes traditional communities. Uncertainty prevails which drastically reduces community trust on traditional leadership (Myeni, 2005). The disputes have been found to be a negative factor on traditional leadership because most of the disputes on traditional leadership in Jozini local municipality took years before they were resolved. This left a leadership vacuum in traditional communities who trust traditional leadership as a local governance structure (De Visser *et al.*, 2021). The concern about

traditional leadership disputes is that in cases sometimes the provincial government is the main respondent accused of political meddling with those traditional leaders who support it. The case between Mngomezulu and Others vs. the Premier of the KZN province shows evidence of alleged political meddling on traditional leadership disputes.

5.3.11.4. Lack of Cooperation between Traditional leadership and Municipalities

The study found that the relationship between amakhosi and elected councilors was cordial and workable. However, this can be argued to be temporary because the legislation and policy has not yet addressed the concerns of traditional leadership with regard to their powers and functions (Mathenjwa, 2017). For example, as mentioned earlier, the Municipal Structures Act 117 of 1998 as amended confer decision-making powers only to elected councilors and limit traditional leadership participation to ex-officio membership. The findings of this study found that legislation pose a challenge to existing relations that exist between traditional leadership and elected councilors because there is no legal instrument that protect both parties as partners in local governance. What is currently happening is clearly an internal arrangement based on their Synergistic Partnership. Cooperation that is in line with the cooperative governance theory will only be achieved through workshops involving traditional leadership and elected councilors that will clarify on matters of working relationships and cooperation, unfortunately after the legislative challenge has been addressed.

5.4. CONCLUSION

This chapter presented the analysis and findings of the study. Literature was used to determine if the study achieved the aim and objective of the study as well as answering the research questions. The literature reviewed was analyzed and assessed to explore the role, relevance, and challenges of traditional leadership in governance in South Arica, particularly Jozini local municipality in a balanced and reliable manner. The limitations found during the analysis were clearly articulated in this chapter. The chapter presented the research findings which reveal that indeed the institution of traditional leadership existed pre-colonial, colonial and apartheid, independence and democratic eras. It has been established that as traditional leadership evolved from pre-colonial era to democratic era the institution played a role as the governance structure, had some level of relevance, and challenges. The findings also revealed that there has been differing views about compatibility and incompatibility of the institution of traditional leadership in the democratic dispensation. The prominent view is that the institution of

traditional leadership has played a role and can still play a role in rural governance and that the modern system of governance and traditional governance should coexist to ensure development and sustainability.

CHAPTER 6: CONCLUSIONS AND RECOMMENDATIONS

6.1. INTRODUCTION

The aim and objective of this study was to explore the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa including Jozini local municipality. This study employed a qualitative, exploratory and interpretivism approach. Qualitative secondary data was collected, presented, and analyzed. The study also used data in the form of documents and internet downloads on the role, relevance, and challenges of traditional leadership in governance in South Africa, especially Jozini local municipality. This chapter summarizes the discussions and draw conclusions based on the exploration of the role, relevance, and challenges of traditional leadership in governance in South Africa including Jozini local municipality. This chapter summaries the study in a manner that reflects the order in which the chapters and themes were organized. This chapter also summarizes the findings and analysis of the study. It first and foremost it summaries each chapter. It the presents the recommendations on how the challenges of traditional leadership in democratic local governance in South Africa including Jozini discussed in the findings can be addressed. The recommendations revolve around legislative and policy improvements, provision of education, provision of resources, and dealing with the institution of traditional leadership in an Afrocentric manner. The recommendations include further research that can be undertaken by other researchers. The last section of this chapter focuses on the general conclusion of the study which summarizes the whole study, its findings.

6.2. CHAPTER-BY-CHAPTER SUMMARIES OF THE STUDY

- **Chapter 1**

Chapter one introduced the study on the role, relevance and challenges of traditional leadership in democratic local governance in South Africa including Jozini local municipality. Chapter one presented the background and motivation of the study. It also presented the overview of the role, relevance, and challenges of traditional leadership in South Africa including Jozini local municipality. In addressing the background of the

research, this chapter gave the historical discourses of traditional leadership prior colonialism, during colonialism and apartheid as well as in independence and democratic dispensation

The chapter also presented the aim and objective as well as the questions of the study. This chapter outlined the structure of the whole dissertation. The chapter also addressed the value and relevance of the study and its significance for both governance as a study and governance in its application in South Africa and Jozini local municipality in particular. The challenges of traditional leadership were interrogated with an aim of finding solutions that can resolve the issue of the role of the institution of traditional leadership in democratic governance, local governance in particular. It is in this context that traditional leadership is understood to have undergone transformation through pre-colonial, colonial and apartheid and democratic dispensation.

This chapter revealed that the institution of traditional leadership in pre-colonial era was trusted and respected by communities as it performed crucial roles in the advancement of community interests (Boateng and Afranie, 2020; Mabunda, 2020; Simelane and Sihlongonyane, 2021; Mawere *et al.*, 2022). The chapter gave an overview of the role traditional leadership played as custodians of land, communal resources, creators and executors of law, custodians of peace and security (Koenane, 2017; Mathenjwa 2017; Simelane and Sihlongonyane,2020; Enwereji and Uwizeyimana, 2020). Apart from the positive roles traditional leadership played before colonialism, this chapter highlighted that traditional leadership power was unchallenged to an extent that some kings and chiefs abused their power making traditional leadership unpopular (Ragolane and Malatji, 2021).

The chapter also gave a brief overview of traditional leadership during colonial and apartheid era. The revelations of the chapter showed that the power traditional leaders had before the advent of colonial and apartheid was significantly reduced, diluted and manipulated by colonial powers to their advantage (Mathonsi and Sithole, 2017; Noyila, 2013; Van Heun, 2019; Simelane and Sihlongonyane, 2021 Mawere *et al.*, 2022). The situation of traditional leadership during colonialism and apartheid actually deteriorated because kings and chiefs were forced to implement new laws introduced by colonial and apartheid regimes and those traditional leaders who resisted such laws were dethroned

and replaced by those prepared to implement foreign laws (Mathonsi and Sithole, 2017; Ntsebenza, 2020; Simelane and Sihlongonyane, 2021). The chapter highlighted that the colonizers used a strategy of indirect and direct rule in order to successfully manipulate the institution of traditional leadership for their benefit. The chapter laid bare the fact that due to pressure put on traditional leaders some collaborated with colonial and apartheid regimes which in the long run lost trust from their subjects (Mzelemu, 2019).

Chapter one revealed the uncertainty of traditional leaders which did not end with the colonial and apartheid era, but has continued even during independence and democratic era. The chapter revealed that as much as traditional leadership is recognized in the interim and final constitution in South Africa, that recognition is up until today contested and rejected by traditional leadership structures such as CONTRALESA and political parties such as the IFP that support the existence of the institution of traditional leadership. The chapter indicated that the future of traditional leadership in South Africa is uncertain because they no longer fully participate at local government where they previously enjoyed unchallenged authority. Their authority was stripped by the Municipal Structures Act 117 of 1998 which declared traditional leaders' participation in municipalities to be that of an ex-officio status.

This chapter found that the debates on compatibility and incompatibility of traditional leadership in modern governance was problematic in terms of due to lack of distinction of the role of traditional leadership in the new dispensation. When analyzing and unpacking the role, relevance, and challenges of traditional leadership in democratic governance in South Africa's local government, this chapter found that the institution of traditional leadership has been on the table for discussion and debates since the dawn of democracy without any consensus or solution on how the institution must function in the new dispensation. The chapter found that local government is the central culprit in the conflict between traditional leaders and elected councilors.

This introductory part of the study showed that traditional leadership in Jozini, like all within South Africa is engulfed by uncertainty. In spite of that they play an important role. The case of is unique as traditional leadership is part of Jozini Municipality decision-making process. The chapter revealed that the large portion of land in Jozini fall under

the Ingonyama Trust which is controlled fully by traditional leaders (Nyawo, 2017). This means that national and provincial as well as local government has to relate positively to the institution of traditional leadership in order to have access to land and deliver community services. This chapter highlighted interesting insights about the relationship between modern governance and traditional authority in Jozini. This means that making traditional leadership in Jozini has power compared to other municipal areas. The chapter revealed that relationships between councilors and traditional authorities are cordial and workable. It can be argued that the land question has had an impact in normalizing relations between traditional leadership and elected councilors.

This study found that literature on the role and challenges of the institution of traditional leadership is vast and complex. This chapter concluded that traditional leadership has played important roles and continue to play a role in the new dispensation despite challenges regarding ambiguity and lack of clarity on how to function as a partner in local governance.

- **Chapter 2**

Chapter two reviewed existing literature on traditional leadership that critically analyse the role, relevance and challenges of traditional authorities in democratic governance in South Africa including Jozini local municipality. First, the chapter focused on the conceptualization of traditional leadership. Secondly, it discussed traditional leadership from an international perspective on traditional leadership by looking at countries like Britain, Sweden and Qatar.

Chapter two found that the phenomenon of traditional leadership does not only apply to the African context, but it is a global phenomenon. From an international perspective; countries handle traditional leadership differently and they use different techniques to survive and sustain their monarchs despite the winds of change that want traditional leadership to be replaced by democratic governance systems.

This chapter also discussed the institution of traditional leadership in Africa by using countries like Ghana, Zimbabwe, and Botswana as case studies. It was evident that almost everywhere in Africa traditional leadership was seen as a threat in one way or the other after independence and democratic dispensation. Their powers and authority was taken away and they were replaced by modern structures. However because of the

weak new governments and its resilience, traditional leadership has survived thus far. The focus on Africa was mainly on the transformational stages of the institution of traditional leadership through pre-colonial, colonial and post-colonial era.

This chapter explored and analyse the institution of traditional leadership in South Africa. It focused on the policy framework that underpins traditional leadership in South Africa, and the role of traditional leadership in South Africa's democratic local governance. It also looked at the challenges of traditional leadership in South Africa which include the role, relevance and of traditional leadership in KwaZulu-Natal province. Lastly this chapter discussed the role, relevance and challenges faced by traditional leadership in Jozini local municipality.

The chapter found that the institution of traditional leadership in South Africa is recognized in the constitution and other pieces of legislation, but traditional leaders are not happy about the ambiguity of legislation when it comes to their actual role in governance, especially local governance (Koenane, 2017; Mabunda, 2020). The chapter highlighted a string of legislations that attempt to elaborate on the role of traditional leadership, however all legislative frameworks have not been able to define the actual role the institution can play in municipal governance. As mentioned earlier, the institution of traditional leadership through CONTRALESA and to a certain extent the IFP has challenged what they regard as the unfair recognition.

The chapter highlighted the constant conflicts between traditional leadership and traditional leaders in municipalities due to the confusion on who does what. Another factor has been on the communal resources where traditional leaders even though the legislation is not clear, still regard themselves as custodians of local governance beyond elected councillors, while elected councillors undermine them as undemocratic and unpopular in the democratic era. The chapter found that the undesirable working relations are disruptive in terms of development.

The chapter highlighted the role of traditional leadership in KwaZulu-Natal province. In context of the province, the institution of traditional leadership was viewed as unique in terms of land ownership. The Ingonyama Trust Act provides the vast piece of land in the province to the custodianship of the King of the Zulu nation on behalf of amakhosi. This

made amakhosi in the province to differ significantly to other chiefs and kings across the country because they have authority over land, something novel in contemporary South Africa except in KwaZulu-Natal. The chapter has laid bare the powerful nature of traditional leadership in the province.

With regard to Jozini LM, the chapter confirms that the relationship between traditional leadership and elected councillors seem normal and workable than in the whole country. The chapter reaffirms that the issue of traditional leadership controlling vast land in the municipal area made them powerful compared to other municipalities. In summary, this chapter revealed that there are those that link the good relationship between elected councillors and traditional leaders to the IFP which is known for its support of the institution of traditional leadership.

This chapter found that in some countries, traditional leadership fully participate in democratic governance in the sense that they have the voting powers, while in other countries including South Africa the institution of traditional leadership is constitutionally and legislatively recognized. However their participation in local governance is on an ex-officio basis. The chapter ascertained that the issue of the recognition of the role of traditional leadership in contemporary governance, local governance in particular is a matter of debate between traditionalists and modernists who hold contesting views on the compatibility of the institution within the new dispensation. The chapter concluded by highlighting the frustration and challenges the institution of traditional leadership in South Africa is trapped in, despite the role they play in their communities.

- **Chapter 3**

This chapter examined the theories of traditional leadership in order to understand the evolution of traditional leadership theory. The chapter focused on the theories of traditional leadership which included the Great Man theory, Trait theory, behavioral, Contingency theory, Transactional and Transformational approaches in order to understand the dynamics of traditional leadership theory. The chapter interrogated the application of different styles of leadership in various situations. The traditionalists and the modernist theories were used to create an understanding of the different views with regard to traditional leadership. Chapter three explained various concepts that impact the study of governance and traditional leadership in order to ensure clear understanding of all the components of this study. The conceptual definition gave meaning and

connectivity of different components of the research.

It has been observed that as the modernist criticize the modus operandi of traditional governance and painting its negative picture of being undemocratic and irrelevant in modern governance, traditionalists explained the modus operandi of traditional governance in context of king/chief in-council which they interpreted as democratic in an African indigenous governance system. This chapter clearly demonstrated how the compatibility and incompatibility of traditional governance within modern governance can be endorsed or refuted. The different conceptualizations of the concept of traditional leadership highlighted a need to carefully look into democracy in both African and Western contexts before conclusions are drawn about a particular leadership or governance system.

Chapter three began with the theoretical conceptualization of traditional leadership. The chapter outlined the theories of traditional leadership, which include: the Great Man theory and the Trait theory as well as the modern theories of leadership. The chapter has shown that there are a number of traditional leadership theories and that leadership has evolved overtime. The chapter also revealed that traditional leadership can be applied using different styles and context. It also revealed that the various styles of leadership depending on their application can produce good leadership results and bad leadership results. The chapter also looked into the contestations between modernist and traditionalists theories on traditional leadership.

Chapter three found that the traditionalists are in favor of the inclusion of the institution of traditional leadership into modern democratic governance, while modernists are strongly opposed to the fusion of an institution that they regard as undemocratic into democratic system. The chapter found that modernist view traditional leadership as undemocratic while traditionalists believe traditional leadership is democratic on its own right. The chapter also critically discussed the governance operations in the context of traditional governance system, paying attention to the king /chief-in-council. It is evident that whether the institution of traditional leadership is democratic or not, is a matter that need further research because looking at the debates of traditionalists and modernists, it is vital to conduct further research before making solid conclusions.

- **Chapter 4**

Chapter four introduced methodologies that can be used in a research. The three important research methodological approaches mentioned in this chapter were quantitative approach, quantitative approach, and mixed methods approach. The chapter demonstrated that before any research can be undertaken a choice must be made about the methodology that would be used in research. The chapter determined research designs that can be employed when conducting quantitative research, qualitative research or mixed approach. The chapter discussion showed that research designs are vast and the choice for any design depends on a methodological approach chosen. It was further found that researchers should choose the theory for their study depending on the methodology and the research approach used from the start.

The chapter demonstrated that data collection and data analysis techniques differ depending on the methodology and design of the research. The chapter revealed three crucial theories that can be employed depending on the approach chosen by a researcher in data collection and data analysis. It has been demonstrated that the theory and reasoning adopted influences data collection and analysis which is crucial in the development and construction of findings.

In summary, this chapter highlighted that a scientific research need an appropriate methodology, approach and data collection and analysis technique. This study adopted a qualitative research approach, exploratory and inductive reasoning in its design, data collection and data analysis.

- **Chapter 5**

Chapter five presented the findings, discussion and analysis of data in this study. The chapter evaluated and assessed whether the data collected and analyzed met the aims and objective of the study, as well as the answering of the research questions. This chapter presented the reviewed literature in relation to the topic. This chapter highlighted the actual role, relevance, and challenges of traditional leadership in democratic governance in South Africa including Jozini local municipality.

This findings of this chapter revealed that traditional leadership has existed before colonialism, during colonialism and apartheid, and is still existing in a democratic dispensation. This chapter found that there was consensus on the fact that traditional

leadership has been there, has performed various roles and functions, has been the custodian of law and land and protected, developed and maintained peace and justice successfully in their areas of jurisdiction before the advent of colonial and apartheid rule in Africa including South Africa.

This chapter found that, the institution of traditional leadership was at the center of traditional life when it comes to traditional communities in pre-colonial era. The institution of traditional leadership was the only system of governance that communities relied on in terms of protection, land, resources, without traditional leaders in the form of kings, chiefs, and Izinduna. Without these leaders there would have been no indigenous communities.

This chapter established that the power and hegemony of the institution of traditional leadership changed for the worst during colonialism. In this instance, traditional governance was diluted and neutralized by colonial powers through the system of indirect and direct rule. This was a strategy that was used to ensure that indigenous rulers continue to be at the helm of governance, however that governance had to adhere to colonial strategies and policies. In summary chapter five argued that colonialists governed from a distance and remotely controlled indigenous communities. The chapter demonstrated that through indirect and direct rule, traditional leaders lost trust from their own subjects and instead of being seen as protectors of communities they were rather viewed as collaborators.

Chapter five further found that the troubles and challenges of traditional leaders did not end with colonial and apartheid regimes, but continue in the democratic era. It is the view of chapter five that the ushering in of democracy was welcomed by traditional leaders as time for independence, however soon after liberation their powers were taken away. The chapter argued that instead of incorporating traditional leadership within democratic governance, the new government in South Africa introduced municipalities on a wall to wall basis. The introduction of a wall to wall municipal system meant that traditional leaders have no decision –making power for the first time at local level of governance. Chapter five concludes that the institution of traditional leadership is recognized by legislation and the constitution, but that recognition is incomplete because there is still no clear guidelines that define the role traditional leaders in the Municipal Structures Act 117 Of 1998 which accords them participation but exclude them from voting, power to make-decisions in their own jurisdictions.

Traditional leadership is recognized in different ways by different countries including South Africa. The literature that was analyzed and assessed found that the role, relevance, and challenges of traditional leadership in governance in South Africa, especially Jozini local municipality was to some extent balanced and reliable as many authors had common thoughts on the subject under review.

The findings of the chapter revealed that indeed the institution of traditional leadership existed pre-colonial, colonial and apartheid, independence and democratic eras. It was established that, as traditional leadership evolved from pre-colonial era to democratic era the institution played a role in the governance structure and that it has some level of relevance, even though faced with multiple challenges.

The chapter found that there were differing views on the compatibility and incompatibility of the institution of traditional leadership in the democratic dispensation. The prominent view is that the institution of traditional leadership has played a role and can still play a role in rural governance and that the modern system of governance and traditional governance should coexist to ensure development and sustainability.

It was the view of the assessment made in this chapter that the literature used in the study was objective, accurate and possesses the standards required for a well-constructed and presented literature. This is supported by the view that the literature provided the conceptual theories of both governance and traditional leadership. It successfully discussed and analyzed the role of traditional leadership in pre-colonial and post-colonial and apartheid era, democratic era, as well in Jozini local municipality. The chapter answered the research problem, thus answering the main question of the research, as well as accomplishing the aim and objective of the research.

The conclusion of the study summaries was dealt with in chapter six which gave the chapter-by-chapter summary. The next section provides the recommendations of the study and the general conclusion.

6.3. RECOMMENDATIONS

Having done the analysis of the data on the subject and assessed and evaluated the findings, it is clear that the institution of traditional leadership is a broad subject. The roles, relevance, and challenges have according to this study proven to be a more

complex to study. The findings demonstrate that the institution of traditional leadership is old and has survived many storms and waves of change that attempted to defeat it during colonialism and apartheid and surprisingly even in the democratic dispensation. What is concerning in the context of governance is the reality that most of the challenges are at local government level where community development and service delivery is envisaged to take place. In view of the role of traditional leadership, historical and political discourses show that the institution has encountered several challenges that need to be addressed for the study on traditional leadership to be complete.

In context of the above, one would recommend a number of issues for consideration by the democratic government of South Africa in order to resolve the challenges pertaining to the role of traditional leadership. It must be mentioned that traditional leadership needs to be handled as one important component in the history of Africa’s liberation when it comes to their role in the new dispensation. Traditional leadership must be taken seriously since history reveals that it is traditional leaders who were the first to be confronted by the colonizers, and in that encounter they resisted and in most cases were overcome by the colonizers while in other occasions they defeated the colonizers (Koenane, 2017; Boateng and Afranie, 2020).

Since this study adopted the general recommendations and recommendations for further studies, the table below shows the findings as presented.

Table 6.1. Illustrate the Recommendations of this study.

GENERAL RECOMMENDATIONS	RECOMMENDATIONS FOR FURTHER STUDIES
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<p>6.3.1. Legislative and Policy Reforms.</p> <p>6.3.2. Provision of Resources.</p> <p>6.3.3. Provision of Skills and Formal Education</p> <p>6.3.4. Approaching the Role of Traditional Leadership in an Afrocentric manner.</p> <p>6.3.5. Workshops on Policy Frameworks</p> <p>6.3.6. Restructuring of Local Government Powers and Functions.</p> <p>6.3.7. Clear Dispute Resolution Mechanisms and Halting of Political Meddling.</p> <p>6.3.8. Political Will by the Ruling Elite.</p>	<p>6.4. For further studies on the topic the following research questions are proposed:</p> <ul style="list-style-type: none"> • What are the main hindrances preventing the full recognition of the role of traditional leadership in South Africa’s local governance? • Determining the impact of lack of clarity regarding the role and function of traditional leadership. • Determining the challenges posed by the lack of clarity of the role of traditional leadership on local economic growth in the municipality.
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Source: Author’s Construct

6.3.1. Legislative and Policy Reforms

Moving from the premise that government need to complete the effective and relevant legislative provisions that give clarity on the role traditional leadership must play in the democratic dispensation, especially at local governance level (Ramolobe, 2018; Mabunda, 2020; Mawere *et al.*, 2022). Mawere *et al.* (2022) argue that policies must be

reformed and revisited as well as refocused. This study recommends the legislative and policy reforms and transformation.

Contradictions and confusion on the role and functions of the institution starts with legislative and policy frameworks that guide traditional leadership in South Africa. Mabunda (2020) argue that section 211(i) of the constitution of 1996 accord required respect to the institution of traditional leadership, however there is still a challenge because there are no clear sections of legislation that define what and how traditional leaders should function.

According to Mawere *et al.* (2022) the introduction of the new constitution in South Africa came with a dilemma about the role of traditional leadership, thus causing confusion regarding the recognition of the role of traditional leaders in governance and service delivery. Koenane (2017) asserts that policy should provide for the full inclusion of traditional leadership in governance because they have shown their resilience and are trusted by their communities. The policy framework South Africa has is clearly not effective and clear on how traditional leadership must function.

The deep rooted confusion regarding the role of traditional authorities in democratic governance is boldly seen in the local governance sphere of governance (Tshishonga and Dipholo, 2023). The confusion has taken place and continues to dominate the circles of politics and governance because Kings and chiefs no longer play the role they played during pre- colonial and apartheid (Mathenjwa, 2017). Enwejeri and Uwizeyimana (2020) argue that policy reforms must guide municipal governance functions and clearly define the roles of traditional leaders and elected councilors. Policy should be reformed so that it can promote cooperation and coexistence between traditional; leaders and municipal councilors (Mawere *et al.*, 2022:267). Due to lack of proper legislative provisions there has been differing views on whether the institution of traditional leadership should be incorporated into modern governance system or not.

The fact of the matter is that these debates are alive because legislation and policies that guide the role of traditional leadership are not effective. It is the argument of this study that if the legislative framework is effective, the roles of traditional leadership would not be part of the country's discourse today. The findings of this study indicated that the constitution as the supreme law of the country recognizes the role of traditional leadership, but anticipate legislation to elaborate on the matter. This on its own creates

a vacuum because subsequent legislations and policies have for decades not been able to bring about the actual role the institution ought to play in the democratic dispensation.

In context of the above, this study argues that the cause for concern is an effective legislative framework that is meant to address governance issues. Based on the fact that the legislative framework does not address the issue of the role of traditional leadership, this study recommend that legislation and policies on traditional leadership must be transformed and reviewed so that they can address the power disparity that is evident in the local sphere of government. This means that legislation and policy must be realistic and clear on what and how traditional leaders must function in the new dispensation.

6.3.2. Provision of Resources

This study concurs with Enwereji and Uwizeyimana (2020) who argue that resources must be allocated to the institution of traditional leadership for it to function and meet contemporary standards of governance. The findings of the study on the challenges of traditional leadership revealed that the institution of traditional leadership lacks resources that can enable it to function properly. By resources, this study refer to the human resources, offices and financial resources. Human resources can assist traditional leadership in the management of traditional courts, meetings and planning that is focused collaboration with municipalities. In this context, this study recommend that government at national, provincial, and local government should provide financial resources that will enable traditional structures to fund development programmes within their communities.

Mdluli (2022:131) affirms that the lack of capital resources is a challenge to traditional leadership when it comes to community development projects. This recommendation is in line with the views of many scholars who view traditional leaders as the governance structure that unite traditional communities, manage the daily activities that are to the interest of the community. Traditional leadership need human resources in order to ensure capacity in the management of components within the traditional structure. It must be acknowledged that traditional leaders hold meetings, preside over traditional courts, and communicate with formal government structures for development purposes. To execute all these functions traditional leadership and their institutions need to be capacitated. The constitution recognizes the role and existence of traditional leadership,

and anticipate legislation to guide the role of traditional leaders in governance. It must also be noted that so far there is no legislative framework that clearly outlines the roles and functions of traditional leadership in governance, local governance in particular. Despite the predicament of ambiguous recognition of its roles, the institution is seen playing a crucial customary and developmental roles. The institution is regarded as important by communities because of its recognizable role in caring for the poor and vulnerable despite the lack of funding and human resources.

Based on the premise that traditional leadership in South Africa is recognized by the constitution and other legislative frameworks, the COGTA department as the custodian of traditional leadership should provide resources for traditional authorities so that traditional leaders can best perform their societal functions.

6.3.3. Provision of Skills and Formal Education

There is a saying that says knowledge is power, the institution of traditional leadership must be provided with formal education to equip traditional leaders with education because modern governance is not about only customs and traditions, but it involves a lot of communication, policies and project skills which most traditional leaders lack. Some municipal employees view traditional leaders in different ways, some view them as traditional, backward and uneducated (Shembe, 2014:131). The fact that there are those employees who regard traditional leaders as uneducated means that there is a need for mechanisms that will provide them with formal education and skills. According to Enwereji and Uwizeyimana (2020) formal education should be provided to traditional leaders and their institution. The government must have a paradigm shift in terms of the provision of education for transforming traditional leadership in a positive manner.

It must be noted that the institution of traditional leadership derives its power and authority from customs and traditions of the pre-colonial era. There is definitely a need for transformation in traditional governance in order for it to be compatible with democratic governance. This means that there must be a clear programme for the provision of formal education to traditional leadership structures. This study thus, proposes the provision of formal education for the institution as a whole.

6.3.4. Approaching the Role of Traditional Leadership in an Afrocentric manner

The study findings showed African modern governments rely much on Western

democratic approaches instead of African democratic approaches. The approach used regarding traditional leadership realities is Eurocentric Western discourses are used to determine African governance realities (Mawere *et al.*, 2022). Eurocentric approaches to African realities produces incorrect results and remedies to existing challenges. This to many might sound like a very complex view, but it simply means that African democracies are operating using a Eurocentric approach in countries that actually can best understand the Afrocentric approaches to democracy.

The argument of this study is that South African democratic leadership must change their approach regarding the recognition of the role of traditional leadership in democratic governance because it is viewed as though it is foreign in its *modus operandi*. Responding to the findings, this study recommend that Africanism should apply when dealing with traditional leaders in Africa. There has been a view by authors such as Koenane (2017) whom many regard as one of the proponents of traditionalism who argues that the term democracy is the main cause of the failure of African countries including South Africa to properly recognize the role of traditional leadership because they believe Africans are not democratic. This view raise a question that need to be addressed on what the term democracy mean for Africa and the West.

6.3.5. Workshops on Policy Frameworks

As a point of departure, workshops can strengthen communication and relationships as well as deal with hostilities and unhealthy relationships between traditional leadership and elected councilors (Mawere *et al.*, 2022). One challenge that is decried when it comes to the challenges of traditional leadership is conflict between traditional leadership structures and municipal structures, which without any doubt frustrates community development. This study recommends workshops for the strengthening cooperation between these two incompatible structures of governance that are equally relevant in ensuring stability and mobility in communities in the local sphere of government.

The problem that seem to be the cause of confusion and eventually conflict between traditional leaders and councilors is incorrect interpretation of policies, this in many cases has even affected the relationship between municipal technocrats and traditional leadership. As mentioned earlier in the study the elected councilors and technocrats usually assume that traditional leadership does not know much about municipal

procedures and undermine them in processes that affect their constituencies. Having observed this in the findings, this study recommends the introduction of workshops at intervals to bridge the knowledge gap within the local governance environment. This will assist local government and government at large in ensuring that there is synergy on how legislation and policy is interpreted as the study has revealed that legislation and policies are vague and not clear on specifically what and how traditional leadership must function.

6.3.6. Restructuring of Local Government Powers and Functions

The powers and functions of governance in South Africa changed when the constitution and subsequently the demarcation of the country in line with the wall-to-wall municipal boundaries came into effect. The new constitution in South Africa found traditional leaders at helm of local governance and trusted as the only local governance structure. This study argues that the new demarcation introduced new ways of powers and functions, at some point it facilitated the stripping of traditional leaders the powers they had before democracy which create a challenge and conflict between traditional leaders and new governance structures (Koenane, 2017; Mathonsi and Sithole, 2017; Simelane and Sihlongonyane, 2021)..

The constitution as argued earlier recognizes the role of traditional leadership and leaves a vacuum. Reference has been constantly made about the Municipal Structures Act 117 of 1998 which determines participation of traditional leadership in municipal councils. The Act accord traditional leadership an ex-officio participatory position and declares traditional leaders as non-voting representatives in council which exclude traditional leadership in decision-making in municipalities. In addressing this exclusion, the demarcation Act and the Municipal Structures Act 117 of 1998 should be revisited to accommodate traditional leaders as members with voting rights because they represent constituencies and are recognized by the constitution of 1996.

Crucial in addressing cooperation and good working relationship between traditional leadership and municipalities is the question of powers and functions between the two structures. The study recommends that the institution should be embraced, developed and be allowed to perform its cultural and dispute resolution and allocation of land in rural municipalities. Furthermore, they must be full participants in municipal councils and be granted the power to vote because there is no sound reason that justifies their

exclusion in actual decision-making processes in municipalities whilst on the other hand are praised by municipalities such as Jozini for their role in facilitating IDP meetings and their role in promoting and propelling good governance, as well as making sure that development in their areas of jurisdiction is fast tracked and enhanced.

When new demarcation happens, it should revisit the powers and participation of traditional authorities in municipalities. Mawere *et al.* (2022) maintain that even the municipal by-laws and other power and authority related components of the municipal operations should accommodate traditional leaders.

6.3.7. Clear Dispute Resolution Mechanisms and Halting of Political Meddling

The findings of this study found that one of the challenges of traditional leadership is leadership disputes that are mainly caused by political meddling by government. This was clearly demonstrated earlier in this study in the case where Mngomezulu and Others vs. the premier of the province of KwaZulu-Natal and Others in 2011 in the Pietermaritzburg High Court. Nkomo and Kambule (2020) affirm that there has been disputes in Amampondo, AmaXhosa, AmaZulu, Bapedi, Vha Vhenda, and Balobedi including the major dispute of the AmaZulu between kings MIsuZulu vs. other royal princes.

The disputes hinder development, cause confusion and at some point may cause conflict where people may lose lives. This study recommends the institution to have a court that presides over disputes and provide fair resolution mechanisms that will ensure harmony within traditional communities. The alleged political meddling should for the sake of justice and peace be halted.

6.3.8. Political Will by the Ruling Elite

The findings demonstrated that the pace at which the recognition of the role of traditional authorities in South Africa has been moving is too slow. Ntsebenza (2020) pointed out earlier in the study that the ruling ANC from the start of the CODESA negotiations had no clear policy or plan about the role of traditional leaders in the new dispensation which has caused a lot of delay in terms of clarifying the actual role traditional authority must play in governance including local governance. The present situation regarding the role of traditional leadership demonstrate the lack of political will by the ruling elite.

Based on the findings this study recommends a paradigm shift that will demonstrate a

political will by the ruling ANC regarding the role traditional authority should play in modern local governance. It is common knowledge that what happens successfully in a political environment happens because of a political will by those in power. Therefore, this study calls upon DPLG to lead the process towards clear legislative framework on what and how traditional authorities must function in local government because it is where constant conflicts occur between traditional authorities and modern local government.

6.4. RECOMMENDATIONS FOR FURTHER RESEARCH

This study explored the role, relevance, and challenges of traditional leadership in democratic local governance in South Africa including Jozini LM. The study used a qualitative desktop methodology which collected and analyzed secondary data from secondary sources. This study methodology acknowledges the limitations of using secondary data in research.

There were limitations in the execution of the study particularly as the study focused solely on the role, relevance, and challenges of traditional leadership in South Africa and Jozini local municipality. The challenge that observed in the execution of this research was that the sources on the subject are limited and mostly not in line with the topic and that the study could not address issues emerging during the study.

In view of the study findings and the limitations of this study, the study recommends further empirical research where primary data will be collected from participants and analyzed. This will provide possible current data and expand the findings on the role, relevance, and challenges of the institution of traditional leadership since various questions emerged during the study and could not be instantly addressed.

For further studies on the topic the following research questions are proposed:

- What are the main hindrances preventing the full recognition of the role of traditional leadership in South Africa's local governance?
- Determining the impact of lack of clarity regarding the role and function of traditional leadership.
- Determining the challenges posed by the lack of clarity of the role of traditional leadership on local economic growth in the municipality.

6.5. CONCLUSION

In conclusion, this study found that traditional leaders have governed and are still part of governance despite challenges regarding the recognition and clarity on their roles and functions in democratic governance including local governance in South Africa. The study demonstrated that governance is wide in its conceptual analysis. This study found that traditional leadership is in fact a global phenomenon, as the whole world has had and have traditional leadership in one form or the other (De Visser *et al.*, 2021).

The study also highlighted the role of traditional leaders during the pre-colonial era, colonial era and apartheid era, democratic dispensation, as well as its role in Jozini LM. The study found that there are two schools of thoughts surrounding traditional leadership. These are traditionalists and modernists who see the importance of traditional leadership and its future in a divergent way. Traditionalists support the existence of the institution, whilst on the other hand modernist believe the institution of traditional leadership prove too incompatible within modern governance system. Considering these two views, one may argue that they have an impact on how the role of traditional leadership is viewed and handled by modern democracies. This study found that traditional leadership has a role to play in modern democratic dispensation since the institution constitutes the African democratic governance despite the vagueness of legislation. This is however, what modernist want.

Another important aspect that emanates from the discussion is the fact that different countries in Africa recognize the role of traditional leaders differently .Some grant them voting powers in local government and some including South Africa exclude the institution of traditional leadership from voting in municipalities. This has sparked a view by some that there are clear attempts to sideline traditional leaders in the democratic dispensation. The study acknowledged that various scholars agree that the institution of traditional leaders has shown resilience and has endured and is still going to endure. They also agree that the role of traditional leaders is not clearly recognized by both the constitution and legislation in South Africa. There are of the view that this needs to be done because the institution of traditional leadership still has a role in future governance of South Africa.

This study concludes that traditional leadership position, recognition and role in Jozini LM is unique compared to other municipal areas within the country. In context of Jozini

LM, traditional leadership wield enormous power due to the land question. The greater portion of land in Jozini LM is under the Ingonyama Trust Board, thus controlled by traditional leaders. Government, municipality, NGOs and the private sector in Jozini LM rely on traditional leaders for land. The power traditional leadership have in Jozini compel the municipality to consider traditional leadership input despite the legislation that refuse them the right to vote in the municipal council. There are views that suggest that the cordial working relations within Jozini LM is due to the fact that the municipality is under the control of the IFP. The role, and working relations between traditional leadership and elected councilors in Jozini LM is what the whole country would like to see happening. In summary, literature revealed that traditional leaders have played an important role and continue to be influential. They still have an important role to play in the democratic dispensation.

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