

SECTION ONE

A History Of 'Traditional' Leadership

In the former Ciskei, the people were opposed to the traditional leadership system. And yet this government is imposing the system on the people. This situation exposes that we are divided, there are people in urban areas that are governed by human rights and democracy, and there are people in rural areas who are governed by traditional leaders.

NTSIKA DAPHO, HIGH-LEVEL PANEL EASTERN CAPE PUBLIC HEARINGS,
16 AUGUST 2016, p. 50

They [the government] [...] forget that the fathers of the anticolonialism struggle, for two thirds of the period of that struggle, were traditional kings and leaders like Adam McKock the Fifth, Moshoeshoe, Hinta, Shaka ... and others.

CHIEF PIENAAR, HIGH-LEVEL PANEL NORTH-WEST PUBLIC HEARINGS,
1-2 MARCH 2017, p. 14

Chairperson, let me take you back to the first electoral victory for the ANC government: you said you would respect the traditional leadership. Even Walter Sisulu, during his rally in KwaMhlanga, said traditional leaders [...] will never be slaves. It seems like traditional leadership has been turned into slaves, used by municipalities to rubber stamp their decisions ... please, just like pre-1994, make sure that traditional leadership are part of government, and they do not play second fiddle to [the] premier and councillors. Please restore the dignity [of] the institution of traditional leadership.

MAHLASELA, BAKGAGA BA MOTHAPO TRADITIONAL COUNCIL, HIGH-LEVEL
PANEL LIMPOPO PUBLIC HEARINGS, 14–15 MARCH 2017, p. 66

The introductory chapters in this section offer a broad, critical history of traditional leadership in South Africa, spanning the pre-conquest, apartheid and democratic periods. Each also serves to highlight the volume's central themes: land, leadership and law. First, drawing on precolonial history, Peter Delius unsettles a number of key assumptions at work in post-1994 constructions of chieftaincy, including that chiefs are 'owners' of land. Dineo Skosana's chapter then investigates questions of leadership, looking particularly at the relationship between chiefly authority, party politics and state power over time. Using the historical record, Skosana argues that, although many have viewed present-day chieftaincy as being dependent on the African National Congress (ANC)-led government, there have in fact been interdependent relationships between traditional leaders and the ANC dating back to the Congress's formation. More so, relations between liberation, political and traditional leadership have been historically tied to struggles over land. Finally, Aninka Claassens's chapter attends to the post-1994 period, interrogating the role of legislation in characterising traditional leadership in contemporary South Africa. History is also salient here: Claassens argues that new laws have, ironically, defaulted to apartheid borders, and indeed apartheid constructions of chieftaincy, rather than upholding more inclusive customary law. All these chapters point to the heterogeneity

and fluidity of traditional leadership. Indeed, traditional institutions have been shaped, and reshaped, along with relationships of power, capital and dispossession. What might contemporary struggles over traditional leadership tell us about the present moment? How might we read the landscape – and indeed the book – as a reflection of how power is configured, reconfigured and fought for in democratic South Africa?