

THE ROLE OF TRADITIONAL INSTITUTIONS IN RURAL DEVELOPMENT: THE CASE BOGOŠI (CHIEFTAINSHIP)

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1. Introduction

In most of the social science literature, no explicit distinction has been made between "institutions" and "organisations". The two words are used interchangeably, though they do not necessarily refer to the same thing. It is therefore at the outset of this paper necessary to clarify these concepts briefly. Uphoff (1993) defines institutions as complexes of norms, rules, and behaviours that serve a collective purpose. Organizations on the other hand are a structure of roles.

While many institutions are organizations (e.g. households, firms, co-operatives), many institutions are not organizations (e.g., money, the law, the African palaver, parallel markets) and many organisations are not institutions (a contract between two individuals, a particular grassroots organisation). A contract or a grassroots organization may become institutions if they are extensively, standardised and recognised (De Janvry, *et al.*, 1993).

Tribal authorities or the chieftainship (*Bogoši*) in traditional African societies can be regarded as indigenous organizations. It is common knowledge that these indigenous organisations have been systematically undermined by the state and colonial powers in many African countries. In the same vane the Bantu Authority system created by the apartheid government eroded the indigenous tribal organisations in many of the former "homelands".

Rapid emergence of new social movements, better understanding of the logic of cooperation, ability of a variety of organizational forms to reduce transaction costs and greater decentralisation of governance and democratic rules all give new space for experimenting with and building new dynamism in civil organisations such as indigenous and grassroots institutions. Several authors (e.g. Uphoff, 1993; Nugent, 1993; Bardhan, 1993) also refer to the role indigenous and grassroots organisations in rural development as complements to the state and market. In agriculture these organisations can be effective in reducing transaction costs for peasant households and serving as mediating institutions in contracting with agroindustry.

There seems thus an opportunity and a role to play for indigenous organisations, such as the tribal chieftainships in rural development. For this reason it is

therefore appropriate to discuss the characteristics, function and possible role of these organisations (or institutions) in rural development in South Africa. This paper discusses these issues in some detail and finally debates the role these organisations could and should play in rural development.

2. The nature of *BOGOŠI* in South Africa.

The *kgosi* is the head of a group of people organised into a community often referred to as a tribe (Schapera, 1966). He operates in consultation with the headmen and advisers comprising mainly of his brothers, and other influential people in the royal family. Some *magoši* tend to retain their fathers' advisers. This kind of continuity is similar to that of bureaucracy in the modern state. Councillors and advisers help the chief in pursuing his expected functions.

Bogoši is a birth right. No one can have a claim on it unless he is the rightful heir to the throne. Rules of succession differs between ethnic groups. Among the Ngunis, Sothos and Vendas *bogoši* normally passes from father to son. The rightful heir is the eldest son of the *kgosi's* great wife. The great wife is the chief's wife whose marriage is arranged by the tribe through planning, selection and enhancing. The *kgosi* normally does not have a say about the selection of his wife. She is normally selected from other *magoši* as a form of promoting peace between tribes. In Shagaan-Tsonga a *kgosi* is usually succeed by his brothers. The *kgosi's* eldest son will be the father's heir only if his brothers do not have any offspring. Women are not normally regarded as heirs, although they may at times act as regents. But among the Balobedu tribes, the chief must always be a woman (Schapera, 1966; Tribute, 1994). She is usually accorded "male" status, and is expected to "marry" wives, and upon her death is succeeded by the eldest daughter of her "great" wife.

Bogoši is decentralized in most cases and can therefore be viewed as the local or grassroots organisations. *Magoši* differ in their levels of operations. There are local *magoši* (headmen or indunas), district *magoši* and paramount *magoši*. The paramount *kgosi* is the supreme *kgosi* of all district *magoši* and his main task is to oversee and monitor the activities of district *magoši*. The district *magoši* are therefore the subordinates of the paramount *kgosi*. Subordination to the paramount is characterised by payments of certain royalties, that are

determined by district *magosi* in their council. District *magosi*, like paramount, have subordinates, namely the headmen and council members. Headmen are the *kgoši*'s representatives at village levels.

3. The role and activities of the MAGOŠI

Magoši perform a variety of activities which often differs from tribe to tribe. They are regarded as the symbol of unity in a tribe. They are rulers, judges, makers and guardian of the law and repository of wealth. Their biggest obligation is to guard the interests of their subjects, and also keep themselves informed of tribal affairs. The *ubuntu* is expected out of such an institution. They link the tribe with their ancestors. This obliges them to be custodians of their tribes. In this case they give ears to their subjects without discrimination. Mbeki (1984) stressed that they have powers of controlling many economic activities in their areas. This makes them to be executive heads of their tribes. Other important activities they perform are settling of disputes and problem solving, interaction with other outside institutions and to determine points of investment and development within their areas.

Although the activities could differ from tribe to tribe and from area to area, Table 1 actually indicates to some extent the similarity of activities performed by various levels of the tribal authority system in the previous different "homelands". Pairwise comparisons were performed after specifying a model using fully (M)ANOVA (Systat, 1993). The Bonferroni test was used to determine significant differences between "homelands". The table shows significant differences of institutional roles between homelands by grouping them into "a", "b" and "c" (eg all homelands with an a had the same characteristics).

The various activities and functions of *magosi* as observed by rural agrarian households are now briefly discussed. Table 1 show the different roles of the tribal authority, the chief, the induna and the tribal councillor, namely land allocation, to maintain law and order, service provision and problem solving. From the table it can be said that only the Ciskei and KaNgwane tribal authority had the same function with regard to roles while all other tribal authority of previous homelands had different functions. With regard to the chief, Bophutatswana and Lebowa showed the same functions.

The induna in Kwandebele and Gazankulu had similar functions and those in Venda and KwaZulu were the same. From all different institutions, the tribal councillor's functions were the most similar across homelands, e.g. Bophutatswana, Kwandebele, Transkei, Ciskei, Venda and Lebowa were the same and KwaZulu and KaNgwane were the same.

From the above significant different groupings it is difficult to generate a conclusion. It is however evident that the functions of different tribal institutions are perceived different according to region. Even when doing pairwise comparisons on other variables such as type of household employment or expenditure pattern, the latter could not be associated with the pattern of different institutional functions.

3.1 Settling of disputes

The *kgoši* maintain law and order amongst his tribe. He plays an important role of settling disputes amongst tribe members. They have their own way of dealing with cases. Cases are performed mostly through tribal courts. Tribal courts are composed of adult males of the community, and even male strangers who happen to be in the area at that time are allowed to participate in court deliberations. At such hearings the *kgoši* do not necessarily participate in the deliberations. He only participates when giving judgement or when he wants to get clarification on matters before the court. Whenever giving judgement he may not act against the general feeling of the court.

Women were not normally allowed to participate at tribal courts, but the situation have gradually changed such that if they are affected they are allowed to defend themselves. In such situations where disputes have been settled and one party has been found guilty, it is fined, the fine is put in the coffers of the community. The money collected in this manner are put in tribal funds which is supposed to be used for community development projects.

3.2 Interaction with other institutions

Kgoši act as a link between the community and other institution. They serve as an entry and exit point of major development activities. According to Hunter (1943) and Schapira (1966) nothing that is of importance can be done without the knowledge of the *kgoši*. The *kgoši* serve as a spokesman and representatives of his tribe in all external relations. This element is often abused by some *magosi*. They think that this element mean that they are the thinking tanks of the whole community. Thinking that their ideas need to override those of the community. Forgetting that they are/ supposed to be guardians of the whole community. That is they need to be accountable to the whole community. Indicating that their acts should be governed by the entire objectives of the whole community. Each and activity they perform, which is of interest to the community need to be governed by contributions it will make to the enrich it. That is if the *kgoši* thinks of a project that is not approved by the community, should not pursue it.

3.3 Identify development points

Magoši decide where a particular development endeavour is going to take place in the community. Though they do not use scientific approaches, they consult with government institutions and other institutions responsible for these aspects. This include on assigning sites for the erection of schools, clinics, recreation facilities, agricultural development and other practices that are of developmental nature. Besides assigning sites for development, they are involved in different developmental activities. They determine road construction, water supply, school construction, recreational infrastructure. Most of these activities are performed jointly by community members. The community will provide, labour material and will try by all means to ensure proposed projects succeed.

Table 1: Functions of tribal institutions in different areas, (1993)

Effect	Bophutha-tswana	Kwandebele	Transkei	Ciskei	Venda	Lebowa	Gazankulu	KwaZulu	KaNgwane	Significance F-value
Tribal authority: Land allocation Law and Order Service Problem solve	a	a	a	b	a	a	ab	a	ab	5,822***
	b	b	a	b	a	c	b	b	b	5,417***
	a	a	a	a	b	a	a	b	a	4,321***
Chief: Land allocation Law and Order Service Problem solve	ab	b	b	a	a	u	b	a	a	3,478***
	a	a	c	b	b	a	a	a	b	11,306***
	b	a	a	ab	a	b	a	b	b	4,125***
Induna: Land allocation Law and Order Service Problem solve	a	a	a	a	a	a	a	b	a	3,132***
	a	a	a	a	a	a	b	a	a	4,504***
	a	ab	ab	b	b	a	a	b	a	2,689***
Tribal councillor : Law and Order Service Problem solve	a	a	b	a	a	b	a	a	c	13,144***
	a	a	a	a	b	a	a	b	a	5,933***
	a	b	a	a	a	a	b	a	a	4,112***
Tribal councillor : Law and Order Service Problem solve	a	a	a	a	a	a	b	a	a	4,224***
	a	a	a	a	a	a	a	b	b	5,011***
	b	ab	b	b	b	b	a	b	b	2,440**

Most of the schools (community schools) in the rural areas are the result of tribal activities. The tribe through the influence of the *kgoši* and his government start by deciding about the school to the point where the school would be completed. This involves writing applications to the government, and even building it itself. Towards building the school the community will contribute equally, in whatever that would have been determined by the *kgoši* and his government. Also they will be involved in the actual erection of the school. This approach is followed in all projects pursued by *magoši* in their tribal areas. Thus the *kgoši* and his government decides and even ensures that an envisaged project is achieved.

Agricultural development projects also is an activity where *magoši* played important roles. Most of the agricultural development projects as they appear in developing areas have been introduced with the influence and through *magoši*. But though approving them, they are in most cases not involved in the planning of such projects. They also lack the reason behind that project. This implies development approaches, like rehabilitation schemes, betterment planning, land allocation and stock reduction were introduced in this fashion (Letsoalo & Rogerson, 1984). Betterment planning involves an approach where tribal lands were demarcated arable, grazing and residential areas, so as to achieve "efficient agriculture" and soil conservation (McAllister, 1988; Yawitch, 1988; De Wet & Liebrabdt, 1994). This resulted with what is called "economies units". It lead to settlement schemes, result in one plot one family. As a result most of the tribal today does not have the same boundaries as before betterment planning. Centrally managed projects were introduced upon the failure of betterment schemes (Sebotja, 1986, 1993).

3.4 Agricultural activities

The *kgoši* also plays an important in certain agricultural activities including livestock marketing. *Magoši* play a certain role in livestock marketing and several activities are executed that are of importance in livestock marketing. The most important activity is the issuing of permits authorising farmers to sell their animals. The permit outlines the type of animal(s), the number to be marketed, and in some cases the colour of the animals is indicated. The purpose of the permit is to curb stock theft and principally to ensure that livestock marketing is procedurally accomplished. No animal may be sold in the formal channels without a proper permit authorising the owner to sell that animal.

Marketing agents and Government officials would not market cattle (marketing points) without *kgoši*'s authorisation permit. To acquire the permit the owner pays an administration fee ranging between R 2.00 and R 10.00 per animal to be marketed. The amount charged for administration fees depends on tribal authorities' powers. Within the same tribal authority it differs with the loyalty of the farmers to the *kgoši*. Loyalty to the *kgoši* implies the satisfaction of the necessary tributes liable to the *kgoši*. These range from the payment of tribal levies to a range of payments that may be determined by the administration of the local

government from time to time for accomplishing certain functions within the tribal authority.

If a person is regarded to be disloyal to the *kgoši*, it becomes difficult for him to acquire for example, a permit to sell cattle. This will result in the person being compelled to pay his or her arrears first before paying for the permit. Therefore farmers who are not loyal to the *kgoši* find it difficult to market their animals through official channels. In some cases, this forces them to change their marketing behaviour. Those that are loyal to the *kgoši* do not encounter problems whenever marketing their cattle and in some cases obtain their permits free, and those that are disloyal have it tough, with the result that they end up being unable to pay all the necessary payments and in the end the opportunity of selling is also denied. This behaviour compels such farmers to market their animals through private people or any other channel that will not give priority to the permit from the local government.

Magoši play an important role in appointing buyers of livestock in their areas. They do have the final say in who are allowed to speculate in a particular area or region. Speculators are important buyers of livestock in developing areas, and their appointment is approved by *magoši* rather than the farmers who are going to be served. In meetings where speculators are appointed, farmers do not partake in the appointment of the speculators. Only *magoši* perform this task. It puzzles most farmers as to how *magoši* arrive at a decision while they have no clue of what happens. This often results in controversial choices where most of the people chosen are often not in the good books of farmers (Sepodumo, 1993).

4. The erosion of *BOGOŠI* in South Africa

Though important, *bogoši* in South Africa suffered major setbacks. It was never respected by the Government. The history of this disrespect dates back to colonization of this country. Since this era the government devised ways of controlling Africans. To accomplish this the government decided on measures aimed at minimising *kgoši*'s powers. Through appointing *magoši* as government employees, Government was in a position to manipulate the activities of *magoši*. According to Mbeki (1984) these actions turned *magoši* into mere figureheads. To lure support for *magoši* the government emphasised that they can be powerful if they obey government commands. Several techniques were employed which made *magoši* to implement government policy against the will of the population. Most of these activities enriched *magoši* at the expense of their tribes. This self enrichment was enhanced through imposition of tax on communities, disregarding the affordability of the affected people. This system encouraged most *magoši* to squeeze money from the tribe to tribal accounts, to which only *magoši* and the magistrate had access. This resulted in some *magoši* engaging in corrupt activities. Many enriched themselves through implimenting government policy. Some *magoši* were also placed in position where they improperly used tribal properties. Most of the failed development policies like rehabilitation schemes, betterment planning, land allocation and stock reduction were brought to communities through *magoši*. To

introduce such schemes the *magoši* rewarded those who accepted the schemes. They were given appropriate incentives, their land allotments were increased, special stipends were increased, they were praised and were taken to places of honour and finally their rights as government appointed *magoši* continued.

This process made the Chief Magistrate of the area or region to be the head of all *magoši*, including paramount *magoši*. This resulted in *magoši* not performing their duties. They became government watchdogs on their own tribes and communities. To a great extent the government outlined their duties. In this case major emphasis was on the maintenance of law and order, enforcement of government laws and orders, and dispersal of unlawful assemblies. This resulted in the *magoši* being more accountable to Government officials than their own subjects. These activities resulted in most *magoši* facing difficult situations with their tribes. Some *magoši* were rejected by their own tribes.

The introduction of the Bantu Authority system (described above) in the "homelands" minimised and even destroyed powers and role of paramount *kgoši*s. Paramounts who were against the Bantu Authority System had their *bogoši* crushed. Mbeki (1984) refers to the case of the Tembu tribe in Transkei which resisted the Bantu Authorities System because it undermined the rights of their paramount *kgoši*. This led to the appointment of *kgoši* K. D Matanzima the former head of Transkei. The same happened in Sekhukhuleni in the former Lebowa where the paramount *kgoši*'s (*kgoši* Sekhukhune) powers were crushed. The government tried to impose Bantu

Authorities in every tribe. The tribe in turn resisted the whole move. As a result *Kgoši* Moroamoche (*Kgoši* Sekhukhune) and leading council members were banned. *Kgoši* Moroamoche was deported from his area (Mbeki, 1984). The village headmen and other district *magoši* were appointed by the government as fully fledged *magoši*, virtually eroding the *bogoši*. Before the implementation of the Bantu Authority system in Sekhukhuleni there were 14 *magoši*, but now they are a total of 58. All of them appointed by the Government as *magoši*. Even though the government tried to destroy paramount in Sekhukhune, it was revitalised, when on the 12 February 1994, Rhyne Thulare was coronated as the paramount *kgoši* *Bapedi ba ga Sekhukhune*, thereby named Sekhukhune III.

5. A new role for *BOGOŠI* in rural development in South Africa

Bogoši is part and parcel of African tradition. It is still going to be associated and involved in many development activities that are going to affect our country. *Bogoši* is not important, it is only the system that under which it operated that rendered it less important. It turned *magoši* more accountable to the government than their communities. Therefore most of the problems they experience are mainly due to the system under which they operated. But they are also liable to blame as they perpetuated the system's behaviour even though it created a hatred between themselves and the community. If most of the problems could be solved, such that *bogoši* hold its rightful place

and will be able to properly contribute to the development of our society. It proves that it is sustainable as it survived kinds of pressures of whatever form aimed at neutralising it or even destroying it. This does not mean that *magoši* must perpetuate those evil deeds which some of them performed. The present government also must not try to throttle on people through *magoši* as their predecessors deed. Let *magoši* be given their rightful roles. Being rural based, they know different problems and might have ideas that can help to overcome such problems. Through participative development approaches they can play a great deal in shaping strategies that will help most of the problems faced by rural communities. *Magoši* themselves must change their approaches of dealing with things. They must work with the people not for the people. Every thing that is of community interests must be discussed with the community at relevant and appropriate forums where ideas can be shared between the community members and the *kgoši*. That is they must know what the community expect from them, and also in-turn must know what to expect from the community. In pursuing their activities, they must learn to respect human's right and work according to it.

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