

# **The bearers<sup>i</sup> of ubuntu/botho principles at the helm of individualistic capitalist norms: the case of traditional leaders in the post apartheid Azania<sup>ii</sup> (South Africa)**

*Steve Biko highlighted that “What the world can learn from Africa is the focus on humanness and spirituality, to complement [and possibly replace] industrial and Western individualism [which goes with avarice and greed]” (Magadlela, 2008).*

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## **Introduction**

The paper is written in times when post-colonial Africa still struggling with the same old challenges of the *20th Century*<sup>iii</sup>, as the continent is trying to navigate and negotiate its location and position in this globalised world. The paper aims to show the many challenges facing Africa today in the struggle to achieve peace and sustainable development. At the centre of this struggle is the burning issue of leadership and their weaknesses and strengths of various leadership styles adopted by African leaders in facing these challenges. The paper attempts to scrutinise the pre and post colonialist traditional leadership in relation to Afrocentric societal moral values. It will also attempts revisit ubuntu principle with a view to gain more understanding its universality. In addition, the paper will also make some recommendations that can be considered in formulating strategies that will produce everlasting solutions to Africa and her children.

In meeting these challenges they have adopted various strategies such as the African Renaissance in order to achieve cultural, scientific, economic constraints and renewal. Among other things the African Renaissance is a philosophical and political movement that intend to end the violence, elitism, corruption and poverty that seem to haunting the African continent, and replace them with a more just and equitable order. In trying to add to rebuilding of Africa, this paper intends to rehabilitate traditional leadership, by trying to expose the weaknesses and strength of traditional leadership.

## **Background**

For us to be in a better understanding of what we are talking about when we speak of traditional leadership, we need to bear in mind that when we speak of traditional leadership, we are referring to the bearers of ubuntu principles. Therefore, it is impossible understand South Africa’s current conditions of misunderstanding and intolerance of difference, of leadership disconnection with the people and of business misalignment with holistic human development without revisiting the historical development. I

Before we start engaging what is said above, it will be advisable to start by looking at the origins and the meaning of the name Africa. The origins and meaning of the terms Africa is traced where the name Africa emanated from. The name originates from the word

Afura, another name of the Area of the Great Lakes (Motshekga, 2007). The name has the following variants:

- Afar
- Afer
- Zafara
- Safara
- Sofala
- Aphara
- Faro

The name Afura and its variants mean the land (A, za, sa or so) of the king (Fura or Faro) perceived as the sun or god. Therefore, the names Afura and its variants mean the Land of the king, sun or god. The word Afura or Afar is the root of the name Afuraka or Afarka (Greek Africa). This name is made out of: A meaning land, Fura/Far meaning the King, Sun and God, ka meaning my. Thus Afuraka or Afarka (now Africa) means, The Land (A) of my (ka) king (fura) who is perceived as the Sun or God. Thus the name African means the child or person of the Sun, God or the King i.e. a divine or royal child or person (Motshekga, 2007:4).

Therefore, to understand whether Africa has began to shed colonial rule or not, as most of the colonies became “free” without violence, some had to be freed by “wars of liberation” of one kind or another (Dube, 2008). Like all parts of Africa has historically articulated traditions and institutions of traditional leadership, which have before and under colonial rule I will argue that it did not serve people well. This manifested itself when the British acted as a senior partner in the colonial government, pacified and established an administrative system, which made use of traditional authority structures for its success of consolidation of colonial administration system based on the principle on which the British rule operated under the tutelage of the Lugardian doctrine of *Indirect Rule*. In reality, this principle operated on the understanding that traditional structures are existing systems of rule on condition that offered the easiest and best way of controlling colonised peoples. In addition, at the same time colonisers use the existing traditional institutions to facilitate colonial administration. In those cases where centralised monarchical systems existed, like the cases of the Zulus, Basothos and Swazi the colonial system found ready-made instruments to affect colonial rule (Prah, 2006).

In other communities where hierarchical distinctions, the aristocratic principle and social stratification not exists and where social organisation and social differentiation were based on lineage and clan segments, the colonial administrators created chiefs out of lineage heads, clan heads and other influential people (Prah, 2006:10). The British were able to develop a system in which traditional authorities were co-opted effectively drawn into local government. That was facilitated by providing the traditional leaders niches; specific jurisdictions in the administration of justice among its people. Although South Africa is known to be “free” but the pillars of colonialism are still intact as the economy is still monetised based on values and cultures of western world. What is raises concern is the fact that some of the indigenous values and cultures such as ‘*ubuntu*<sup>v</sup>’ are co-opted to the westernised economic system like traditional leadership during the colonisation process, as part of legitimising the current political system.

### **Theories of control - Ubuntu versus democratic values**

First and foremost, it is significant to note it will be unrealistic to expect the success of “ubuntu” as a philosophy within the spacious of democracy, as it this philosophy - democracy that represents something totally different and it also dismally failed to offer a “holistically approach to offer love and respecting of human beings, nature and other living creatures”. Nkosi concur by arguing that ‘Ubuntu’ is the basis of African spirituality within the theocratic settings (Tafete, 2003:89).

Ubuntu is regarded as one of the founding principles of the new republic of South Africa that is connected to customary law - the established system of immemorial rules, which had evolved from the way of life and natural wants of the people during and after “independence”. The promises made then before and in the transitional period to independence and promises of a better life via sustained economic that started in Africa and Asia has been anything but a series of catastrophic events (Dube, 2008). There is some debates about the causes of the failure of the post-colonial African state to deliver economic growth and to improve the standard of living for a majority of Africans has not produced any significant fruits. There is a tendency among Africanists’ scholars to examine these failures within a framework that categories some factors that may have led to this state of affairs as either external or internal constraints. Almost without exception, politicians, policymakers, and some academics tend to focus exclusively on identifying external factors that undermine developments of African countries (Dube, 2008:2).

The effect of this singular focus on external factors tends to diverts attention from internal factors, which has led to reverse and disastrous economic performance of almost all African countries. Other such factors are the failure of post-colonial African governments to give power back to indigenes and complementing traditional customs and rules. The singular focus on national consensus under the “nation-building” concept with concern for ethnic diversity, and the failure to devise political, economic, and social arrangements that are based on reciprocity, self-interest and are self policing that serves the African interests (Dube, 2008: 6). Another factor is the failure to construct new social contracts to which all-African people have access to their ancestral land. In addition, the assumptions that made by neoclassical economics as they argue that by integrating missing institutional pieces such as *isintu*, *ubuntu*, and *ubukhos*i will solve the problems that haunt Africa. Whilst in fact fail to understand the deeper meaning of these concepts.

To better understand the socio-political dynamics of Africa, one need to study and have a clear understanding of these concepts, which are defined as follows: *Isintu*, among other things, embodies the notion of *ubuntu*. In fact, it captures the common understandings of people (such as conventions, customs, habits, moral principles, rules of thumb, traditions and the like) that are important in regulating or coordinating interactions among people who be driven by enlightened self-interest to consent to a new social contract. The principle of *ubukhos*i is founded on the principle of *ubuntu* (humaneness), which expresses itself metaphorically in the statement, “*umuntu ngumuntu ngabantu*” (people are people through other people). It emphasizes the respect for human dignity and allows for orderly reciprocal changes to human relations within the parameters of observation of customs and rules as represented by the practice of the ancestors (Dube, 2008).

The notion of *ubuntu* promotes conciliation at the expense of confrontation at all times in all spheres of the community. Although *ubuntu* articulate a specifically African view of reciprocity and community, as evidenced by present events repossession of land in Zimbabwe and elsewhere in Africa (Dube, 2008: 3) The main principle that is drawn from

*ubuntu* is the survival of people that depends on voluntary cooperation with each other; reciprocal activities and self-policing structures. For example, *Ubuntu* emphasised that there must be no unequal treatment in economy, socially and politically. We need not to forget that the bartering economic exchange system that was not depended on the monetary system (Mthembu, 2007b:2). The concept of ubukhos and this institution of traditional leadership has been shattered in the past hundreds of years. *Ubukhos*, form part of the cultural values, norms, traditions and customs, all combine to ensure that even in the midst of all economic difficulties facing Zimbabwe at this time, including the land question, there shall be respect for human life and dignity, and respect for law and order. The concept of *ubukhos* is the foundation for reciprocal social contract where any proposed constitutional arrangements must clearly reflect the aspirations of African continent and her children (Dube, 2008: 4).

When it comes to organogram of African kingship, firstly we must acknowledge the fact that the concept of tribes and tribal authorities is alien to the African divine kingships. The African creator God Ptah was an unknown and Unknowable God, who revealed Himself as:

- Usara (Greek Osiris i.e. the Son of the Sun)
- (M)usasi (Greek Isis i.e. the daughter of the Sun)
- Kara or Hara (Greek Krios or Horus, i.e. the Sun God) (Motshekga, 2007:6).

The founders of ancient *Ethiopia<sup>v</sup>* and Egypt were divine rulers called Shamsu Hara (Greek Shemsu Hor i.e. the companions or Followers of Horus). Thus these divine rulers were called Horus kings. These kings were symbolised by the falcon bird known as Nasara (Nasra) or Nazara (Nazra) which was found in Egypt, the Sudan, Ya-Amun (Greek Yemen) and Great Zimbabwe (Motshekga, 2007). . The creative energy of God Ptah was called Amun or Atum. The variants of the Word Amun were:

- Amen Mani
- Amoun Mena
- Amani Men

These names appeared various dynastic titles in Africa:

- Amenhotep (Egypt)
- Tutankhamen (Egypt)
- Karakamani (Ethiopia)
- Arkakamani (Ethiopia)
- Karamani (Ethiopia)
- Arkamani (Ethiopia)
- Manikongo (the Congo)
- Manipemba (the Congo)
- Meneptah (Egypt)
- Mutapa (Maphungubwe/Zimbabwe)
- Mwanamutapa (Maphungubwe/Zimbabwe)

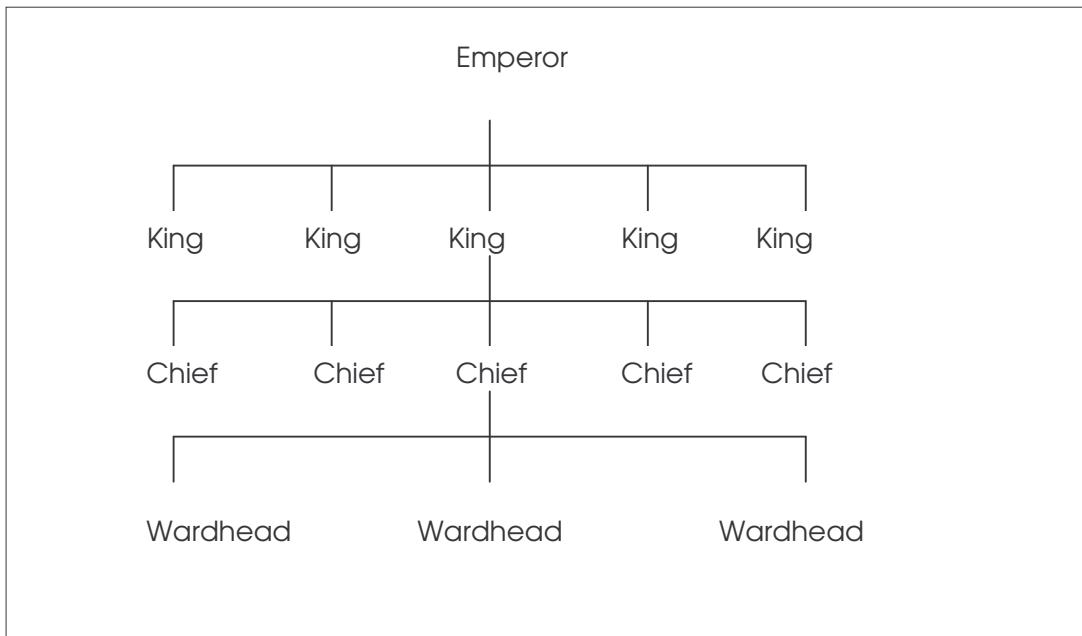
- Omphta (Ethiopia/Egypt)\*
- Momphtha (Ethiopia/Egypt)\* (Motshekga, 2007).

Therefore, when we define African royalty we dare not consider the fact that African theories on this question are based on the Zodiacs of Dendera (Ethiopia/Egypt), Matendere and Maphungubwe (Zimbabwe and South Africa)(Motshekga, 2007:6). The Zodiac is made out of symbols decorated on a wooden platter. These symbols form the celestial bodies, which are:

- The three stars of the Orion belt
- The constellation of Taurus
- The Four rudders of Heaven or four quarters of the universe
- The seven Pleiades or circumpolar stars
- The seven outer planets

The celestial bodies which compose the supreme Council of the Gods with the Central Sun (Kara or Hara) as the king (Fura or Faro) of the universe. The earthly king and his royal council are a reflection of the Solar king and the great Council of the Gods. For the African divine rulers, such as the Rain-Queens (Mujadji) of Balozwi (popularly known as Balobedu) were described as transformers of the clouds also known as the great magicians because they were believed to control, like the Solar God, the four quarters of the universe, time and climate (Motshekga, 2007). So, this narrations confirm the fact that South African kingdoms were modelled after the Ethiopian states, as various literature shows that Africans in the north and south form part of big family (Mthembu, 2007). This model either consisted of a confederation of States or Kingdoms or simply existed as one state or kingdom and this can be observed on the formation of the largest medieval confederation of States in Southern African the empire of Bokhalaka (or Vukaranga) with its capital city of Maphungubwe and later Great Zimbabwe. This empire was made out of several kingdoms which were headed by the emperor (Fura or Faro) while its kingdoms were headed by kings (Mambos). Below the kings were chiefs (Mahosi/Dikgosi) who presided over a network of wardheads (magota or Manduna), consisted of wards with villages made out of family units or homesteads (Motshekga, 2007:9, Mthembu, 2007)..

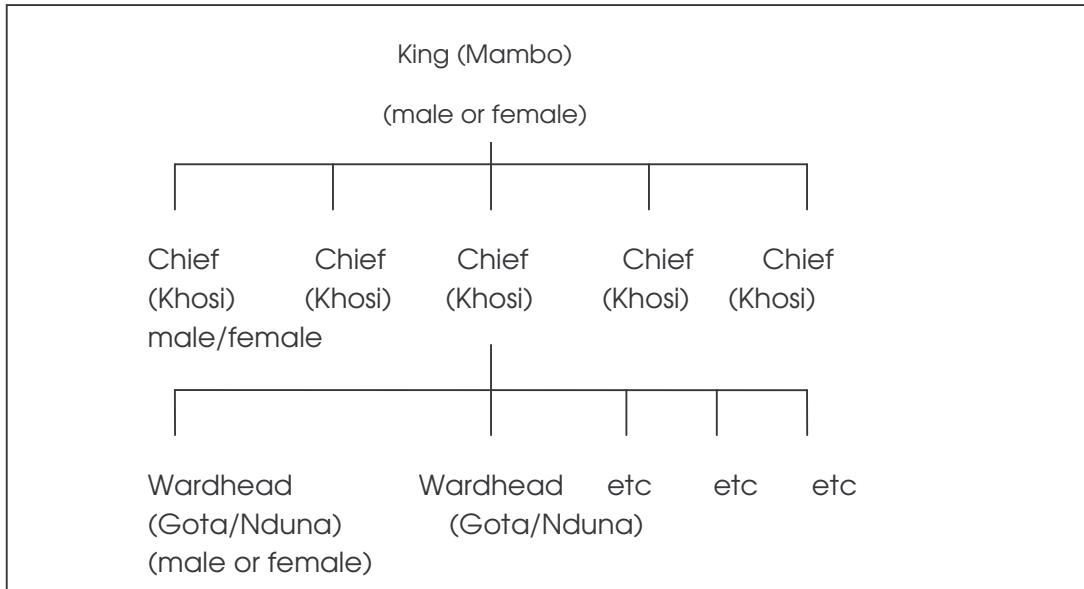
**Diagram 1: Organogram of the African Empire**



**Source:** Motshekga (2007).

Graph 1 indicates the formation of royalty theocratic reign that Africa enjoyed in its ancient glorious days. The organogram shows that African kingship that was led by Emperor who ruled over vast dynasty that stretches to the east – Mongolia and India; on the west to Americas; on the north to Europe countries that ruled by kings, thus why we hear about the concept of King of Kings. This mighty empire started to crumble which started to shrink around 2000BC (Icke, 2001). Therefore, the western colonisation process that is mostly known as the *scramble for Africa*, which started as early as 1700 Before Christ Era (BCE) and later centuries it was consolidated in 1800s in Berlin Conference<sup>vii</sup> (Mthembu, 2008:1). Kings had their own chiefs and Chiefs had their own assistance –Wardhead. After the destruction of the Empire of Bokhalaka, generally known as Mwanamutapa (or Monomotapa) empire, the successor kingdoms of Thobela, Bulozwi/Bulobedu , Zulus<sup>viii</sup> and Bavenda emerged in South Africa<sup>ix</sup> (Motshekga, 2007; Mthembu, 2007).

**Diagram 2: Organogram of an African kingdom**



Source: Motshekga (2007).

African administration consisted of the administrative, judicial and political structures that were interconnected, interdependent and form part of kingship and at each of the three spheres of governance the ruler had a royal council, led by the king or queen or their substitute. These royal councils exercised administrative, judicial and political powers (Motshekga, 2007).

For one to be in better understanding of colonisation programme, one would have to revisit and trace its origins, which date back to the times of Roman leaders like Constantine and beyond. When we are looking at earliest social transformation, we need to note that the west have some impact towards the movement of hue man race towards South. Some of the influence by the Roman Empire is the establishment and changing of certain social settings such as the keeping of the Sabbath day and holidays. In addition, the introduction of western Christian Churches that perpetuated the white supremacy true racism, values and culture (Mthembu, 2007b). For example, the Western World played a meaningful role towards scramble for Africa as early as 1700 Before Christian Era (BCE). Eventually, that campaign was "championed" by Roman Empire under the towards social transformation of which cannot be ignored of is the order by the Church Council of Laodicea circa 364 CE that stated that religious observances were to be conducted on Sunday, not Saturday. Sunday became the new Sabbath. They ruled: "Christians shall not Judaize and be idle on Saturday, but shall work on that day." There are many indicators in the historical record that some Christians ignored the Church's ruling. Sabbath observance was noted in Wales as late as 1115 CE. Francis Xavier was concerned about Sabbath worship in Goa, India in 1560 CE; he called for the Inquisition to set up an office there to stamp out what he called "Jewish wickedness". A Catholic Provincial Council suppressed the practice in Norway in 1435 CE (Mthembu, 2007b). Other depressing events when we speak of the role of the church in social transformation, we remember the

role played by the Western Church like Roman Catholic Church is when the Pope divided Portugal and Spain into two halves in 711A.D. A major activity in this regard is the continuation of land dispossession (they call it scramble) of Africans of which culminated to be what they call it “slave” trade to Americas. This vicious trade benefited the Roman Catholic Church, as Bishop Bartholomew de las Casas and Pope Martin IV of the same Church endorsed it by receiving twenty-five cents per head (they told lies that would save their souls in case they die crossing triangular trade they will go to heaven) for each African slave (Ben-Jochannan, 1986). Another event is the battles fought by Princess of Kahina or Dahia against Islamic invasion of places that eventually today to be Morocco (Mthembu, 2007b:4).

The colonialist regimes and their government has literally abolished the office of a king or paramount chief and made tribal authorities headed by kings and chiefs, the functional units of traditional African governance. For example in South Africa, the color bar clause found its way into the South Africa Act, 1909, which established the Union of South Africa. This Act made the Governor-General of the Union of South Africa the Supreme chief over all African communities. The scenario in South Africa resembles the same situation in all of African continent. The concept of king or emperor (Fura or Faro) which was also abolished in the Roman Empire under the present guidance of the Queen of the United Kingdom and Roman Pope (Motshekga, 2007:7). Whilst, the last African *Emperor Haile Selassie the First*<sup>x</sup> was “overthrown” by the anti-Christ Socialist Mengistu in 1977, who instituted the Derg government in Ethiopia.

When looking at the type of leadership style demonstrated in Africa, Chinweizu highlight the *jackal-like type* of leadership of leading within the group. This was manifested in the pre-colonial Africa, where elders and traditional leaders gather under some trees, acting like ‘village parliaments’ and pass laws In addition, the Pharaonic Egypt, leadership had a vision- maat. The thought that Pharaoh was carrying out God’s law reinforced this rulership. Another style of leadership is the replica of the dominant *lion-like-type* of leadership, which maintains a gap between the ruler and the ruled (Banda, 2007).

Neill (1965) argues that “in the Africa of a century ago, the King was omnipotent and the whole of African life revolved around him. The King’s word was law; he had the power of death and life” and adherents of such traditional leadership, believed that they were ‘God anointed’ and their ideas and decisions ‘infallible’. Politicians hardly learn anything from history. The two large states of sub-Saharan Africa, Nigeria and South Africa, are given an iconic importance in this section, suggesting that their descending into chaos could affect the political and economical landscape of Africa. The invisible hand of power the grassroots people have in shaping their destinies, as they interact among themselves, and allow the African principle of *ubuntu* (human centeredness and not self) to guide them(Banda, 2007).

Therefore, the above scenario poses a mammoth task to the current transformation of the Institution of traditional leadership, which need to restore the territorial integrity of African kingdoms, instead it consolidating the divide and rule values through tribalism. But that seems to be not visible at this period, despite changing of names from tribal authorities to traditional councils because these traditional councils tends to serve as the neo-colonial

structures that are ill informed of knowledge of pre-colonial African States (Motshekga, 2007).

### **Traditional leadership in the post apartheid era challenges**

The African leadership is rooted in the profound expression of communal and humble humanity, inspired through collective thinking, doing and living of all the people; traditional leadership is a patriarchal social system. When we look at its functions, we find that it is a patriarchal social system, that is not elected by the people, but acquire their positions mainly on kinship grounds. Traditionally, all land occupied by a clan was vested in the chief and was administered by him as head of the clan. The chiefs regulated the distribution and use of land in their respective areas. The land did not belong to the chief; he only administered the land on behalf of his people, followed the rules of *natural justice*<sup>xi</sup>(Hugh, 2004 :34, 42, 55).

When we look at the pre-colonial times it noticeable that various forms of governments prevailed. Traditional leaders play an significant role in the lives of the people who stay in traditional communities, as they have been the statesmen of their people even after the first annexation of the Cape by the Dutch. However, colonial powers changed the traditional role of traditional leaders to enforce their colonial policies. Therefore, in cases where Constitution is supreme law, then that will mean a position of the traditional leaders in which they take decision is weakened, as the state decides who is appointed, as a traditional leader. In other words, traditional leaders acted as judicial officers over matters dealing with customary law. For example, in South Africa the status of the traditional leaders changed in 1927 with the promulgation of the Black Administration Act, i.e. -the Black Administration Act, which gave the minister the powers to allow a traditional leader to constitute a court of a chief in their respective areas. This act prescribed the powers of jurisdiction of such courts, as it heard the civil claims arising out of Black law and custom brought before it by Blacks against Blacks (Hugh, 2004:52).

The effect of the transformation process was that people could no longer move freely from one territory to another. The drawing of regional and national boundaries was the order of the day. The situation continued until 1927, when the Black Administration Act 38 of 1927 reorganised traditional courts into government institutions, which Governor-General acted as the Supreme Chief. The result of such provision tended to take away the will of the people to decide who must be their chief and took away the traditional way of succession (Hugh, 2004:40). Although traditional leaders fulfil some traditional functions but they also fulfil certain modern functions in terms of legislation. Some of the laws concerned with their modern role date back to before the 1994 democratic elections (Hugh, 2004:iv). Both the 1993 and 1996 Constitutions of the Republic of South Africa recognise *customary law*<sup>xii</sup> and traditional leadership in South Africa. The constitutional recognition of customary law and traditional leadership since 1994 brought several laws and court decisions that affected on the development of customary law. Some of the impact of these developments is the influence on the role of traditional leaders (Hugh, 2004:4).

We need not to forget that the so called Customary law had never been fully recognised as a basic component of the South African legal system prior to 1993, whilst the Roman-Dutch law was treated as the common law of the land. Therefore, the non-recognition of indigenous laws started as early as 1652 with the settlement by the Dutch at the Cape (Hugh, 2004). For example, in 1685 the Dutch established the 'Raad van Justisie' as the

highest court (Hugh, 2004:7). That affected negatively towards the development of the indigenous laws and resulted destruction of indigenous cultures of the region. In addition, this helped the British to establish one system of law, as in 1828, passed Ordinance 50 of 1828, which is a formal way of non recognition of indigenous law. The purpose of the act was to refuse to make any provision at all for the laws of indigenous people (Hugh, 2004:8). After 1845<sup>xiii</sup>, the British reserved the area between the Kei and Keiskama rivers for the indigenous population. State-law pluralism was introduced when the government allowed indigenous people to administer their own indigenous laws and practise their customs, subject to the revision of colonial officials (Hugh, 2004).

Resistance by the indigenous people forced the British government to start “recognising” indigenous law. In 1864, the British government passed two legislations, which overtly recognised certain indigenous institutions. Between 1877 and 1894, the colonisers adopted various strategies in different African communities they encounter but with vision of colonisation as their subjects. For example, although new policy permitted the colonial courts to apply customary law however, these courts were subjected to certain limitations that were compatible with the general principles of “humanity” observed throughout the colonised world (Hugh, 2004). In this, way colonial courts dealt with these indigenous peoples to ensure peace was preserved or for the prevention or punishment of acts of violence to persons or property of the colonisers. This was more visible in eThekwini where the colonialist government had a Diplomatic Agent and Secretary of Native Affairs, Theophilus Shepstone who decided to co-opt the services of traditional leaders and the incorporation of traditional leaders by recognising customary law. In 1869, the government reduced some of the systems of customary law in the colony to a written code, i.e. - to change and codify customs relating to marriage and divorce with a view to bring these customs in line with government requirements. In terms of all marriages had to be registered, a limit was placed on the amount of *lobolo*, and the consent of the wives was made an essential requirement of marriage (Hugh, 2004:17)

By 1910, customary law was recognised in all four of the areas, which were to constitute the Union of South Africa (the Union). Each colony of the Union had its own set of laws regulating indigenous affairs and exercising control over black people. So, this law, denied Black people and were prohibited from buying or leasing land outside certain areas (Hugh, 2004:16). Therefore, all the conflicts and inconsistencies that beset traditional leadership under colonialism and apartheid have been transferred to the new democratic dispensation (Hugh, 2004:34). As already stated above, the drafting process of the 1993 Constitution ignored customary law as a system of law. The situation forced traditional leaders to intervene and to ensure the inclusion of customary law and traditional leadership to the constitution of South Africa. The negotiations took place at a stage in South African history when the country was politically very unstable. South Africa's Interim Constitution described itself as ‘an historic bridge’, one leading from a past of prejudice and apartheid to a future of democracy and ubuntu and the interim Constitution recognised traditional rule. It is important to note that traditional rule, during that time, was regarded as systems of law in the homelands and in South Africa. The interim Constitution gave traditional leaders ex officio membership of the governmental structures in their areas, which also stipulated the establishment of a House of Traditional Leaders in consultation with the traditional authorities and residents in their respective areas. These provisions gave these new bodies the power to advise and make proposals to provincial legislatures or the national parliament on matters concerning traditional authorities and customary law. the concessions were the result of political bargains between traditional

leaders and the parties because the negotiators were under pressure (Hugh, 2004 :42). Traditional leaders are expected to observe applicable legislation and customs and must not apply customs that have been amended or repealed.

Therefore, that means the National House of Traditional Leaders is a statutory body comprising a total of eighteen traditional leaders, three from each of the six provinces where there are traditional leaders, namely, Eastern Cape, Free State, Kwazulu-Natal, Limpopo, Mpumalanga and North West. The Chairperson and Deputy Chairperson of the National House, are elected by the entire membership, appointed on a full time basis with term of office for five Years. The National House of Traditional Leaders is located within a government department (the Department of Provincial Government), from which it sources its funding and support. Provincial houses also source their funding from the respective provincial governments. At the same time the traditional leaders generally feel that houses of traditional leaders should be autonomous structures, which should function independently from government (Prah, 2006: 21).

The Congress of Traditional Leaders of South Africa (CONTRALES) was launched to articulate the interests of Traditional Leaders and act as an extra-parliamentary opposition movement. The movement aligned itself with the African National Congress and the United Democratic Front. After the demise of Apartheid, CONTRALESA campaigned for the constitutional recognition of the status, role, and powers of traditional leaders in the new democratic South Africa. As a result, In terms of section 13 of Act 10 of 1997, traditional leaders are entitled to remuneration paid from the national treasury fund. The Remuneration of Traditional Leaders Act 29 of 1995 gave national government the responsibility for paying salaries and allowances to traditional leaders (Hugh, 2004:67; Prah, 2006).

The reforms that took place in this country tend to bring various views in this regard, as others see it as the opportunity to establish and to deepen the working relationship between municipalities and traditional leaders. Others view it as best chance of uniting government and traditional leaders. However, the challenges that are faced by traditional leaders include: the so-called 'African time', a euphemistic phrase for poor time management; Africa's slow pace in development to the insensitivity to the ticking of the clock the murky waters of the HIV/Aids pandemic and the response to it by the grassroots. Another challenge is the need for Africa to facilitate intercultural dialogue, and grow own networks based on the principles of *ubuntu*, the theme that gives a common purpose for all. The need for traditional leadership to rediscover itself and looking to the future with hope and determination. Traditional leaders are remunerated for the services they render to their respective communities- the past, no one could boast of paying a salary to a traditional leader. Traditional leaders were in fact a repository of wealth and dispensers of gifts to the members of the clan and to leaders of other clans. This made traditional leaders to be effective, to broker peace easily where it was necessary, and to be examples of how *ubuntu* or humaneness had to be demonstrated. It is sometimes a dilemma at present that traditional leaders have to be part of a payroll by a government structure. Therefore, this poses a challenge because whoever pays a salary wants to control, give direction or even dictate what should be done and how it should be done. Such challenges are compounded by the fact that democratic governments are formed also by those who claim to have choices to be loyal to no traditional leader or king, even though they dwell on land which the previous kings allowed them to settle on temporarily

(Prah, 2006). another crucial challenge is the issue of a new ‘transnational community’ born out of this diaspora (Magadlela, 2008).

Lastly, the challenge of seeking acceptance by colonialist scheme and the need to revisit what Marcus Garvey said - ‘Don’t seek for acceptance at the expense of yourself respect – Why hammer at the gates where you are not wanted? Build your mansions, enterprises, nations and governments .Build them powerful that the world will acknowledge them and take them seriously “(Tafari, 2008).

When we look at the types of kingships that is witnessed to day, there are some monarchies that “survived” what I would call the total onslaught of colonialism such King Mswati III who is still the head of state and approve legislation passed by parliament before it can become law. This is an indication that all power is still vested in the monarchy. The continued recognition of traditional leaders in Swaziland will depend on the effectiveness of traditional leaders themselves. The Chiefs in Swaziland are responsible, through traditional powers vested in them by the king, for raising local resources and co-ordinating delivery and community maintenance of basic services. In South Africa that is the responsibility of local government. Another monarchy of Lesotho serves a largely ceremonial function; the king had no executive authority and is prohibited from actively participating in political initiatives. Under traditional law, the college of chiefs has the power to determine who is next in line of succession, and who shall serve as regent in the event that the successor is not of a mature age. Therefore, that suggests that as long as government is vested in the monarchy, traditional leadership will remain part of government (Hugh, 2004:92).

Lesotho Government is a parliamentary constitutional monarchy, where the constitution provides for an independent judicial system. The judicial system is based on English Common Law and Roman-Dutch Law. The monarchy appoints the chief justice. The judicial system provides for traditional courts<sup>250</sup> that exist predominantly in rural areas (Hugh, 2004:93). South Africa is a republic and Lesotho a parliamentary constitutional monarchy. Customary law in Lesotho enjoys a similar status as it does in Swaziland. In South Africa, the president is the head of state and the head of government. The president in South Africa, as the head of state, has executive authority, but the king in Lesotho does not. The king in Lesotho in conjunction with the chiefs is the guardian of tradition in Lesotho. In South Africa it is the opposite, the kings and chiefs, who are not heads of state, are the guardians of tradition. The role of traditional leaders diminished substantially after independence like many other African countries, the colonialists used traditional leaders to their own advantage. The colonialists used traditional leaders to implement their policies and enforce colonial laws. The problem for the Namibian population is that the Constitution does not mention traditional courts. The Namibian Constitution has a similar provision as the South African Constitution, regarding traditional leadership. In Chapter 12 section 5, the Namibian Constitution states that:

‘There shall be a Council of Traditional Leaders to be established in terms of an Act of Parliament in order to advise the President on the control and utilisation of communal land and all on such other matters as may referred to it by the President for advice.’

The Namibian Traditional Authorities Act 25 of 2000 does not improve the role of traditional leaders. The act restricts them to cultural or traditional matters and in assisting government in maintaining peace and order. Unlike South Africa, the act does not give

them any role in development and service delivery (Hugh, 2004:96) In terms of section 3(2) traditional leaders are required to assist the police and other law enforcement agencies in the prevention and investigation of crime and the apprehension of offenders. Traditional leaders in Namibia are allowed only to assist government in the implementation of policies and governmental programmes.

Traditional leaders are not allowed to be in charge of these policies and programmes. As in South Africa, there is tension between traditional leaders and the elected councillors (Hugh, 2004:99). Botswana and South Africa, the relationship between traditional authorities and government is clear (Prah, 2006). The Zimbabwean parliament passed the Traditional Leaders Act of 2000 that brought changes in the role of traditional leaders. In terms of section 5 of the Act, the first role is the performance of functions pertaining to the office of a chief as the traditional head of the community under his jurisdiction. Second, traditional leaders must perform functions conferred on them in terms of the Customary Law and Local Courts Act. In terms of section 5, it is also the responsibility of the chiefs to oversee the collection of taxes, levies, rates and other charges payable under the Rural District Councils Act. Traditional leaders share same ancestry and same colonisation and a common destiny, as they are part of the African Union and the Pan African Parliament. Currently, there are some discussions to form a Continental House of Traditional leader (CHOTLA). Therefore, it is crucial to note that before Africa was colonised the indigenous people of Africa had their own system of government (Prah, 2006).

### **Concluding remarks**

In conclusion, the traditional leadership faces a serious challenge of making the aspiration of their subjects to become a reality or else continue to servants to the foreign rule. Therefore, that call upon to revisit what Marcus Garvey said "We are going to emancipate ourselves from mental slavery; because while others might free the body, none but ourselves can free the mind .Mind is your only ruler, sovereign. The man who is not able to develop and use his mind is bound to be a slave of the other who uses his mind .When God Almighty made man in his own image and likeness, it wasn't the physical. The mind was like God. Every man represent God in his unitary intelligence. .When man abuses that intelligence he lowers himself. When God made you .He made you the master of the world, not serfs and slaves, but your mind must be developed intelligently .It is your mind that rules the body .You cannot go further than mind to seek truth and re-act to truth" (Tafari, 2008).

The survival of people depended on the changing or repenting from their evil ways of trusting on illusions, bowing to foreign gods and reaches out to Jah the Creator of everything (Psalm 68:31-350). In other words we as the Ethiopians we need to go back to the Theocratic Order not democratic order that sustain and perpetuate white supremacy through liberalist programmes. In addition, "the elitist aspects of liberal democratic theory find new currency as the alliance of reformers and moderates commits itself to a form of politics. That preserve the central pillars of capitalist society, ensuring that entrenched power holders – especially the bourgeoisie – maintain a veto over the pace, content and institutional form of the new democracy"(Mthembu, 2007b:7).The failure by the traditional leadership to look at their existence with critical look, that will lead to consolidation of foreign ideals of Western and Arabic origin. That will result to what Alatas (1974) call it as the 'captive mind', which largely refers to the theoretical and institutional dependence of traditional leadership to Western thought, leadership and the uncritical and

imitative manner in which such knowledge is assimilated and disseminated. In considering what Abdullah and Low (2005) noted when they argue that the intellectual imperialism has resulted in diverting or lack of attention from issues that should be of critical concern to African communities (Mthembu, 2007b).

The need to adopt the *linear thought* approach is highly recommended in addressing problems the colonised to come up with lasting solutions to the evils of colonisation of Africa and her children (Welsing, 1991). In addition, the most significant and fundamental point of the departure of the true liberation/emancipation route of the Ethiopian/African world from these anti- Christ, is rooted in the second phase the *Afrocentric approach*, as way of self realisation in all social aspects including environment, education, science, sport, spiritualism, peace, collective security, love, architecture and government administration (Mthembu, 2008:12).

Time is now to take the route for self-determination that is guided by some form of Order (in this case the ancient *Nyahbinghi Order*<sup>xiv</sup> that will ensure the true liberation of the Black world. Respond to the call for assurance of the total liberation of Ethiopia: Psalm 68:31- "Princess shall come out of Egypt; Ethiopia shall soon stretch out her hands unto God" (Edmons, 2003:59). The last phase that preceding the state where human race start to come to terms with the "will of the Creator" and this phase will fulfil what was prophecised by ancient Alexandrian scholar Origen (aka Adamantius) — the return to the "original" state of hueman race. Everyone will be willing to share and love one another as equal hueman beings, skin colour of the person, money, greediness will be totally defeated (Oshitelu, 2002). Lastly, it was said "*those who have ears let them hearken and those who have eyes let them see*" whilst that time is still around.

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<sup>i</sup> The responsibility of traditional leaders to be the custodians of Africa's culture and heritage, moral values, cultural and social systems of many people in the country and not the government's

<sup>ii</sup> Literally it means whom Jehovah hears and also refers to Azaniah the father of Jeshua who reached the covenant of separation from the laws of people of the land unto the law of Jah after they have been subjugated to oppressive laws and unrighteous laws (Nehemiah 9:36-38; 10: 1-29). It depicts the ancients Azanian/Nubian people (which Afrikan people in the southern of Aethiopia/Afrika form part) who were who were and still found in the regions of the Nile River.

<sup>iii</sup> Kindly note that the Ethiopian calendar retains the old Egyptian system that divided a year into twelve months of thirty days each plus one additional month of five days /six days in leap years. Ethiopian dates therefore, fall 7- 8 years behind western dates since the reign famous Roman Caesar. The Romans under Julius Caesar established itself on reformed calendar from the *Alexandrian science* and adopted it to the western world. Julius Caesar decreed that authorised the overhaul of the Roman Calendar System. Then the Copts inherited this science as a right, built upon it and handed this calendar, together with their method of computing the date of Easter, on to their descendant Church in Ethiopia (<http://www.ethiopianmillennium.com>). The doctoring to a solar calendar started around 47 and 46 BC. Caesar's new calendar was based on the solar year being 365 days and 6 hours long. This contributed to what underdevelopment of Africa in general (Mthembu, 2007c:9).

<sup>iv</sup> Nkosi concur by arguing that a growing tendency towards greed and commercialisation of land, even by Africans and especially in urban areas and that contributes in gradually destruction of the sense of '*Ubuntu*' of which is the basis of African spirituality within the theocratic settings -(see Tafete, 2003:89). Therefore, I will argues that it will be unrealistic to expect the success of "*ubuntu*" as a philosophy within the spacious of democracy, as it this philosophy - democracy represent something totally different and it also dismally failed to offer a "holistically approach to offer love and respecting of human beings, nature and other living creatures". In addition, the custom of asking for rain or making rain through the help of the ancestors and God still features strongly in some communities.

<sup>v</sup> those who study all facets of African life regardless of their nationality

<sup>vi</sup> Refers to the name of the whole of ancient Africa(Edmons, 2003:34).

<sup>\*</sup> These names Omphata and Momphtha are respectively variants of Mutapa (the falcon God) and Mwanamutapa (the lion God) (Motshekga, 2007).

<sup>vii</sup> Fourteen countries were represented by a large number of ambassadors when the conference opened in Berlin on November 15, 1884. The countries represented included Austria-Hungary, Belgium, Denmark, France, Germany, Great Britain, Italy, the Netherlands, Portugal, Russia, Spain, Sweden-Norway (unified from 1814-1905), Turkey, and the United States of America. Major players in the conference were France, Germany, Great Britain, and Portugal, as they control most of colonial Africa (Mthembu, 2008).

<sup>viii</sup> King Shaka was born about the year 1787, and the impressive achievements attributed to him in his 40-year life span can only be briefed here. By 1816, he was head of a small Ama-Ngoni clan, the Ama-

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Zulu. Within a few years, he had re-organised it militarily — in terms of both weapons and the tactics and strategy of war— so that the Ama-Zulu clan became a feared fighting force. Through warfare and political manoeuvring , he united and commanded the Ama-Ngoni who had previously been divided into dozens of independent or semi-independent clans led by their kings and established new tribes such as Zulu, Basotho and Ndebele came into existence. Some of his saying -*Izibongo* states that – ‘*Shaka is the King who surpasses other Kings with wisdom*’(Mthembu, 2007b).

<sup>ix</sup> The origin of African people in this south part of Africa shows that they are the branch of Israelites that believed and live theocratically values – refers to the rule of people-by-people for the Creator. Therefore, I will argue further that theocratic values are normally documented in ‘totality’ in the normal Bible. For example, the Ngoni such as Zulu people practiced the ceremony that resembles those that are documented in the Bible (Jeremiah 2:3) like the ceremony of the First Fruit Magema (1979:9-11 & 90).

<sup>x</sup> The redeemer whom was prophesised to emerge a give back life, dignity, right and truth to the race that has been dispossessed, enslaved to foreign lands and given false doctrines that are based on the interests of mankind – democracy. The Redeemer that is spoken about this moment is the only His Imperial Majesty Emperor Haile Selassie the First and Forever who is seen as whom was prophesised as the returned Messiah. It was revealed Enoch who is the seventh from Adam, prophesied that, “Behold, the Lord cometh with ten thousands of his saints – Jude 1:14”. Again in *Enoch CHAP II: 1* it was revealed that ‘Behold, he comes with ten thousands of his saints, to execute judgment upon them, to destroy the wicked, and reprove all the carnal for everything which the sinful and ungodly have done, and committed against him. Emperor Selassie I is the perfect example that hueman race has to look upon H.I.M. for guidance and the fulfilment of the prophecy (Mthembu, 2007c:14).

<sup>xi</sup> The law of respecting the Creator of everything and pose no harm to other human kind, nature and animals equally.

<sup>xii</sup> Section 1(4) of the Law of Evidence Amendment Act 45 of 1988 referred to customary law as ‘indigenous law’, established system of immemorial rules, which had evolved from the way of life and natural wants of the people. The section defined it as ‘the Black law or customs applied by the Black tribes in the Republic or in territories which formerly formed part of the Republic’ (Hugh, 2004)

<sup>xiii</sup> All treaties which governed the control of indigenous people through their chiefs in this area, were abolished.

<sup>xiv</sup> Nyabinghi Order proclaimed by Emperor of Ethiopia for a total liberation of Ethiopia from western oppression for to be able to master that Order one need to be under the commitment of the Nazarite Vow –Numbers 6:5 (Edmons, 2003:59 & 76).