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**UNIVERSITY OF CAPE TOWN**

**FACULTY OF HUMANITIES**

**LEGITIMACY, TRADITIONAL INSTITUTIONS AND SCHOOL  
GOVERNANCE: A CASE STUDY OF AN EASTERN DISTRICT**

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award of the degree of MASTER OF PHILLOSOPHY: EDUCATION  
ADMINISTRATION PLANNING AND SOCIAL POLICY

2008

## **COMPULSORY DECLARATION**

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

SIGNATURE:.....

DATE.....

University of Cape Town

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## ABSTRACT

Following South Africa's democratization in 1994, the country has undergone significant transformation in virtually all spheres of life. In the rural local governance arena this transformation has been characterized by tensions and contradictions arising from uncertainties about structures of local governance. In post apartheid South Africa we have a situation which may be described as having two bulls in one kraal i.e. traditional authorities and newly elected democratic councilors sharing the responsibility of government. The presence of these two centres of power at the local level serves as basis for conflictual relationships and competing discourses and this impact badly on service delivery. While the current legislation on rural local governance is rich in issues pertaining to redress and equity, the reality on the ground is that rural-urban inequalities are perpetuated. This research seeks to offer insights into this situation.

The study focuses on the role of traditional institutions in rural development and more specifically in school governance in rural communities. In the case of schools, traditional authorities and school governing bodies represent these competing discourses. During the apartheid period traditional authorities were directly involved in schooling and they were part of school governance, working hand in glove with school communities. This relationship was redefined in 1994 and consequently traditional authorities were excluded from schooling. The aim of this study is to investigate the consequences of the exclusion of this institution from school governance by comparing ways in which governing structures operated and impacted on education practices before and after 1994. The study is therefore trying to answer the question: What were the advantages and disadvantages of the involvement of the Qwebe-qwebe traditional authority in schools under its jurisdiction before 1994 and what was the significance of its exclusion after 1996?

The study draws on Ray's concepts of shared and divided legitimacy to conceptualize shifts in the role of traditional authorities in relation to school governance before and after 1994.

This is a qualitative case study. Most of the data were collected through interviews. The data was analyzed in order to foreground the relationship between the legitimacy of the modern state and that of traditional leaders in relation to school governance functions.

The study concludes that traditional leaders fulfilled a number of functions that supported schools before 1994. New state structures have not been able to take on these functions effectively. As traditional leaders are competing with new government structures for legitimacy and support this competition further undermines the effectiveness of these structures.

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University of Cape Town

# CHAPTER ONE: THE ROLE OF TRADITIONAL INSTITUTIONS IN SCHOOLING IN RURAL COMMUNITIES

## INTRODUCTION

This study focuses on the role of traditional institutions in rural development and more specifically in school governance in rural<sup>1</sup> communities. During the apartheid period traditional institutions were the only form of local governance in rural communities within the former homelands and were represented on school governance structures. Traditional leaders were directly involved in schooling and also played a pivotal role in rural development in general. This is captured in the research report *Traditional Leadership in Africa* produced by the Institute for Local Governance (1995). The authors say:

*In the past they [traditional leaders] have effectively performed many of the functions normally carried out by local authorities in such areas as schooling, basic health care and land use and allocation; they have also assured the mobilization of local resources and articulation of local needs and priorities (1995: 11).*

Traditional leaders were responsible for service delivery. In his address at the 50<sup>th</sup> Anniversary Conference Reviewing the First Decade of Development and Democracy in South Africa, Inkosi Pathekile Holomisa, president of the Congress of Traditional Leaders of South Africa, had this to say:

*As leaders of their people under apartheid traditional leaders provided what development service they could under the circumstances. They mobilized communities to raise funds from among themselves to build schools, clinics and community halls for their people. They visited labour centres to raise funds for the development projects in their areas. They encouraged people to produce food for themselves by tilling the land (2004: 3).*

However, these efforts were undermined by limited resources and by the political ambiguities associated with the positions of traditional authorities. Jacklin and Graaff (1994) noted that the involvement of traditional institutions in school governance complicated issues and was problematic. Some traditional leaders were authoritarian, and sometimes interfered in affairs outside their scope of jurisdiction.

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<sup>1</sup> In this dissertation the word rural refers to those areas outside the proclaimed towns within what were called homelands or Bantustans during the apartheid era.

In 1994, the birth of democracy in South Africa affected both directly and indirectly those institutions that were perceived not to be grounded in democratic principles. Traditional institutions had come to be associated with apartheid and colonialism. When the popular revolt that engulfed South Africa in the 1980s penetrated rural areas, chiefs were often targeted and branded as collaborators of the apartheid regime. Consequently, through the *South African School's Act No 84 of 1996*, traditional authorities were excluded from schooling in the rural communities de jure. However, they remain a “*potent de facto force*” in local education and continue to wield authority, to borrow words from *Emerging Voices* (2005: 125).

Since 1994 there have been significant changes in the education system, particularly in school governance, and these have been codified into law including the *South African School's Act No.84 of 1996*. This chapter maps out these changes in order to sketch the context for the study. Drawing on the relevant literature, I argue that while the legislation aims for equality and equity in education provisioning across the country, rural and urban inequalities continue. I suggest that a strong rural voice is needed to lobby for local needs and that this requires a stable political environment. However, the question of a rural voice raises the issue of the definition of a school community which is explored here in relation to current policy. Lastly, through critical analysis of the local governance policy, this chapter examines how the restructuring of local government has impacted on the capacity of communities in rural areas to be involved in school governance.

## **RATIONALE**

Poverty is pervasive in rural areas, especially in the former Bantustan territories. According to Williams (2001) this is where an estimated 16.9 million people, or 45 percent of the population, live under the jurisdiction of over 800 chiefs. He notes that while the government has been clear in its commitment to rural development, it has been less so with respect to what role traditional leaders would have in development.

Although chapter twelve of the *Constitution of South Africa* of 1996 recognizes the institution, status and role of traditional leadership, specific roles and responsibilities remain unclear. At times traditional authority responsibilities at the local level overlap with those of democratically elected structures (see also Oomen 2005).

South Africa, like other countries on the African continent, faces the challenge of defining the place and the role of the institution of traditional leadership in its system of governance. The constitution has laid the basis for legislation that would clearly specify the role of the institution of traditional leadership in a democratic South Africa but government legislation has not yet resolved this issue.

While I came to this study as a scholar, my position as a traditional leader has contributed to my motivation for and interest in this work. I was born and bred in the rural Eastern Cape in the Western Tembuland town of Cofimvaba. My father was an Inkosi and the head of the Qwebe-qwebe traditional authority, which comprises seven localities. I was only eight years old when my father died. Soon after his death my older brother took over the reigns and became the Inkosi, as according to our tradition an Inkosi rises to power through birthright. According to Tembu tradition the chieftaincy doesn't belong to the person who occupies the throne but to the entire family of his lineage, thus it is the family at large that decides who becomes the Inkosi.

It is also possible for the chief to be dethroned by the family, especially if they feel that a particular Inkosi is a disgrace to the chieftaincy or not fit for the throne. The nature of chieftaincy is that the Inkosi is assisted in governance by the inner council, who are his confidential advisers in whom he can place his trust and that of his tribe. These positions are given to the brothers of the chief and elders with a proven record of wisdom. This membership is limited, but is drawn mainly from the circles of the Inkosi's relatives and people who are influential members of the community. Therefore the Inkosi works very closely with his family.

My father had three wives and each of them has a son, so we are three brothers with one father and three different mothers. We work in a kind of a triumvirate chieftaincy structure with a strong vision of maintaining and promoting our chieftaincy for the betterment of our people. I see my responsibility as going beyond the daily tasks of chieftaincy to think critically about these tasks and then continually reinventing the chieftaincy to align with South African democratic society.

This research project is therefore my contribution as a scholar to the process of clarifying the role and place of the institution of traditional leadership in a democratic South Africa. In doing so, I intend to take advantage of the insights and opportunities that my position as traditional leader give me while at the same time honouring the scholarly principles of being critical, balanced and transparent. I am aware that my position as a traditional leader raises methodological issues regarding validity and these will be addressed in chapter three.

## **BACKGROUND AND CONTEXT: RURAL - URBAN INEQUALITIES IN SCHOOLING BEFORE 1994 IN THE RURAL EASTERN CAPE**

During apartheid we had evidence of inequalities between rural and urban schools in South Africa. This is illustrated in the study conducted by Jacklin and Graaff (1994). These inequalities resulted from the policies and practices of the former education and other government departments, from associated economic inequalities and from the spatially different patterns of social relations which developed in the apartheid era. Inequalities were institutionalized in the different ways in which schools were governed and funded and were reflected in the tendency to prioritize allocation of resources according to political influence (Jacklin and Graaff 1994). Priorities accorded to rural communities were relatively low compared to urban areas. According to Jacklin and Graaff this resulted from the fact that rural communities had less political clout and less economic influence.

Rural schools in the Bantustans, specifically in the Transkei, were mainly community schools. Rural poor communities had to build and take care of their own schools. Community schools were established in areas controlled by the traditional authorities outside the proclaimed towns. The building of community school classrooms was funded by communities and supplemented by a government subsidy. Traditional authorities wielded authority in the governance of schools as they were in control of finances and land allocation. In contrast, urban schools enjoyed privileges with the state taking full responsibility for the entire schooling system including the provision of facilities.

The differences in governance and funding between rural and urban communities produced two worlds, namely rural-poor and urban-better off South Africans. It was noted by Jacklin (1997) that rural education has always been at the worst end of the spectrum, what she termed the “Cinderella” of black education. Williams (2001: 157) also noted that despite the relative success of the “rand for rand” education policy, where the government provided one rand for every one raised by the local community to build a school, most development programs failed to improve the lives of a majority of the people.

The South African rural landscape became increasingly impoverished, backward, overcrowded and unhealthy (Williams 2000). Even today, in the second decade of our democracy, it is undisputable that the legacy of this deprivation remains immense (*Emerging Voices 2005* and *The Ministerial Report on Rural Education 2005*).

In the Transkei, schools were generally initiated by communities and governed by community-based committees. These committees comprised members elected by the community, representatives of the traditional authority and the principals of schools.

### **EDUCATION CHANGES AFTER 1994**

With the birth of a South African democracy in 1994, the newly elected government passed legislation aimed at addressing these inequalities. The legislation introduced a new uniform system of school governance for both urban and rural schools that aimed to redress fragmentation and inequality. However, as we enter the second decade of our South African democracy, disparities between rural and urban schooling have been exacerbated despite the governments' efforts to redress past inequalities through new legislation, including the *South African Schools Act No 84* of 1996. The problems that were highlighted in the report on homeland education by Jacklin and Graaff in 1994 still characterize the nature of schooling in these rural areas. This is captured in recent research projects on rural education, namely, the *Ministerial Report on Rural Education* (2005) and the HSRC's *Emerging Voices* (2005).

### **CONTINUING INEQUALITIES IN POST APARTHEID SOUTH AFRICA**

Current inequalities between urban and rural schools are manifest in particular conditions of rural schooling associated with poverty: low attendance and high dropout rates, limited parental involvement in schooling, unattractive conditions of service for teachers, limited material resources and limited management and governance capacity. In the next section I will review these challenges. For this purpose, I draw heavily on two recent research reports on rural education, the HSRC's *Emerging Voices* (2005) and the *Ministerial Report on Rural Education* (2005).

## **Poverty**

In both the HSRC report on rural education, *Emerging Voices* (2005), and the *Ministerial Committee Report on Rural Education* (2005) poverty is singled out as the characteristic of rural life which impacts most strongly on schooling.

The *Ministerial Report on Rural Education* (2005:17) argues that poverty impedes access to quality education, retention and achievement. *Emerging Voices* (2005: 25) draws attention to ways in which poverty pervades the everyday realities and activities of people living in rural areas and conditions the capacity of families to engage with education. It is an indisputable fact that daily life in rural areas is mostly experienced as a battle for basic survival. Hunger is ever-present for many learners and affects health and social relationships between people. The authors assert the view that household decisions to send children to school are strongly influenced by this economic, social and cultural context.

The most critical and sensitive issue is that, in the absence of an adequate regular income, employment and food security, families have to rely on the labour of children to help make ends meet and there is high dependency on social grants and pensions.

## **High dropout rate and absenteeism**

There are a variety of factors associated with school dropout rates and absenteeism in the rural areas. In the context of poverty, unemployment and relatively low literacy levels amongst parents the constitutional right to education for children is compromised. This is exacerbated by the high rate of opportunistic illnesses such as HIV/AIDS, TB and others. This is illustrated in great depth in the HSRC's *Emerging Voices* (2005: 44-65). According to this report, many children of school going age are out of school and at risk of being drawn into criminal activities. A relatively small proportion of learners in rural areas proceed with education beyond secondary school. Irregular school attendance contributes to repetition of grades and dropout rates.



Factors contributing to irregular school attendance and dropout rates include the daily chores rural children are expected to do, the distances they walk to and from school, the inability to pay school fees and purchase uniforms, corporal punishment, hunger, ill health and HIV/AIDS, disability, teenage pregnancy, sexual abuse and bullying in school by both learners and teachers (*Emerging Voices 2005*). Some of these problems, such as HIV/AIDS, exploitation and sexual abuse are not often spoken about in rural areas. According to the *Ministerial Report on Rural Education* these are hidden because of the silences concerning traditional practices and the dominance of patriarchal family relations in rural communities.

Poverty, the lack of basic services, poor health facilities, low levels of literacy among rural communities and the absence of law enforcement institutions undermine the capacity of children to attend school regularly.

### **Involvement of parents in the education of their children**

In summarizing the greatest challenges facing poor schools in South Africa, Soudien (2005) comments on the *South African Schools' Act No 84* of 1996 in relation to parental involvement. He says:

*The Act projected parental identity around a restrictive middle-class notion of who parents were and how they functioned. Central to this were particular understandings of how time is used, what domestic resources are available for schooling, how much cultural capital parents can draw on in relating to school and so on. The upshot of the practice, as a result, was that in black schools, SGBs continued to be dominated by their principals or their teachers (2005: 108).*

The reality is that this privileged the middle classes, both black and white and led to marginalization of the poor who generally did not have as much time or resources to participate in school governance as did their better-off counterparts. I concur with the statement made in *Emerging Voices* that this argument applies to rural schools with even greater force than to schools in urban townships. Furthermore, it is noted in *Emerging Voices* (2005: 41) that poverty conditions the ability of families and children to engage actively in education related processes. Most people in poor households in rural areas are women facing food insecurity on a daily basis and this takes precedence over participation in school meetings or school governance.

According to the *Ministerial Report on Rural Education* (2005) parents do not attend meetings, making the whole issue around school governance a major concern in rural communities.

According to *Emerging Voices* (2005: 36) communities are divided as to the importance of education. The report suggests that these conflicts can be traced back to the nineteenth century where some people accepted Christianity and schooling while others rejected both. These divisions live on in many communities and form part of a complex web of interlocking values that shape participation in schooling. Ironically, this problem is exacerbated by the presence of unemployed yet highly educated youth in rural areas. This contributes to the perception that education is worthless and a waste of time.

Both these reports suggest that the general relationship between parents and teachers is not a healthy one. "*It is characterized by tension, distrust, and disregard*" (*Ministerial Report on Rural Education* 2005: 75). Parents are critical of teacher absenteeism, assaults on children and the use of children for tasks other than learning. These practices are common in rural schools and impact negatively on attitudes towards schooling. These tensions are further exacerbated by quarrels over the appointment of teachers in schools. According to the *Ministerial Committee Report on Rural Education*, communities often want locals, whom they refer to as the 'calves of the manure', to teach in schools while teachers are more concerned about merit. This illustrates the view that even though parents constitute a majority in school governance structures they don't have the capacity to fully engage in the education of their children.

### **Conditions of service for teachers**

Conditions of service for teachers in rural areas are not pleasant. They teach in poorly resourced schools with inadequate buildings and basic necessities such as water, electricity, and sanitation. There are few libraries and resources such as computers and basic learning materials such as textbooks are limited. There are few opportunities for teachers in rural areas to upgrade their qualifications either through contact with institutions of higher education or via the internet.

There is a poor transport and communications system and few shops and banks. There is a lack of suitable housing, by urban standards. Teachers who qualify for the government housing allowances are unable to utilize such a privilege in rural areas because of the customary land law that prevails (*Emerging Voices* 2005: 115). Another issue is that teachers do not want to send their own children to schools in rural communities due to perceived poor academic standards associated with these schools. Because of these problems, very few teachers choose to reside in rural areas. For most, employment in rural areas is a last resort. In these areas the retention of better-qualified teachers is a challenge. These complexities are captured nicely in one of the submissions made to the *Ministerial Report on Rural Education*:

*Poor services discourage better-qualified educators from teaching in rural areas. Previously educators were not part of the homeowners' scheme. Eventually when they were put on board, educators in the rural schools were still excluded. ...This scenario leads to a situation where the educators prefer to travel to work than to stay in the rural areas. Late coming therefore becomes the order of the day. Having to use their own vehicles on bad roads compounds the problem, as does lack of access to facilities such as medicine and health. Thus employment in rural areas becomes the last resort while the educator is looking for greener pastures.* (2005: 76).

### **Facilities and equipment**

Both the *Ministerial Report on Rural Education* (2005) and the *Emerging Voices Report* (2005) point to the lack of resources as a crucial factor which impedes and compromises the quality of education in rural areas. School buildings are often dilapidated and in need of repair. There are often no proper toilets. Very few schools have textbooks, let alone computers, telephones, faxes, copiers, radios and TV sets. In some cases, electrical equipment is distributed to schools where there is no electricity (*Emerging Voices* 2005: 72).

## **Governance and management**

The two reports agree that there tends to be a lack of support from department of education officials for schools in rural areas. At the district level, many district offices are dysfunctional and there is a general lack of both physical and human resources.

Officials have limited access to cars for visiting remote areas and providing support or monitoring delivery (*Ministerial Report on Rural Education 2005*). It is highlighted in both reports that when these visits do occur, the focus is more on administration than on curriculum and pedagogy. It is common for school principals to travel to district offices rather than for officials to visit schools. The limited communication between schools and district officials has consequences for school governing bodies. They cannot communicate directly with district officials, nor do they receive support such as training.

What can be deduced from the challenges highlighted above is that there is a lack of effective governance structures at the local level to engage with all these problems, to develop capacity and to lobby for support and resources.

## **Rural voice**

Jacklin and Graaff (1994: 2) and Jacklin (1997) foresaw the continuation of inequalities between rural and urban schools. They argued that these inequalities would prevail despite the demise of the apartheid government because of the marginalisation of the rural voice within political and economic relations generally and specifically within institutions which produce education and training policy and research. According to Jacklin (1997), the unequal distribution of material resources is perpetuated by institutionalized policies and practices that are more responsive to powerful urban interests than to rural interests.

Jacklin states:

*...with the reorganization and formal deracialisation of education and specifically school governance and financing in South Africa other forms of inequity, including spatial inequalities, are likely to become more visible (1997: 2).*

Jacklin and Graaff (1994: 15) identified two principles that they believed should govern policies aimed at more equitable delivery of education in rural areas. Firstly, policies must ensure equal outcomes but must also identify where this requires different methods. They argued that policies must be sensitive to actual conditions and special needs in the rural areas and should be targeted at the most marginalized areas. Secondly, policies must act on spatial relations of power to strengthen the influence of those who have been marginalized. They stated that this needs a restructuring of governance at the institutional level and at every other level, so that learners, their parents and their teachers can actively participate in shaping the system that serves their interests. They carried on to suggest that there must be specific channels for rural voices so that rural communities can compete with other groups. Governance structures must be shaped in ways that strengthen the possibilities for participation by those who have been most marginalized, to cater for the interest of the heterogeneous needs of rural communities.

More recently, the HSRC *Report on Rural Education: Emerging Voices* (2005) and *Ministerial Report on Rural Education* (2005) also made recommendations similar to the ones made by Jacklin and Graaff above. These reports echoed Jacklin and Graaff with regard to a need for the establishment of a strong rural voice to lobby for the needs of rural communities. It is suggested that problems and challenges in rural areas require coordinated and integrated efforts from rural communities. It is strongly emphasized in both these reports that there is a need to unite education and other forms of social delivery such as health, social welfare and others; to form structures around common problems and to work out ways of dealing with them. They emphasize coordinated actions between education authorities and local government to reduce backlogs in service delivery.

Despite the fact that the governance of all schools, including schools in rural communities, is regulated by the *South African School's Act No. 84* of 1996, the two reports advocate a separate education policy to fit the specific needs of rural communities and to recognize the continuing significance of the spatial proximity to school governance. In this concept, school performance is closely related to functions of other community agencies.

This approach is premised on the idea that a coordinated program of services could benefit the whole community and that the school belongs to the local community and is central to community activities.

Plank (1996) argues that an affirmation of community in contemporary policy debates may often be damaging rather than helpful, for two reasons. Firstly, the spatially defined community that is commonly invoked by policy analysts does not exist, either because it has vanished forever or because it remains to be created. Secondly, the community that exists is in fact often very different from the one imagined by the analysts. According to Plank (1996) shifting power and responsibility to the community may have unexpected and pernicious consequences. Plank says:

*It is comforting to think that communities rich in social capital are all around us, simply awaiting the call to renewed social responsibility, but in many places they are not, and assigning large public responsibility to communities poor in social capital may make them worse rather than better off (Plank 1996: 15).*

In the light of the argument made by Plank we need to ask ourselves the following question: Does this argument hold any water in the context of schooling in the South African rural areas? The nature of rural areas seems to be fertile ground for the participation of spatially proximate communities in school governance. There is perceived to be a powerful sense of community, culture, understanding of environment and indigenous knowledge systems in these areas and these are identified as major strengths of rural communities in South Africa (*Ministerial Report on Rural Education 2005:18*). However, even though the idea of a spatially proximate community seems to remain relevant in the context of South African rural areas, community structures in these areas have always brought their own problems and these have been evident in community-school relations. These have included complicated institutional governance structures that privilege the influence and participation of those who hold power i.e. traditional authorities; established gender relations which marginalize women and the youth; tensions between supporters of different forms of local government, i.e. civic organisations and traditional authorities; limited governance capacity in terms of certain kinds of technical skills, etc (See Jacklin and Graaff 1994).

Political instability was a great problem in rural areas during the apartheid period. This political instability has outlived apartheid and is still prevalent in post apartheid rural South Africa even though it has taken on a different form and shape. Jacklin and Graaff (1994) suggested that problems associated with school governance and delivery in rural areas could not be addressed through education reform alone. They said that community participation also required a stable political environment, as it is difficult to establish participation in communities that are politically incoherent and unorganized.

In the context of poverty, high levels of illiteracy, unemployment and limited resources, political stability seems to be a great challenge to achieve and to maintain. This challenge is even greater where there are uncertainties about the structures of local governance. In the next section I explore these ambiguities within local governance policy.

## **LOCAL GOVERNANCE POLICY DEVELOPMENT PROCESS**

Chapter twelve of the *Constitution of South Africa* (1996) recognizes the institution, status and role of traditional leadership according to customary law, but the specific roles and responsibilities to be played by this institution remain unclear and vague and at times overlap with roles of democratically elected structures. However, the constitution laid a basis for the development of legislation that would clearly specify the role of the institution of chieftaincy in a democratic South Africa. Consequently, later in 1996, the government decided to produce a White Paper in preparation for producing a comprehensive policy on traditional authorities (*Traditional Authorities Act*) in post-apartheid South Africa.

The process was originally supposed to be completed in 1998 but took longer than anticipated with a discussion document only surfacing in 2000. The biggest challenge in this legislative process was the relationship between traditional institutions and elected local government structures. The South African government envisaged a limited role for traditional leaders whilst the traditional leaders envisaged a much greater role. This process was characterized by much contestation and in some areas fuelled violence.

For instance, violence erupted in areas such as KwaZulu Natal and the Eastern Cape leading to the loss of innocent lives. The traditional leaders also threatened to boycott local government elections which were scheduled for the end of 2000. This resulted in a series of meetings between government officials and representatives of traditional institutions in an attempt to resolve the matter amicably. At times, the then Minister for Provincial Affairs and Local Government, Sydney Mafumadi, who was perceived as being anti-traditional leaders, was bypassed and most meetings were held with President Mbeki. Compromises were reached with the President announcing the possibility of a dual system of governance i.e. retention of traditional institutions and elected public representatives. Consequently, changes were made, with traditional leaders not only retaining most of their powers but also expanding these (Oomen: 2005; Ntsebeza: 2004).

The functions of traditional authorities as stipulated in the *Traditional Leadership and Governance Act* included promoting socio-economic development, enhancing service delivery and contributing to nation building. The Act also suggested that national and provincial departments would provide a role for traditional leaders to play in areas such as arts and culture, land and agriculture, health and welfare, justice, security and home affairs, economic development, environment and tourism, natural resources management, communication and customary functions. These constituted the same roles as those entrusted to the local governance structures making it difficult if not impossible to specify the actual role to be played by traditional institutions (Oomen: 2005; Ntsebeza: 2004). The vagueness and ambiguity of this Act has led to unhealthy competition between these structures of local governance and this impacts badly on service delivery in rural communities.

Despite the ambiguity of the legislation, the Act provided a beacon of hope for coexistence by encouraging partnerships and mutual respect between municipalities and traditional institutions as well as encouraging cooperation with other government departments. However, it failed to explain explicitly the relation between the two. The government shifted from its earlier stance with regard to the limited role of traditional authorities in local governance, now setting itself the mammoth task of defining the place and role of the institution of chieftaincy within democratic society.



This shift was based on the belief that this institution has the potential to transform and contribute towards the restoration of the moral fibre of rural communities while also playing a significant role in reconstruction and development in rural areas. However, the question that still remains to be answered in this process is how this institution can be transformed.

In summary, today local governance institutions in rural areas are suffering from a form of institutional 'schizophrenia', with traditional institutions and modern democratic structures competing for survival. This competition is really not healthy for rural development and poses a serious threat to service delivery and development. Commentators in recent research reports on rural education suggest that a clarification of the roles and responsibilities of different governance agencies is a prerequisite for local participation in effective school governance. This is captured well in the *Ministerial Report on Rural Education* of 2004. In one of the submissions to the Ministerial Committee, one of the teacher unions has this to say with regard to the roles of various parties, including traditional authorities, in school:

*...tribal land owners, (on whose land rural schools may be built) parents, teachers, learners, district officials and the state e.g. local municipalities must be in complete agreement about their own particular roles and obligations as well as those of other parties. ...discussions could ...create a forum for the future discussions in which roles could be negotiated ... It is also anticipated that roles, rules and responsibilities that would be agreed upon in this kind of forum would be unique to the circumstances in which each rural school finds itself (2005:33).*

## **THE AIMS OF THE STUDY**

In this study I situate the institution of chieftaincy within schooling in the rural areas, not at the institutional level but at the local or district level of education governance. The aim of this study is to investigate the consequences of the exclusion of traditional authorities from school governance since 1996 by comparing ways in which governing structures operated and impacted on education practices before and after 1994. I am fascinated by the benefits and also aware of the negative consequences of the involvement of traditional institutions in schooling in the period before 1994.

This study investigates what the potential might be for the ongoing involvement of traditional authorities in schooling in rural areas and what challenges might arise from such involvement.

## **RESEARCH QUESTION**

For rural communities to benefit from community-school relations we need to analyze earlier experience to avoid falling into the trap of perpetuating old or creating new forms of inequality. To this end, my study addresses the question: **What were the advantages and disadvantages of the involvement of the Qwebe-qwebe traditional authority in schools under its jurisdiction before 1994 and the significances of its exclusion after 1996?**

## **CONCLUSION**

If Jacklin and Graaff (1994) and two recent research reports on rural education, namely *Emerging Voices* (2005) and the *Ministerial Report on Rural Education* (2005), are correct in arguing that change in rural areas is contingent on the lobbying power of rurally based organizations, we have to ask ourselves which structures and organizations might take on this task today. Traditional authorities are candidates for this role. Traditional authorities potentially serve as a guiding and organizing principle for the sense of community in rural communities and have shown resilience over time. However, the role of this institution can only be justified if it is legitimate. Institutions are efficient and effective only if citizens comply voluntarily with their rules and decisions. Thus efficiency depends on legitimacy. In the next chapter I will discuss the question of legitimacy and highlight possibilities for true democratization of rural communities.

## **CHAPTER TWO: LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK**

### **INTRODUCTION**

This chapter reviews the literature relating to the position, role and place of the institution of traditional leadership in schooling and in rural development in general. In the previous chapter I suggested that change in rural areas is contingent upon the lobbying power of rurally based organizations and that traditional institutions are candidates for this role. While some authors suggest that traditional authorities serve as a guiding and organizing principle for the sense of community in rural areas and have shown resilience and stood the test of time, others view the institution of chieftaincy as being incapable of facilitating and accepting modern processes. The former argue that the chieftaincy is not based on a static conception of its traditional functions, duties, or responsibilities. Instead, they suggest that the notion of tradition is both resilient enough to maintain and reproduce pre-existing social relations in the face of social and political changes while also flexible enough to adapt to changes in the midst of increasing social demands and expectations.

In this chapter, I draw on literature relating to the question of the legitimacy and continuing resilience of this institution in post apartheid South Africa. This literature responds to the unanticipated reemergence of traditional authorities in South African politics. This is a reemergence that we could not have anticipated in the years running up to the first democratic elections as this institution was often targeted and branded as a relic of apartheid that would 'melt away like the ice in the sun', to use the words of Matthew Phosa, the then legal advisor to the African National Congress. As mentioned above, the role of this institution can only be justified if it is legitimate. Institutions are efficient and effective only if citizens comply voluntarily with their rules and decisions, thus efficiency depends on legitimacy.

I have refined Ray and Labranches' cultural Foucauldian analysis of discourse as a framework for conceptualising the coexistence of traditional institutions and modern structures.

Drawing on this conceptualisation, I discuss two ways of resolving the tension between these two forms of authority in order to enhance service delivery at the local level.

## **LEGITIMACY AND RESILIENCE**

Within the field of political science there are disagreements among scholars around chieftaincy. One view is that the institution of chieftaincy is void of any 'genuine' indigenous values because of the experiences of indirect rule and apartheid (Ntsebeza 2000; Mamdani 1996). These writers who support this view suggest that the continued existence of the chieftaincy prevents real political change in rural areas (Mamdani 1996; Ntsebeza 1999; 2002; 2004 and Cau 2004). These critiques argue that the institution of chieftaincy is a relic of apartheid which lacks legitimacy with local populations and exercises authority on the basis of fear, coercion and claims to tradition and that it survives because of state weakness and because people have no other institution they can trust. For the critics of chieftaincy, democratic transformation at the local level is only possible if this institution is completely dismantled or at least restricted to purely ceremonial functions (Mamdani 1996; Ntsebeza 1999; 2000; 2004 and Cau 2004).

Others argue that chieftaincy represents authentic 'African democracy' and can flourish in spite of the colonial experience (Williams 2001; Ray and Labranche 2001; Ray 2004; Zungu 1996). According to Ray and Labranche (2001: 62) chiefs continue to derive legitimacy and authority from African pre-colonial political, cultural and religious sources. This institution continues to influence the African political landscape despite numerous attempts to limit its authority. This resilience makes one doubtful that it can be dismantled. It is therefore essential to critically examine Mamdani's (1996) thesis of the colonial state, which informs scholars (Ntsebeza 1999; 2000; 2002; 2004; Maloka and Gordon 1998) who criticise the institution of chieftaincy in South Africa.

Mamdani's thesis focuses on the colonial strategy of the separate policies and rules for the urban citizens and rural subjects. According to Mamdani this was enforced through the entrenchment of ethnicity on one hand and through forcible separation between the urban and the rural areas on another. Mamdani believes that colonialists manipulated 'tradition' and 'custom' to justify indirect rule on the basis that they were indigenous forms of social organization. He says that these identities were reinforced and used to manage rural Africans. Furthermore, he asserts that the colonial project of ethnic pluralism and urban-rural divide was entrenched through excessive force which created a system of rule that was both despotic and highly decentralized (Mamdani 1996).

In summary, Mamdani views traditional authorities only as instruments invented and used by the colonialists' government to facilitate its rule. Mamdani portrays chieftaincy as a system void of any genuine indigenous values which was forcefully imposed on the rural subjects.

However, scholars have criticized Mamdani's thesis for failing to take into consideration the nature of the precolonial design of the institution of chieftaincy (Williams 2001; Ray 2004; Van Rouveroy van Niewaal 2000 and others). According to Williams (2001) there is historical evidence to suggest that chieftaincy-societal relations are embedded in a mixed political culture, accommodating both authoritarian and participatory principles. He argues that the precolonial institutional design of the chieftaincies combined elements of both centralization and decentralization. Mamdani's thesis does not recognize that colonialism didn't necessarily invent an entirely new set of authority relations, but rather relied upon pre-existing principles and ideas to facilitate its rule. For Williams, the apartheid and colonial state privileged those principles that helped to facilitate social control and ignored, or rather down played, those which were considered less important for their mission. Williams argues:

*While the experience of colonialism and apartheid altered the content of these principles, the importance of unity, order, consultation, impartiality and community welfare as frames of reference for local populations, continues to structure chieftaincy-societal relations (2001:246).*

Mamdani's lack of insight into this rich African history prevented any exploration of a homegrown African democracy, which most African scholars believe is essential for a peaceable environment in Africa.

Ntsebeza (1999 and 2002) falls into the same trap as he draws on Mamdani's conceptual framework. Ntsebeza (1999; 2002) expresses dissatisfaction with the fact that the South African constitution recognizes the institution of traditional leadership which, according to him, is undemocratic (because they are not elected) and enshrines a Bill of Rights at the same time. To him this is contradictory. Ntsebeza's argument places great weight on elections as the defining feature of democracy. However, democracy doesn't fit neatly into a single definition since it includes a host of indices, including elections, institutions for participation, political parties etc. (See Enslin and Dieltiens 2002: 7). Various formulations of democracy exist, with theorists judging a system to be democratic according to the relative weight they give to particular indices.

Both Mamdani and Ntsebeza see the institution of traditional leadership as being confined to traditional functions which they also believe were invented by the colonial and apartheid governments. Central to their argument is the belief that, as the social problems became more complex, the more 'traditional' structures of power would necessarily give way to 'modern' political system consisting of constitutions, political parties, separation of powers and a society imbued with civic culture.

Mamdani and Ntsebeza's argument is based on a static concept of 'tradition'. According to Williams (2001) 'tradition' is constantly changing and being reinvented over time. For Williams the recent South African legislation on local governance is a good case that illustrates that it is difficult, if not impossible, to differentiate traditional functions from state functions. The act attempts to distinguish 'traditional' functions and state functions to help facilitate coexistence. According to this legislation, traditional functions are land allocation, dispute resolution, and ceremonial functions. Development and democratic representation are defined as state functions. This separation has proven to be difficult to sustain in the context of South African rural areas where traditional and modern spheres merge and at times overlap.

This is made more difficult by the fact that apartheid manipulated tradition to facilitate its rule. It is common in the context of the South African experience to find traditional leaders holding positions both within 'customary institutions' and within more modern institutions.

For instance, both the president and the vice president of the Congress of Traditional Leaders of South Africa, Nkosi Patekile Sango Aa! Dilizintaba Holomisa and Nkosi Mwelo Nonkonyana respectively, are ANC members of parliament, with many more traditional leaders occupying positions in all spheres of government. This shows that the legitimacy of chieftaincy is not based on a static conception of its traditional functions, duties or responsibilities. Instead, the notion of tradition is both resilient enough to maintain and reproduce pre-existing power relations in the face of social and political changes while also flexible enough to adapt to change in the midst of increasing social demands and expectations. Thus Mamdani's thesis fails to capture the realities of the South African rural context.

An interesting and challenging academic insight into what necessitated the resurgence of chieftaincy in post apartheid South Africa has been presented in a book titled *Chiefs in South Africa* by Oomen (2005). Oomen manages to link a constellation of factors which, according to her, gave rise to what she terms institutional crystallization. This explains the recognition of the institution of chieftaincy in policy and the resurgence of chieftaincy in post apartheid South Africa and elsewhere on the African continent. According to her, the resurgence of the institution of chieftaincy was a result of the specific political climate (local and global) which enabled traditional leaders to take centre stage in the policy debate. She says:

*The core features of the 1990s global order – the changing role of the nation state, the related space for the rise of alternative polities, the rise of culture as a means through which to engage with modernity, the recognition of group rights – also facilitated a surprise re-entry: that of traditional leaders (Oomen: 2005).*

The core features of the 1990s global order could be traced back to economic and political changes necessitated by the end of the Cold War between the East and West. This contributed to the end of Marxism-Leninism in many parts of the world, and the rise of multi-party democracy with capitalism as the dominant economic mode of production. This led to a push for political decentralization in developing countries through the influence of supranational donor agencies such as the International Monetary Fund and the World Bank.

In the case of South Africa this is represented by a multi-tier system of governance that was adopted after 1994. In this era of globalization, institutions worldwide are becoming more similar. Globalisation has made cultural interchanges more frequent and fast in a manner that was never anticipated. There is the emergence of a global culture with local cultures being submerged under the irresistible tide of Western influence. Thus culture worldwide is becoming more homogeneous. To quote Krishna:

*Globalization has resulted in expanding vastly the encounters that traditional societies have with modern products and modern institutions. And their trysts with modernity seem to lead almost inevitably to decline of traditional forms of social organization (2001: 3).*

Ray and Labranche (2001) offer a Foucauldian analysis to explain the relation between global institutions and systems of meaning. According to Foucault, power produces knowledge and truth which in turn produce power relations that will sustain truth/power/knowledge and which lead to actual political, economic and social practices and institutions whose structures are based on what is defined as truth, right or wrong. Foucault refers to this as a regime of discourse. In this instance, the West is dominant and social practices and institutions that are produced portray this dominance. Thus local cultures are being submerged or subjugated by a Western dominant discourse.

Oomen (2005) draws our attention to ways in which global trends have been associated with cultural revival at the local level. However, Oomen does not give sufficient recognition to the asymmetry of the global local relation.



According to Foucault, each society has its own specific arrangements, its own relationship between truth, power, and knowledge, which means therefore that every society has a different regime of discourse (Ray and Labranche 2001: 64). Just like the regimes of discourse, the subjugated knowledges also have corresponding practices, beliefs, institutions and theories. The dominant discourse in a web internalizes itself in the psyche of the subjugated discourse, but there is competition from the subjugated discourse. Thus culture can be seen as a means to engage with modernism at the local level but to suggest that this has put traditional leaders at the 'centre' stage in policy formulation (as Oomen argues) is an error.

Oomen argues that the political climate has facilitated the re-emergence of traditional authorities. However, this re-emergence was not achieved as easily as Oomen's argument might suggest. Traditional leaders fought for their role and place in post apartheid South Africa. Looking at the policy process itself, it becomes clear that at the onset, the post apartheid government envisaged a very limited role for traditional institutions. This was despite the fact that the resilience of this institution was already evident in African politics. Thus I would argue that Oomen places too much weight on the degree to which the political climate facilitated the re-emergence of traditional institutions.

Oomen (2005: 11) correctly notes that former British colonies (with a tradition of indirect rule) were quick to switch to official recognition of traditional leaders in the post independence era. She also acknowledges that many African academics including Ray and Van Rouveroy van Nieuwaal have realized that the state failure in Africa lies in the overlooked relationship between the contemporary African state and traditional authority. These authors explain these developments in terms of modes of legitimacy and argue that the legitimacy of dominant and subordinate discursive regimes can be combined. For Oomen, any recognition of traditional institutions raises the spectre of the past nightmares of colonialism and apartheid. Thus her argument falls into the same trap as Mamdani's colonial legacy thesis which I have suggested fails to recognize the fact that colonialism relied upon pre-existing ideas and principles to facilitate its rule. Structures or institutions created by colonial masters, especially the British, were not just invented and imposed upon rural communities; they were created in line with customs that pre-dated colonialism.

In the next section I refine Ray and Labranche's cultural Foucauldian analysis of discourse to develop an account of the resilience of the institution of chieftaincy and of possibilities for its co-existence with democratic elected structures in enhancing service delivery.

## **DIVIDED AND SHARED LEGITIMACY**

### **Two bulls in one kraal**

The idiom: 'Two bulls in one kraal', comes from a Xhosa expression which says 'Azikhonyi zibe mbini esibayeni esinye', literally meaning that you cannot keep two bulls in one kraal - they are likely to fight. However, this idiom does not stand alone. It is related to the idiom: 'Zihlabana nje ziyalamba' meaning that they fighting because they are hungry. One could argue that in post apartheid rural South Africa we have a situation of two bulls in one kraal or divided legitimacy i.e. traditional institutions and newly democratic elected councilors sharing the responsibilities of government. A shortsighted conclusion would be that, *azikhonyi zibe mbini esibayeni esinye* - you cannot keep two bulls in one kraal, as they are likely to fight, therefore we should abandon one or the other. However, Ray (2004) takes this issue to another level and argues that different forms of legitimacy can be combined to create shared legitimacy as the traditional authorities and the postcolonial state can add together their different legitimacies to promote more and better development.

This suggests coexistence, but raises the question of how we manage this coexistence. Harmony can only happen when each of these institutions is afforded enough space and respect to express itself positively. At the centre of conflict at the local governance level is the competition for both psychological and political space, 'Zihlabana nje ziyalamba': They are fighting because they are hungry. This suggests that policy makers should be creative and innovative in coming up with models that can remove this unnecessary competition. I suggested above that the clarification of roles and responsibilities has proven to be ineffective because of the fluidity of boundaries. Co-ordinated and integrated rural development can only be realized when there is harmony among these competing discourses at the local level and this depends on clear definition of roles.

The current local governance policy has set up a situation where we see the action of two bulls in one kraal (democratic local governance and the institution of traditional leadership) in the South African local governance arena. This affects service delivery in these rural communities. What are the alternatives? In the next section I draw on Ray and Labranche's Foucauldian analysis of discourse to conceptualize these alternatives.

## **CULTURAL FOUCAULDIAN ANALYSIS OF DISCOURSE**

Colonization has led to the subjugation of African knowledge by the Western dominant discourse. Although an African discourse has been subjugated, it hasn't stopped competing with the dominant Western discourse. To account for this, Ray and Labranche (2001) argue that even though Western regimes of truth are dominant, the subjugated African knowledges have correspondingly subjugated practices, beliefs, institutions and theories. The institution of chieftaincy represents an African discourse, which is competing for psychological and political space with the dominant Western discourse of the state. Colonial powers incorporated the chieftaincy into the colonial order where it was processed into various parts of the colonial states. During the period of indirect rule, traditional leaders were subjugated as instruments of colonial rule for the benefit of the British Empire, but British rule was not strong enough to eliminate completely all elements or traces of this pre-colonial heritage (Ray and Labranche 2001; Ray 2004). The failure of the colonial and postcolonial state to extinguish all aspects of the pre-colonial political authority has created states in which sovereignty and legitimacy are divided, albeit asymmetrically, because there are two different but simultaneously existing root systems (Ray and Labranche 2001; Ray 2004).

Colonial and apartheid regimes manipulated certain aspects of tradition, especially relating to indigenous political ideology, to facilitate their authority. Indirect rule and apartheid integrated and utilized pre-colonial norms, values and symbols into their systems. The colonial state incorporated and changed much of the pre-colonial political system and also down-graded titles from 'kings' to 'paramount chiefs' but it did not exterminate these political leadership arrangements from the pre-colonial era.

While the colonial state intended to indicate the subordinated status of these former pre-colonial leaders in its terminology, the pre-colonial terms of African kings and chiefs survived in their own languages: Ikumkani; Inkosi; Amakhosi; Kgosi and others. Moreover, the remnants of the pre-colonial era (culture, laws and values and religion) still enhance the legitimacy of the institution of chieftaincy in the post-colonial era. The traditional leaders have become the custodians of the remnants of subjugated pre-colonial discourse. As Ray and Labranche put it:

*As long as these pre-colonial remnants survive, the bases of legitimacy are divided between the Western discourse postcolonial state and the traditional authorities, that is to say the chiefs (2001: 75).*

## **ALTERNATIVES**

Krishna (2004) believes that traditional and modern elements could be combined together in establishing legitimate and efficient structures in order to lobby for rural needs. This suggests that traditional institutions should not only be retained but also modified further, with democracy and education, to achieve effective and efficient service delivery at the local level. Oomen 2005, also cautions against unnecessary competition and warns that policy makers should be careful to avoid creating *cleavages* where there were none. Krishna believes that locally evolved institutions can potentially achieve efficiency because they offer legitimacy, accessibility and voluntary compliance. He argues:

*Rather than attempting to install some pre-determined and seemingly modern institutions from the top down, policy makers will do better to work alongside the institutions that people have created for themselves (2001: 28).*

In post 1994 South Africa, traditional institutions can still use their political support to assist the state to better mobilize all the available resources in order to promote rural development. This suggests the establishment of hybrid institutions that are neither fully traditional nor entirely modern to facilitate service delivery at the local level. However, in an environment where new economic needs and opportunities have arisen, traditional institutions alone cannot discharge economic functions efficiently and effectively, especially considering the fact that traditional leaders acquire their offices by virtue of heredity and some of them are not functionally literate. It would be difficult for them to interact effectively with state and market agencies.

## **THE CASE OF GHANA AND POTENTIAL LESSONS FOR SOUTH AFRICA**

The case of Ghana has laid the basis for the development of the concept of shared legitimacy and offers potential lessons for South Africa. In Ghana, traditional leaders have been seen by the colonial and postcolonial states as being important to local governance, hence important to rural development. Traditional institutions currently play a significant innovative role in rural development because they add their differently rooted sources of legitimacy to the postcolonial state (Ray 2004). According to Ray, their support for education starts with verbal support and extends to acting as a mobilizing force that lobbies the post-colonial state and other educational resource providers. Ray also argues that chiefs push for financial mechanisms that will in some cases address the marginalisation of the children of the poor, including the education of girl-children.

Because traditional leaders in Ghana have popular support it is seen as desirable that they become involved in education policy-making and education standards evaluation (Ray 2004: 51). Their participation is seen to be vital in promoting infrastructure development as they raise issues from a local perspective and are the only institutions working very closely with the people. This case of Ghana suggests that traditional institutions can contribute to promoting health development by fighting the spread of HIV/AIDS and other diseases. Ray argues that traditional leaders have support based on their differently rooted legitimacy that dates to the pre-colonial era. This gives them local credibility which the post-colonial state wishes to harness, or add to its pool of legitimacy and credibility, in order to better mobilize all available local resources to promote rural development.

## **CONCEPTUAL FRAMEWORK FOR THIS STUDY**

In a postcolonial rural context, multiple forms of legitimate authority co-exist. The state is not the only social force attempting to establish its legitimacy at the local level. The state is in competition for both psychological and political space with the institution of chieftaincy which traces its claim to legitimacy back to pre-colonial culture before it was engulfed, encapsulated and absorbed (forcefully or otherwise) by the European empires as part of their colonial project.

In the case of schools, traditional authorities and school governing bodies represent these competing interests. School governing bodies are structures intended to extend the control of schooling to parents while traditional authorities on the other hand serve as gateways to rural communities. During the apartheid period traditional authorities were directly involved in schooling and they were part of school governance, working hand in glove with school committees in what Ray could refer to it as 'shared legitimacy'. This relation between these structures was redefined in 1994 and consequently traditional authorities were excluded from school governance but they remain a potent de facto force at the local level (See HSRC, *Emerging Voices: 2005*). This is the kind of situation that Ray (2004) would refer to it as an expression of divided legitimacy.

In the chapters that follow I will examine how these two forms of legitimacy have been expressed in school governance within one rural district by comparing pre 1994 and post 1994 practices.

## **CHAPTER THREE: RESEARCH DESIGN**

### **INTRODUCTION**

This chapter presents an account of the research design and methodology for the study.

The study explores the advantages and disadvantages of the involvement of the institution of chieftaincy in schooling in the period before 1994 and the significance of its marginalization after 1994, through the voices of insiders. It provides an account of the experiences, meanings and significance of the involvement of this institution in schooling from the perspectives of traditional authorities, school principals, school committee members and teacher union representatives. The approach is largely qualitative: it focuses on perceptions and interpretations. This resonates with the belief that what people do has to be interpreted in the light of the meanings, motives and intentions behind their actions.

According to Cohen and Manion (1980: 120) the case study researcher typically observes the characteristics of an individual unit, which can be a child, a classroom, a school or a community. They assert that the main purpose of this approach is to probe deeply and to analyze intensively the multifarious phenomena that constitute the life cycle of the unit in order to generate insights that inform our understanding of the wider population to which the unit belongs. In this study, I have selected rural schools that fall under the jurisdiction of the Qwebe-qwebe traditional authority. The web of power relations and dynamics within this site provides us with a lens to look at the interactions between schools and traditional institutions in the broader rural South Africa.

Relatively small qualitative studies, such as case studies, aim to generate theoretical insights rather than empirically generalizable claims.

In the period before 1994, traditional institutions were directly involved in schooling, together with the state, in what can be regarded as an expression of shared legitimacy. In the post 1994 period, traditional institutions are excluded from schooling, de jure, but remain a potent de facto force in local education. They continue to wield authority, in what can be regarded as an expression of divided legitimacy. I have selected major functions relating to schooling in which traditional authorities are involved to see how modes of legitimacy are expressed. The study examines and compares the role of traditional authorities with regard to these functions in these two periods.

This approach draws on Williams (2001) and Ray and Labranche (2000) who argue that the legitimacy of government, or its absence, can be seen in the ways in which the policies, actions and symbols of government relate to prevailing norms and values of subjects. Furthermore, they argue that the state is not the only social force attempting to establish legitimacy; chieftaincies are also trying to establish such legitimacy. As Williams argues,

*...some social forces, such as the chieftaincy, are not reacting against state hegemony as much as they desire some autonomous political and social space to develop a polity which has different norms, rules and procedures than the state (2001: 69).*

This study focuses on how legitimacy is contested at the local level in the implementation of school governance policies. Particular school governance functions are identified, and these are examined in terms of how they are enacted and interpreted, and how these enactments relate to local norms and established local practices and express tensions between the norms and values associated with traditional authorities and those of state.

The concepts of shared and divided legitimacy are used to conceptualize the relationship between state structures and traditional authorities and to track shifts in this relation before and after 1994.



## OVERVIEW OF THE CASE

### Qwebe-qwebe traditional authority

The Qwebe-qwebe traditional authority is located in Cofimvaba, a rural town in the former Transkei, in the Eastern Cape Province of South Africa. This traditional authority falls under the family domain of Matanzima, the right hand house of the Tembus in Western Tembuland. It therefore falls under the Western Tembuland Regional Authority that is currently under Ukumkani/King Lwandile Aa! Zwelenkosi Matanzima. At the next level, an Inkosi reports to Ukumkani/the King. This Inkosi is an affiliate of the Congress of Traditional Leaders of South Africa, an organization that was created to fight for the rights and recognition of the institution of chieftaincy in South Africa. The Inkosi's authority extends across six localities and each locality has got its own Headman/Usibonda who reports directly to the Inkosi. In all these localities the Headmen/Usibonda work with the assistance of sub-headmen/OoBhodi who then work very closely with families at the grass-roots level.

### Schools

There are a total of nine schools in Qwebe-qwebe area. Seven of these are junior secondary schools that cater for children from grade R to grade nine. There are two secondary schools, *Mzamomhle Senior Secondary and Siyazama Senior Secondary*<sup>2</sup>, both named after their founding traditional leaders. These cater for children who graduate to secondary schools that comprise grades ten, eleven and twelve. Schools under the Qwebe-qwebe traditional authority are divided into two clusters in different areas, with children from the one area tending to graduate to Mzamomhle Secondary and children from the other usually going to Siyazama Secondary. However, not all learners from this area follow this trend, as parents are free to choose which schools their children attend. All schools under this Inkosi were built by their communities through the rand for rand financing policy of the former homeland of Transkei.

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<sup>2</sup> Not the real names of these schools. Their real names are hidden for ethical and confidentiality reasons as will be explained below.

In this homeland, the government took full responsibility for the planning, distribution and costs of facilities in proclaimed townships, but in rural areas communities were expected to initiate school building programmes, locate sites and contribute towards costs of facilities (Jacklin: 1994). Rural communities tended to build inexpensive structures, so the quality of classrooms built by communities was compromised. In the post apartheid era the policy has changed: these are now state schools and it is now the responsibility of the state to build schools in all areas - rural and urban - according to need. However, in practice little has changed and communities continue to build and pay for community schools regardless of the official policy.

All schools in this region have governing bodies. These governing bodies comprise teachers, parents, and students as prescribed by the *South African Schools' Act No. 84* of 1996. In some schools the Inkosi, or headman is involved in schooling, even though he or she is no longer part of school governance, de jure. Most teachers and principals are not locals and commute to work. Principals are predominantly male and they wield authority in the school governing bodies. Most teachers are affiliated to two prominent teacher unions: the South African Democratic Teacher's Union (SADTU) and the Union of South African Professional Educators (USAPE).

In the post 1994 period, with new municipal demarcations, communities and schools under this traditional authority are distributed across three different wards. Some communities and schools are now located in new wards, along with communities that do not fall under the same traditional authority. This new organising principle has undermined rural development initiatives. There is a lack of social cohesion between communities who are required to co-operate within newly demarcated areas. Competition for relatively limited resources results in tension and antagonism and consequently undermines development initiatives.

FIGURE 1:

THE HIERARCHICAL STRUCTURE OF CHIEFTAINCY IN SOUTH AFRICA

NATIONAL HOUSE OF TRADITIONAL LEADERS OF SOUTH AFRICA

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EASTERN CAPE PROVINCIAL HOUSE OF TRADITIONAL LEADERS



## THE REASONS FOR SELECTING THIS PARTICULAR SITE

This site has been selected for a number of reasons: Firstly, this area provides a case that is appropriate to the focus of the study. People who live in this area are involved with school governance processes and have insight into the social consequences of these processes before and after 1994. Secondly, this site has been selected because of its convenience for the researcher. I grew up in this area and could stay home while collecting data, thus keeping costs to a minimum. Lastly, I selected this site because I have relatively easy access to respondents. I am a traditional leader in this area and I am known to people in this area. My identity as both researcher and traditional leader has methodological implications which are discussed below.

## THE INTERVIEW AS DATA COLLECTION STRATEGY

Most of the data for this study were collected through interviews. This study focuses on subjects' experiences and perceptions across time and aims to identify tensions between different experiences and perceptions. The purpose of each interview was to elicit accounts of these experiences and perceptions from those involved in school governance before and after 1994. Frankel and Wallen (1993) cite Parton as stating:

*We interview people to find out from them those things we cannot directly observe. The issue is not whether observational data is more desirable, valid, or meaningful than self-report data. The fact of the matter is that we cannot observe everything. We cannot observe feelings, thoughts and intentions. We cannot observe behaviors that took place at some previous point in time. We cannot observe situations that preclude the presence of an observer. We cannot observe how people have organized the world and the meanings they attach to what goes on in the world. We have to ask people questions about those things (1993: 385).*

As Tuckman explains, interviews give us access to subjective insights:

*Providing access to what is inside a person's head, it makes it possible to measure what a person knows {knowledge and information}, what a person likes or dislikes {values and preferences} and what a person thinks {attitudes and beliefs} (1988: 213).*

The idea of using interviews as a data collection strategy for this study is also in line with a belief of Cohen and Manion that:

*... in an interpersonal encounter people are more likely to disclose aspects of themselves, their thoughts, their feelings, and values, than they would in a less human situation (1994: 282).*

According to Kvale (1969: 126-7) the interview as a research technique moves away from seeing human subjects as simple manipulable sources and data as somehow external to individuals, towards regarding knowledge as generated between humans, often through conversation. In this view, the interview does not simply elicit neutral information. Instead, it prompts a respondent to generate an account that is framed by the interview context and interaction:

*The interview must be considered a complex social situation in which the interviewer and the interviewee are making continuous adjustments to the responses of one another (Travers 1996: 143).*

The interviews, i.e. 'the careful asking of relevant questions' (Frankel and Wallen 1993: 385) were specifically designed to elicit accounts of experiences and meanings with regard to the involvement of traditional institutions in schooling and the significance of its exclusion in the post 1994 period. Interviews were semi-structured with open-ended questions. According to Cohen and Manion (1994) the semi-structured interview is both flexible and adaptable and thus allows greater freedom to probe the responses and elicit elaboration. This flexibility allows the interviewer to go into more depth if he chooses, or to clear up any misunderstandings. During the interviews more questions emerged based on the responses provided from the pre-set questions and sometimes I requested further explanation or elaboration. This was also the case when respondents did not understand a question; I had to paraphrase it to ensure full comprehension and relevant answers.

The interviews were conducted in the mother tongue, Isixhosa, as the language spoken in this area. This was done in line with a belief that people are likely to express themselves more freely through their mother tongue than in any other language.

A tape recorder was used to record information accurately and completely and to preserve the continuity of the interview. This is adopted from Keeves (1990) and Fox (1969) who advocate the use of a tape recorder, which:

*... freeing the researcher from the necessity of writing incessantly as the respondent speaks, makes it more likely that the interviewer can establish the natural interrelationship that is so critical to success in the personal interaction.*

## **SELECTION OF RESPONDENTS**

I conducted a total of thirty interviews in a period of three weeks. Respondents were purposefully selected to represent categories of subjects at each school or in each area. In a qualitative study it is considered more appropriate to treat representativeness in terms of the qualitative logic for selection rather than the quantitative logic of sampling from a population. I identified categories of subjects who have insight from different perspectives into school governance processes and its social consequences before and after 1994. The following people were interviewed: traditional leaders of four different ranks, principals and senior teachers, former community school committee members, current school governing body members and two teacher union representatives.

### **Traditional leaders**

The chairman of the Eastern Cape Provincial House of Traditional Leaders is the most senior traditional leader in the province and hails from the Western Tembuland Regional Authority, a superior structure to the Qwebe-qwebe traditional authority. This Inkosi has vast experience with regard to chieftaincy and has served as a mentor to both the present Ikumkani/King and also the head of the Qwebe-qwebe traditional authority. As chairman of the Eastern Cape Provincial House of Traditional Leaders he has insight into government policy pertaining to the role of the institution of chieftaincy in a democratic South Africa.

The President of the Congress of Traditional Leaders of South Africa (CONTRALESA) is leader of an organisation that represents the majority of South Africa's traditional leaders. This organisation played a significant role in the struggle for the recognition of the institution of chieftaincy in post apartheid South Africa and is still at the forefront of this struggle in present day South Africa. He led this organisation from its inception in 1989 and was still the president at the time of the interview. He is also an ANC Member of Parliament despite being a critic of its stance with regard to traditional leadership.

The current head of the Qwebe-qwebe traditional authority is at centre stage in this site. All schools in this site fall under his family's jurisdiction and he has control over the land where these schools were built and where future schools are to be erected. He played a role in school governance in all schools under his jurisdiction in the period before 1994.

There are six headmen in this region. Four of these were selected because they were involved with school governance structures in the period before 1994. The two headmen who were not interviewed only became headmen after 1994. It was not useful to interview these two novice headmen because they had no experience as headmen prior to 1994 as a basis for comparison with experiences after 1994.

### **Principals and senior teachers**

There are nine schools in this area and all have principals. In this category, I conducted interviews at eight schools. In these, five were interviews with principals and three with senior teachers. Four of the five principals were selected because of their experience in working with traditional authorities in the period before 1994 and in the period post 1994 when the institution of chieftaincy is excluded from school governance. In one case I was swayed by interactions between the school and surrounding communities to interview one novice principal.

In three cases where principals took office after 1994 I opted to interview senior teachers, as the principals had no experience prior to 1994 as a basis for comparison with experiences after 1994. In one school, the principal refused to be interviewed and there were no teachers who had been at school before 1994. I did not conduct interviews in this school. I do not know why this principal did not want to be interviewed, as will be discussed further below.

### **Former community school committee members**

There are nine schools in this area but one of these was established after 1994. School committee members from eight former school committee members were interviewed, i.e. one per school. These were committee members who had served in the period prior to 1994 and had experience of working side by side with the institution of chieftaincy. These interviews provided insights into the relationship between schools and traditional institutions in the pre 1994 era.

### **Current school governing body members**

I interviewed members of governing bodies from all the nine schools. However, one of these is the chairperson of two school governing bodies and also the legitimate headman of the area. He was deposed from his chieftaincy after 1994 in favour of his younger brother who is the current headman in this area. Two of the governing body members who were interviewed had also been school committee members in the period before 1994, so I asked them questions about their past experience as well as questions about their current experiences.

### **Teacher union representatives**

There are two active teacher unions in this area, namely SADTU and USAPE. While the role of the teacher unions in school governance was not significant in the period before 1994 the unions did participate in the populist revolt against traditional institutions in the 1980s. In the post 1994 period, they emerged as a power to be reckoned with in local education. The position that these unions adopt regarding the role of traditional leaders in schooling is influential and it was therefore important to elicit the views of union officials.



One person was interviewed in his capacity as a union official and in his capacity as a senior teacher in a school where the principal was appointed after 1994.

## **VALIDITY ISSUES**

### **The identity of the interviewer**

For the naïve positivist social scientists, subjectivity is bias and, ideally, the researcher should eliminate all traces of it to lay bare the objective truths behind it. This approach demands that the interviewer performs the role of a neutral instrument for extracting and recording a very specific and limited set of data. In contrast, interpretivists argue that interaction is necessary to develop a trusting relationship so that people will be prepared to disclose the truth as they see it (See Davidson and Layder 1996: 123). They argue further that dialogue between the interviewer and the interviewee as subjective beings is necessary to ensure that the interviewer fully understands what is being disclosed. Dialogue also allows double-checking so that the respondent understands the question and the interviewer understands the reply so as to ensure reliable and meaningful data.

Despite significant differences in these research traditions it is important to note that all agree that it is wrong to lead or manipulate respondents into providing the answers that the researcher wishes to hear or to prevent the respondent from stating what he or she wishes to state.

In my approach to this study I have taken cognizance of the fact that I am known to the interviewees and that, in their eyes, I have multiple identities. I was born and bred in this area. People know me as an Inkosi, teacher, friend, son, soccer player, political activist, Imbongi, researcher etc. All these identities have got advantages and disadvantages with regard to the kinds of responses that were elicited, hence it was imperative to foreground those identities that were most advantageous to the study. At various stages and for various purposes relating to the research, I foregrounded my identity as Inkosi, Imbongi, and scholar.

## **Inkosi**

I foregrounded my identity as an Inkosi to gain access to a forum at which I could inform the community of my study. This research project was introduced to the community at large through a traditional authority meeting (imbizo). A traditional authority meeting is a meeting of people from the various localities that live within a particular traditional authority domain. An imbizo is a well respected and an important gathering in the lives of many rural people and thus far it remains the only forum in which to meet rural communities. In this case, people who attended this meeting were from the six localities that constitute the Qwebe-qwebe traditional authority. As is usual, this imbizo was well attended, with men, women and youth coming from various localities. However, the meeting took place during the school holidays and school principals were not in the area. I will discuss this issue further below.

Traditional authorities serve as a gateway to rural communities and all activities, if they are to be viewed as legitimate, require the blessing of the head of the traditional authority (Inkosi). If this procedure is not followed an activity is usually treated with suspicion and not usually given support by the people. At imbizos decisions are taken on an issue-by-issue basis in a way that involves all the people in all major decisions. For this reason, imbizos are still popular and able to attract many people.

At the imbizo, I was able to ask others to help me to identify people who had participated in school committees before 1994. The imbizo at which I presented my project had a broader agenda relating to development within the localities that fall under the Qwebe-qwebe traditional authority. Many issues pertaining to development in the localities under Qwebe-qwebe traditional authority were discussed at this meeting. The issue that received most attention was schooling. Other development issues that were highlighted were related to the lack of social cohesion and social control.

At the imbizo I was given an opportunity to express the aims and objectives of my study. I explained my mission fully and also encouraged people to be as honest and critical as possible.

### **Imbongi**

The fact that I am known as an Inkosi in this area could potentially have impacted negatively on the quality of data collected. Respondents might have thought of pleasing the Inkosi by telling me only positive things about chieftaincy while down-playing all the negatives. An Inkosi is given the same respect and reverence irrespective of where he is and this applies even if he is working outside his territorial boundaries (Williams 2001).

I was aware that people might hesitate to be critical of the traditional authorities in their interactions with me. In order to counteract this, I invoked my identity as an imbongi by presenting a poem at the imbizo. In the poem I encouraged people to be honest, open and critical. In my culture it is the role of a poet to be critical. It is believed that in poetry the spirit talks, not the person, so no one can challenge or hold the person accountable for whatever she or he has articulated in a poem.

This is illustrated by an incident in the history of the Abathembu during the reign of Nkosi Joyi who was regent for Ngangelizwe. A poet of Mditshwa, who was an Inkosi of the Amampondomise, insulted the Inkosi of the Abathembu at a feast that was held in the Mpondomise land. The Abathembu were very furious and dashed off in anger. On their arrival home the matter was reported to Nkosi Joyi who responded by suggesting that a messenger should be sent to Mditshwa to ask why he let his imbongi insult him the way he had done. Mditshwa's reply was that he did not normally interfere with the affairs of the imbongi because imbongis have poetic license to insult anybody. It is the spirit who talks, not the person, so the person cannot be held accountable (See Sihele: undated).

Even though poets are mainly praise singers, they are also recognized and respected as the only people who can legitimately create a platform for criticizing their leaders and who can open the opportunity for others to express criticism.

In such debates people are therefore protected. It is regarded as the norm for poets to conduct themselves in this manner and if they do not do so, their poems could be criticized as lacking originality. Turner (2003) looked at the role of the African poets as praise singers and oral composers in depth in her PHD thesis. According to Turner, in African societies poems and oral compositions in general express 'critical spirit' to encourage those in society to observe good conduct and also to develop a sense of responsibility. They also carry warnings to people indulging in behaviour that is regarded as detrimental to the well being and survival of the society. African oral composers are allowed an unusual degree of freedom of expression. Turner says,

*Sons may criticize their fathers, wives their husbands, workers their employers, and everybody the chiefs or officials who rule them, so long as it is done through poetry (2003: 128)*

Turner believes that poetry is used as a pedagogical tool to shape social norms and behaviour and to preserve the wisdom of the nation. She cites a long list of African countries where this tool is effectively used today towards the fight against the scourge of HIV/AIDS and in addressing other social ills including conflicts.

In short, invoking my identity as an imbongi provided an opportunity for me to blend the western with traditional approach to establish credibility and validity in this study.

### **Teacher and scholar**

Even though the imbizo was well attended, the principals and the teacher union representatives were not present due to the fact that this meeting was held during the September vacation. When schools re-opened I personally visited all the schools in this site to make appointments with the principals. In these interactions I emphasized my researcher identity. I told them about the study and I also encouraged them to be open and honest. No disapproval was expressed and we set actual dates for the interviews.

It was my perception that most of those whom I asked to participate in the study did so willingly and, in many cases, enthusiastically. There were a number of logistical difficulties as principals and teachers have busy schedules, but interviewees often went out of their way to meet with me.

There was, however, one principal who was unwilling to meet with me in spite of numerous attempts on my part to contact him. I could not ascertain whether his unwillingness to meet with me related to the fact that I was an Inkosi or a former student or perhaps to some other reason of which I was not aware.

## **DESCRIPTIVE VALIDITY**

In order to consider threats to validity in this study, I must reflect on how factuality and accuracy were maintained throughout this process. I do not subscribe to the view that validity can be achieved through standardization and explicit controls. Instead, I see descriptive validity as a 'foundation upon which qualitative research is built,' to use the words of Wolcott (cited in Maxwell 1992: 286). This is also in line with the view expressed by Geertz (1973: 17):

*Behaviour must be attended to, and with some exactness, because it is through the flow of behaviour – or, more precisely, social action – that cultural forms find articulations (cited from Maxwell 1992).*

Maxwell (1992: 285) notes that the first concern of qualitative researchers is with the factual accuracy of their accounts. Even though qualitative researchers are more concerned with the meanings, intentions, cognitions, evaluation and perceptions of research participants, they still believe that description is the foundation for qualitative research. They are still committed to the truthfulness or factualness of their data. In this study it was taken into cognizance that, although qualitative methodology accepts the subjectivity of the interviewee, this does not mean that the researcher abandons a commitment to truthfulness.

In order to ensure truthfulness in this study, the data collected through interviews was tape-recorded and transcribed. Silverman (1993: 117) cautions, 'It should not be assumed that the preparation of transcripts is simply a technical detail prior to the main business of analysis'. He cited Heritage's (1984) apt summary of the advantages of transcripts:

*The use of recorded data is an essential corrective to limitations of intuition and recollection. In enabling repeated and detailed examination of the events of interaction, the use of recordings extends the range and precision of the observation which can be made. It permits other researchers to have direct access to the data about which claims are being made, thus making analysis subject to detailed public scrutiny and helping to minimize the influence of personal preconceptions or analytic biases.*

It was difficult and time-consuming to translate and transcribe the data. Due to the complexity and ambiguity of the language it is possible to distort the actual facts. I dedicated much time to this process and I was very careful.

### **CONCEPTUAL VALIDITY**

Maxwell (1992) views accuracy of the recorded data as a foundation upon which qualitative research is built but warns that this should not be regarded as an end in itself but as a means to an end. He says:

*Qualitative researchers are not concerned solely, or even primarily, with providing a valid description of the events but they are also concerned with what these events and behaviours mean i.e. accounts of the events.*

Furthermore, Maxwell cites Hamersley and Atkinson who argue that, 'data in themselves cannot be valid or invalid; what is at issue are inferences drawn from them.' I am therefore following in Maxwell's footsteps, as he believes that there is always something outside of an account that can be used as a source for interpretation. In this study, I am using the concepts of legitimacy (shared and divided legitimacy) as invoked by Ray and Labranche (2001) as a prism to interpret accounts of respondents with regard to school governance in the period before 1994 and post 1994, when the traditional institutions were excluded from school governance. This is discussed in depth in the following chapter on data analysis.

## **ETHICS AND CONFIDENTIALITY**

All the respondents were informed of the aims and purposes of the research in the meeting (imbizo) that was held at the Qwebe-qwebe traditional authority and during the pre-visitation period to schools. Before an interview, individual respondents were again informed about the aims and the purpose of the research and were reassured that participation was voluntary. The interviews with teachers (principals and teacher union representatives) happened after school hours and did not disrupt the normal functioning of the schools.

Respondents were assured that privacy and confidentiality would be upheld. It was practically impossible to disguise the identity of senior traditional leaders, even if their names were not mentioned. For this reason, I obtained consent from these senior leaders to reveal their titles and positions. However, to ensure privacy and anonymity, pseudonyms were used to denote schools. Respondents other than senior traditional leaders are referred to by numbers and letters. I have promised my respondents that this information would not be used for purposes outside of the study or in ways that would prejudice the interviewees.

## **CHAPTER FOUR: DATA ANALYSIS**

### **ANALYTIC FRAMEWORK**

In the period before 1994 the legitimacy of traditional institutions was added to that of the state in what Ray (2004) termed shared legitimacy. In the post apartheid era the traditional institution's role has been abandoned and they are now competing with the dominant postcolonial state for both psychological and political space. This may be referred to as divided legitimacy. In shaping the analytic framework for the data I have used the concept of divided and shared legitimacy derived from Ray (2004) as a prism. In other words, I have collected and analyzed the data in order to foreground the relation between the legitimacy of the modern state and that of traditional leaders in relation to particular school governance functions.

I have categorized the data into three broad themes which emerged from the data as major functions that can be associated with school governance. These are as follows:

- Access of governance structures to rural communities
- Resource mobilization
- Social control

I have looked specifically at how these concepts of legitimacy play themselves out in the governance structure in relation to the functions highlighted above, comparing the pre 1994 and post 1994 eras. With regard to the first theme, access of governance structures to rural communities, I examined the role of traditional authorities as communication channels within rural communities and the effects of this on schooling. With regard to the second theme, which is resource mobilization, I examined the role of traditional authorities in lobbying for support or assistance and in influencing service delivery from the government. And lastly, with regard to social control, I looked at the influence of traditional authorities in relation to matters of social control, i.e. truancy, vandalism and theft, teachers' social well being, discipline of learners, resolving conflicts and regulating youth and cultural activities. In this section I have looked at ways in which the changed status of traditional authorities impacted on various functions associated with their involvement in schooling.



## **EMERGING THEMES**

### **ACCESS OF GOVERNANCE STRUCTURES TO RURAL COMMUNITIES: THE PERIOD BEFORE 1994**

After 1948, following the victory of the Nationalist Party, the government passed laws which established the chieftaincy as a vital link between the people and the government in the rural homeland areas. Within this structure, traditional institutions were part of school governance. In the Transkei, as elsewhere, the people elected parents to the school committee and the institution of chieftaincy nominated two members. It was the responsibility of these representatives to inform the institution of chieftaincy about progress made in these various schools and to report back on committee meetings held in the traditional place (the venue usually used by traditional leaders and headmen).

According to committee members A, B, C, and D, this did occur in the decade leading up to 1994. The involvement of traditional institutions in school governance created a platform for people in the rural communities to have a say in schooling. Consultation and accountability were important characteristics of this relationship. Committee member A put it this way:

*We were reporting back to our constituencies almost everything we discussed in these school committee meetings and we could never take decisions without consulting with the people.*

However, the data shows that tensions were by no means absent. Four of the eight interviewed principals, one former school committee member and one union representative indicated that some traditional leaders were autocratic in relation to schools and principals. Principal 7 puts it this way:

*In schools, traditional leaders were also taking control over the school principals. At times this created quarrels and tensions between teachers and traditional institutions. The traditional leaders were interfering in professional matters like teacher absenteeism, disputes as well as the teachers behavior socially.*

This is also captured well by one union representative:

*There is nothing much that should be changed in previous involvement of traditional institutions. Instead there should be workshops to capacitate traditional leaders about what is expected of them because there were certain individuals within the institution of chieftaincy, mostly illiterate, who were at times harsh and bully when approaching teachers.*

Former committee member also had this to say in this regard:

*Although traditional institutions were helpful in schooling, their involvement also had some disadvantages. For instance, in the employment of teachers traditional institutions were forcing schools to appoint people of their choice without considering their qualifications and experience. This was creating problems within schooling as teachers, especially principals were interested in appointment of people on merit basis. They were also very harsh to teachers but teachers were conforming.*

Although respondents recognized disadvantages in the involvement of traditional institutions within school governance structures, they unanimously agreed that their involvement was essential in ensuring proper attendance at parents' meetings. In the period before 1994, traditional leaders organized parents' meetings and schooling was everybody's business in rural communities.

The representatives of traditional institutions in school committees were required to report back to the community at large through the traditional institution (Committee members A, B, C and D). Institutional structures and procedures were in place to enable schools to communicate with communities at meetings that were well attended because traditional leaders utilized both government legislations and the laws of their respective communities to ensure compulsory attendance (Traditional leader 1).

In summary then, the data suggest that respondents recognized that traditional authorities' involvement provided a communication channel within rural communities. However, they were also aware of the political tensions associated with such participation.

## **ACCESS OF GOVERNANCE STRUCTURES TO RURAL COMMUNITIES: THE POST 1994 PERIOD**

The current governance structure comprises representatives of ‘parents’ of the learners in school, teachers, learners (in secondary schools) and members of school support staff. In spite of this, SGB’s are perceived by respondents as isolated structures that do not have the support or endorsement of parents. Most respondents alluded to the fact that parents do not attend when invited to school meetings. New local practices have emerged in response to changes in school governance policy. While law formally excludes traditional authorities, principals explained that local practices still invoke their authority to sanction school meeting and parents do not attend meetings unless they have been sanctioned. Meetings take place in the traditional place. In effect, the exclusion of traditional authorities has resulted in meetings being moved out of schools into the domain of traditional authorities within imbizos. For example, elections for new governing body members take place at meetings sanctioned by the traditional authorities in the form of imbizos. Principal 4 sums up this situation as follows:

*Circumstances force us as a school to consult with the traditional institution. For instance, if you call parents meetings in your school the attendance will be poor. This forces us to go up to the meetings of the headman (Imbizo) to voice out matters we wanted to raise with the community.*

All the principals and school governing body members interviewed agree that their schools cannot operate properly without the involvement of this institution hence they still delegate people to discuss school matters in the traditional place. Elected parents in SGB’s see their role as linking the school with the community through their traditional institution. Consequently, traditional leaders are still influential in schooling despite being excluded by the government legislation. Moreover, most traditional leaders believe that no matter what the law says, the fact that schools are situated in their territories gives them the right and the responsibility to be involved in everything happening in these schools. As Inkosi A puts it:

*... I personally cannot let things go out of hand in my territory, even if the law doesn't provide for my involvement...*

This particular Inkosi claims that all schools in his territory were built through the traditional institution and its people, giving them all the right to be continually involved in school affairs.

Respondents agree that the exclusion of traditional institutions from school governance created a gap between rural communities and schools. In bridging this gap, schools are once more forging relationships and alliances, though de facto, with traditional authorities in their efforts to regain access to rural communities. While this has some positive effects respondents also indicated that schools do not always have good relationship with their traditional institutions. In such cases, traditional leaders can impede or block any interaction between the school and rural communities. They can sabotage developmental initiatives if the schools do not use them as a communication channel. In one case, the school bypassed the institution of chieftaincy and asked parents to contribute towards a farewell function for a retired schoolteacher. People were reluctant to pay, as this was not sanctioned through a traditional institution. The school was compelled to obtain the support of the traditional leader first before people would finally pay.

SGBs are intended to extend the control of school education to parents but most respondents perceive that SGB's fail in reaching this intended outcome. Respondents describe SGBs as *useless* structures that have neither local support nor muscle to influence the upper structures of education. One headman argued:

*The fact that we have school governing bodies is just to play with the concepts of democracy.*

Two SGB members, Union representative 2 and the Headman who is still involved in SGB activities, all claimed that SGBs are mostly dominated by principals and teachers. SGB member 1 put it this way,

*Principals in most schools are in control of everything and they tell their governing bodies what to do. They attend meetings and workshops on behalf of their SGBs and you rarely get feedback from those meetings.*

Union representative 2 has this to say in this regard,

*The school governing bodies, to be specific, parents, are useless, they don't have a say. They are the puppets of the school principals and school principals are using them to achieve their agendas. Principals in our schools are doing everything on their own.*

In summary, this suggests that the democratization of schooling and participation by marginalized parents still remains a dream in rural areas, as SGBs do not effectively represent parents.

## **RESOURCE MOBILIZATION**

Rural areas have always been the most marginalized parts of the country in South Africa. Rural areas suffered particular neglect throughout apartheid and this legacy continues in most rural areas of South Africa today. In the next section I present data relating to the lobbying power of the school governance structure and to local governance support and provisioning, comparing the pre 1994 and the post 1994 periods.

### **Lobbying for support from the government: The period before 1994**

Prior to 1994, traditional authorities provided a platform for rural communities to lobby for local felt needs. Respondents mentioned that traditional authorities were essential in lobbying for support or assistance from the government in the period before 1994. Chiefs were very active and they represented their communities to the government. When the communities needed schools, traditional leaders put pressure on government for delivery through their traditional authority. As principal 3 says:

*In the period before 1994 chiefs were very much active and they were the voices of their communities to the government. When communities needed schools it was the chiefs themselves who stood up to put pressure to government for delivery.*

Some traditional leaders used their positions in government to influence government towards service delivery. According to headman 1, he personally influenced government to build the first secondary school. During this period, he occupied a senior government position so he was able to influence resource allocation. This was not a school in his own locality: it fell within the broader domain of the Inkosi.

In summary, this suggests that traditional authorities were in a position to influence and mobilize resources. The domain of each traditional leader was seen as a unit across which resources should be fairly distributed.

Jacklin (1997) indicated that in the Transkei, resource allocation depended on the political clout of traditional leaders. This resulted in the development of areas where prominent traditional leaders hailed while other parts of the country were neglected. While this was problematic and unfair it does confirm that traditional leaders had the ability and potential to lobby for resources for their communities.

### **Lobbying for support from government: The post 1994 period**

In the post 1994 era the roles and the functions of traditional institutions is limited. They are assigned traditional and ceremonial functions, while development is perceived to be the responsibility of democratically elected local government structures. In the current situation there are no formal channels for traditional authorities to lobby government departments. While traditional institutions can no longer lobby for resources, school governing bodies also lack capacity to do so. According to headman 2:

*The current school governing bodies are toy trains in the education system. Their voices are not enough to influence government towards delivery and it is for that reason that rural schools are still the worse end of the spectrum.*

He went on to argue that, school governing bodies don't have the muscle to influence upper structures at all. On this matter, SGB 6 has this to say:

*The school governing bodies are not taken serious by the department of education and they have no power to influence towards service delivery. The fact that we have SGBs at school level without having joint structure for all the SGBs to make a strong voices for all these schools seem to be reason why SGBs are not effective.*

Headman 3 put it this way,

*School governing bodies have no muscle to influence government; their efforts end up nowhere. Zizithuku-thuku zenja zona ziphelela eboyeni. (Idiomatic expression - meaning useless)*

This section of the analysis suggests that, with the exclusion of traditional authorities from school governance in the post apartheid era, the lobbying power for rural communities has been reduced. Neither traditional leaders nor governing bodies of these schools have the power to influence government towards service delivery in rural communities and no other local structures have taken on this role.

## **Local government support and provisioning: The period before 1994**

Traditional institutions had an allocation from the government to look after schools under their jurisdiction in the period before 1994. The schools were funded on a R1 to R1 basis through their traditional institutions (See Jacklin 1994). This mode of funding was problematic and unfair in that in urban areas - including those within homelands - the state funded schools fully and directly while in rural communities this funding was indirect and partial.

Traditional institutions were responsible for collecting funds from their respective communities. The sub-headmen were responsible for collecting money from households. In the case of rural communities, related households were grouped together under the sub-headmen. In this system, the sub-headman represented interests and looked after the well-being of people in all households within his family domain. He also collected monies and some other forms of contributions which had been sanctioned by the traditional institution. Households that failed to support community initiatives could face being excluded from traditional ceremonies. Committee member B has this to say in this regard:

*It was easy for the traditional institution to collect money; they used the sub headman to collect money from home to home. The sub headman knows all the households under his control because they are related to one another.*

There was consensus amongst respondents in all categories that in the period before 1994 traditional institutions were instrumental in building and maintaining school facilities. According to committee member C and principal 4, the fact that most schools in these rural areas were named after traditional leaders symbolizes the involvement of these traditional leaders in schooling and education during the period before 1994. Traditional leaders had influence over their subjects and consequently people were cooperative and involved in their initiatives. The capacity of traditional leaders to mobilize resources from within communities resulted not only from their formal authority but also from the social cohesion they engendered.

Former committee member F has this to say:

*Chiefs were very much influential and their authority was highly respected those days. It was through their efforts that people were organized and committed towards development. We were not getting much support from the government but with unity under traditional leaders we managed.*

In summary, this suggests that in the pre 1994 era, traditional authorities strengthened local voices in lobbying for support from the government. Moreover, traditional authorities could mobilize local communities to supplement government allocation through fundraising activities. It may be argued that these funding practices were problematic and unfair in comparison to urban communities who did not have to pay for their own schools. But at least schools were built and maintained.

### **Local government support and provisioning: The post 1994 period**

In the post 1994 era, school building is the responsibility entrusted to provincial governments. However, respondents reported that no schools are being built or renovated under this new dispensation. In this area, only one school has been built by the state since 1994. Schools have not been maintained and the condition of most schools is appalling. There are currently too few classrooms and existing school structures are clearly in need of replacement. One SGB member had this to say:

*The school on its own is not an interesting place for children, buildings are dilapidating and there is no fencing.*

Respondents indicated that procedures followed by the provincial government in prioritizing where to build or renovate school are not clear. All the respondents associated with the school that was built after 1994 could not tell how decisions were made and suspect that there was nepotism and favouritism. Six of the eight interviewed principals, both union representatives and four of the five interviewed SGBs unequivocally agreed that nepotism plays a big role in terms of resource allocation. One of these principals had this to say in summing up the kind of challenges they are currently faced with:

*The question of resource allocation and school building is very much difficult one to understand. In most rural schools we are crying for buildings, our schools are dilapidating. I have falsely told myself that nepotism was the issue of the past but now it is even more serious.*



In one case an initiative to build a school was taken in 1997 but there has been no progress to date. The community eventually decided to take the initiative themselves as their children had to walk long distances to go to the nearby high school. Service delivery is happening at a slow pace in these rural areas. School governance structures and other structures at the local level do not have the capacity to influence service delivery. While it might be argued that communities could still mobilize resources locally, the capacity for this has been undermined by reconfiguration of the local government. New municipal demarcations cut across the traditional authority lands to form new wards. The cohesion of the historical communities has been disrupted. Most respondents criticized this reconfiguration as they see it as a stumbling block for development. They emphasized that new boundaries were not discussed with people on the ground and are seen as an imposition by the government. Traditional leaders were most vocal in expressing their rejection of new local government spatial arrangements. For instance traditional leader 2, has this to say:

*The new demarcation system in South Africa took off on a wrong footing from the very onset. For instance we have made it clear as traditional leaders that we are totally against it if doesn't respect boundaries of the traditional authorities.*

These demarcations undermine the unity of the people under their traditional leaders. The new boundaries also undermine the institution of traditional leadership, as people are not likely to be loyal to institutions that are inefficient in improving services. Traditional leaders argued that the new boundaries undermine their legitimacy among rural communities for the benefit of the newly elected councilors. They are also certain that new local structures cannot achieve the same degree of social cohesion as did traditional leaders. Principal 5 is also unhappy about the new demarcations. She views these as an imposition on rural communities as rural people were never consulted when demarcations were drawn.

She argues:

*We have seen a movement towards decentralization as we have new satellite circuit office. This new approach seems to be an ideal one and could benefit rural schools, but it is a pity that it came up with new demarcations. We are now thrown away (silahliwe). We don't belong to same satellite office with other schools around us. We are placed in Tsomo whereas geographically we are in Cofimvaba. When we ask why we were not consulted when this was done we are told that it was due to financial viability of municipalities. The follow up question would be who was consulted when those municipal demarcations were made? The answer would be no one. This poses a greatest challenge about the kind of democracy we have, if it doesn't go with consultation. We don't work freely with these people, as we don't know each other.*

## **SOCIAL CONTROL**

In this analysis social control relates to six issues. They are truancy, theft and vandalism, teachers' social well-being, disciplining learners, resolving conflicts, and regulation of youth and cultural activities. I looked specifically at the role played by traditional institutions with regard to each of these issues, comparing practices in the periods prior to 1994 and post 1994 respectively.

### **Truancy prior to 1994**

Prior to 1994 it was the responsibility of traditional institutions to ensure that all children of school going age were at school, as was required by government legislation. Parents who failed to comply with this legislation were brought before the law to account for the actions of their children. It was the responsibility of parents to see to it that their children attended school. They were charged with negligence if they failed to comply. The involvement of traditional institutions in school was therefore essential for law enforcement as there was a legal mechanism that supplemented indigenous or customary law. This is well put by Inkosi 1:

*This involvement of traditional leaders made people to be respectful of both government legislations as well as laws of their respective communities.*

This process was two fold. It was essential for law enforcement and it catered for the needy.

Parents were at times not able to send their children to schools due to financial constraints so the traditional institutions assisted them in order to ensure that poverty did not impede the right to education of every individual learner. Headman 5 put it this way:

*It is in this court where a parent could tell the court if the child didn't go to school due to illness or the child doesn't have clothes to wear. From here a provision would be made in ensuring that a child finally goes to school.*

According to principal 3 and principal 5, learners were compelled by law to study in schools in their localities until they completed standard seven (Grade nine today). This was done to ensure that they were not absent and did not drop out. The movement of learners to schools in other areas was monitored through the institution of chieftaincy. Learners were only allowed to move to nearby secondary schools after completing standard seven. There was cooperation from schools, as they had to issue lists of dropouts to the traditional leaders. In those days absenteeism was rare amongst children of school going age up to grade nine and schools were full. According to committee member A, some teachers even taught under trees because the number of classrooms could not accommodate school children.

### **Truancy post 1994**

There was general consensus among the respondents that in post 1994 a greater proportion of children of school going age are out of school. Numbers of learners have decreased and schools are losing teachers through teacher redeployment. However, some traditional leaders are still assisting in dealing with the learner dropout problem when asked to do so by schools. The difference is that traditional institutions cannot charge parents for not sending their learners to school, as was the case before 1994, so they end up just encouraging and motivating parents to send their children back to school. Respondents agreed that the traditional institutions do still have some impact in fighting high dropout rates. According to interviewees this is possible because rural communities have respect for their traditional leaders and some still fear that legal action could be taken if they don't comply. However, respondents also suggested that it is difficult to sustain these positive results because systems are not in place for traditional leaders and schools to work together.

Traditional institutions blame schools for not forwarding lists of dropouts while schools blame traditional institutions for being distant.

### **Protecting schools against vandalism and theft prior to 1994**

Respondents saw traditional institutions as having been helpful in ensuring safety and security in schools in the period before 1994. In the period before 1994 schools were built and maintained by communities and consequently there was a sense of ownership and commitment by everyone. This contributed to safety and security of schools. Principal 8 illustrated this:

*When something is given priority by the institution of chieftaincy people also commit them to it. In the past when the traditional institutions were directly involved in schooling in the rural areas education was given priority. As a result schools were built and teachers were highly respected by the rural communities where they serve. There was a sense of ownership and no one was allowed to let cattle or whatever to graze in schoolyards.*

Traditional institutions were very strict and harsh against criminals. Incidents of crime were investigated till culprits were brought before the law and were dealt with accordingly. Punishments could be severe, in some cases, as thieves could be beaten up. Traditional institutions played a role in protecting schools. One former committee member put it this way,

Here we were protecting the future of our kids, as it was clear to us that education prepares our children for brighter and better future.

### **Protecting schools against vandalism and theft post 1994**

There is consensus among all the respondents that traditional institutions have lost some control in their rural communities in the post 1994 period and that this has impacted negatively on schools. Today, traditional leaders do not have the capacity to keep schools safe. Respondents agreed that schools are plagued by vandalism and theft. Moreover, the appalling condition of these schools is a real symbol of shame and agony, as is borne out by the recent report on rural education (*Emerging Voices: 2005*).

Most SGB members and principals agreed that these schools are really not conducive to learning as many buildings are dilapidated, there are no fences and there are neither doors nor windows in most classrooms. Some classrooms serve as kraals for community livestock at night. Schools were once supplied with solar panels to generate electricity but not a single school managed to sustain that project. School governing bodies do not have the capacity to handle cases of vandalism and theft on their own. Before they can even refer these cases further to the police they firstly refer them to the institution of chieftaincy as the police stations are far away in towns. In that way the traditional institution is drawn in once more but they are also not as effective as they were before 1994. The reason for this is that there is a significant gap between the police and rural communities. While traditional institutions worked collaboratively with police and other law enforcement agencies in maintaining law and order in the period before 1994, this is not the case in the post 1994 period. Traditional leaders do not take on the responsibility for protecting schools and maintenance of law and order in general, as this is defined as the responsibility of the police in the new legislation.

While community involvement and participation in crime prevention is of utmost importance, in the case of rural communities there are no systems and structures in place to facilitate such involvement today. This function, like others, has been taken away from traditional leaders and been placed in the hands of structures that are not effective in rural areas.

#### **Teachers' social well being prior to 1994**

Traditional institutions saw it as their responsibility to help to ensure teachers' social well-being in the period before 1994. Respondents indicated that a higher proportion of teachers lived in rural areas prior to 1994 compared to today and that teachers were safer than they are today. This does not suggest that there were no incidents of crime or violence on teachers in the period before 1994.

Instead it suggests that there were structures in place to deal with such cases and that this reduced the number of incidents.

It was seen as the duty of the traditional institution to look for safe and secure accommodation for newly appointed teachers in the rural areas. A new teacher was introduced to the community at large through the traditional institution in order to be known and respected by everyone in the community (Traditional leader 1). The communities at large were expected to look after teachers' houses and belongings. People caught stealing or violating teachers' property were reported to the traditional institution and brought to appear before the law where they could be severely punished.

#### **Teachers' social well being post 1994**

According to respondents, traditional authorities are no longer involved in securing teachers' lives and property in rural areas. Only one instance was reported of a traditional leader helping teachers to find accommodation for newly appointed teachers. Respondents believed that a higher proportion of teachers do not stay in rural communities than was the case before 1994. They cited problems such as the high crime rate and underdevelopment in these rural areas as some of the reasons for this exodus. SGB members who were interviewed emphasized that, prior to 1994, traditional institutions were instrumental in ensuring the safety of everyone staying in these rural communities, including teachers.

#### **Disciplining learners prior to 1994**

The data reflects that traditional institutions assisted in the maintenance of discipline in schools in the period before 1994. When children were unruly or misbehaved at school, their names were forwarded to the traditional institution so that their parents could account for them and discuss possible forms of punishment. During the populist revolt that engulfed rural communities in the 1980s students who were fighting for a legitimate cause, at times directed their anger at public institutions such as schools and destroyed buildings that would benefit them later. Traditional leaders and parents worked together to limit these activities.

## **Disciplining learners post 1994**

Most respondents alluded to the fact that a lack of discipline is one of the more serious challenges facing schools in these rural areas in the post 1994 era. Moreover, respondents indicated that with the abolition of corporal punishment, schools are not able to deal with misconduct. Occasionally, traditional institutions are still called in to help in dealing with these problems. A principal has this to say:

*We involve traditional institutions when learners are becoming unruly at school. After the abolishment of corporal punishment we felt like dogs without teeth and children are very much unruly.*

According to him, alternative means of punishment are not effective in schools. However, traditional leaders still have the capacity to discipline learners. This doesn't mean that traditional authorities are still using corporal punishment; instead traditional leaders are able to involve the parents of learners and the community at large and can coordinate efforts within communities.

## **Resolving conflicts prior to 1994**

Former committee, principals and teacher union representatives agreed that traditional institutions were involved in resolving conflicts between parents and teachers as well as between learners and teachers in the period before 1994. When a community member got angry with a teacher, for example due to excessive use of corporal punishment, the traditional authorities handled such issues. They acted as a link as well as a buffer between teachers and the community at large. There was a mechanism in place to do deal with disputes and matters of misunderstanding between teachers and parents. This contributed to peace during this period. Because traditional authorities were perceived to responsible for conflict resolution, the mere presence of a traditional leader in the school meeting created a platform where people could discuss issues till they reached consensus without losing their tempers or intimidating others. It was seen as part of the responsibility of traditional leaders to unify quarrelling parties and ensure good working relations between teachers and rural communities.

Furthermore, four of the interviewed principals indicated that traditional institutions were able to be helpful in suppressing faction fighting in the period before 1994. It is common practice for boys from different localities to engage in faction fighting. While these were usually games for the boys, these activities sometimes led to unnecessary bloodshed and destabilized peace in rural communities if not controlled or at least monitored. Traditional institutions were able to monitor such activities in the period before 1994 and boys were not allowed to carry dangerous weapons.

### **Resolving conflicts post 1994**

Respondents reported that teachers struggle to maintain discipline and that some teachers resort to the use of corporal punishment. While there are policies about discipline, such as the learner code of conduct in schools, teachers don't seem to be adequately prepared to effectively implement such policies. Some resort to corporal punishment. This at times leads to the involvement of parents who intervene by taking the law into their own hands as they go directly to schools to confront such teachers. Moreover, there are no police stations in the rural areas where such matters can be reported. For that reason, some schools still involve the institution of chieftaincy when matters get out of hand.

According to respondents faction fighting between schoolboys from different localities frequently disrupts schooling in the rural areas. School governing bodies on their own are not managing to deal with such issues. Headmen 2 cited a case where schoolboys from a nearby school were afraid of participating in all kinds of school curricular and extra-curricular activities in a school in his locality because of the faction fighting.

The SGB's of both schools did try to resolve the matter but did not succeed. According to principal 4 these are issues which are forcing schools to forge alliances with traditional institutions in order to achieve greater political stability. In resolving this particular matter the traditional institution was involved and, with cooperation from parents from both sides, the matter was finally resolved.



### **Regulating youth and cultural affairs prior to 1994**

Traditional institutions were involved in regulating youth and cultural activities. According to principal 5 and union representative 1, the traditional institution helped to control traditional ceremonies, especially those that had negative effects on schooling. Initiation of girls (intonjane) and boys was regulated through the traditional institutions. It was known by everyone that these activities were only allowed to take place during school vacations and not just at any time of the year. According to principal 5, if these ceremonies had been held during the course of the year or when schools were open, boys and girls would have been absent from school for the whole month and would have been reluctant to come back to school even after the initiation. During this period the community tends to become unruly as boys and girls are allowed to sleep away from their homes.

According to principal 5, traditional leaders contributed to schools being safer places for girl children, as the traditional practice of abduction (Ukuthwalwa) of girls as wives was prohibited with regard to girls who were still at school. A person abducting a schoolgirl could face serious charges in the traditional court. Due to the seriousness of such cases the perpetrators could be summoned to appear before the regional court or the magistrate's court and get tougher sentences.

### **Regulating youth and cultural activities post 1994**

Since the powers of traditional leaders and their involvement in schooling have been curtailed, cultural activities are less strongly regulated resulting in what union representative 2 termed uvulazibhuqe, or a laissez-faire approach. Traditional ceremonies are organized during the school term and this contributes to learners being out of school. According to principal 5, criminal activities and faction fighting have their roots in such activities. What is even more serious is that schoolgirls that were safe from abduction in the period before 1994 are no longer protected from these practices.

Principal 5 has this to say:

*Abduction (ukuthwalwa) of schoolgirls was not allowed. A school was a safest place for the girls. Now that those traditional institutions are excluded our schools as well as children are not safe. Recently, we had an incident where a group of men were waiting to abduct a young schoolgirl next to our schoolyard. Things like these never happened in the past and schoolgirls were safe from this kind of behaviour.*

In the post 1994 era, these activities are not regulated, as there is no local structure that has the capacity to do so.

## **CONCLUSION**

By limiting the role of traditional leaders in rural areas the government has unintentionally created a space for lawlessness and unruly behaviour. While there are alternative law enforcement agencies such as police and magistrate courts, the fact that they are distant from rural communities renders them inaccessible and ineffective.

The data presented in this chapter suggest that traditional leaders fulfilled a number of functions that supported schools and that their presence and authority gave them the potential to engender social cohesion that benefited schools. In the post 1994 period they no longer have the formal authority to fulfill these functions and social cohesion in these areas has diminished. New state structures have not been able to take on these functions effectively. As traditional leaders are competing with new government structures for legitimacy and support this competition further undermines the effectiveness of these new structures.

The table below summarizes the data presented in this chapter.

<b>EMERGING THEMES</b>	<b>THE ROLE OF TRADITIONAL AUTHORITIES IN PRE 1994</b>	<b>THE ROLE OF SCHOOL GOVERNING BODIES IN POST 1994</b>
<p><b>Communication between schools and local communities:</b> School governance structure and its role in organizing parents meetings</p>	<p>TAs and school committees worked together.</p>	<p>There is poor parental involvement in SGBs and this leads to informal involvement of traditional leaders.</p>
<p><b>Resource mobilization and lobbying power</b></p>	<p>TAs could influence resource distribution.</p>	<p>This is the responsibility of the SGBs who do not have influence over resource distribution.</p>
<p>Local government education budget</p>	<p>There was a local education budget.</p>	<p>There is no local education budget.</p>
<p>Building of schools</p>	<p>TAs and school committees mobilised government and community resources.</p>	<p>No resources are mobilized at the community level and SGBs cannot influence allocation of government resources.</p>
<p>Maintenance of school buildings</p>	<p>TAs and school committees were responsible and mobilised community resources.</p>	<p>This is the SGB's responsibility but they do have the resources or capacity to do this.</p>
<p>Assisting in fundraising activities</p>	<p>TAs and school committees were effective in raising funds.</p>	<p>SGBs are allowed to raise funds but do not have the capacity to do so.</p>

<b>Social control</b>	TAs and communities worked together.	This is the responsibility of SGBs but they are not able to establish social control on their own.
Protecting schools against theft and vandalism	TAs and communities worked together.	SGBs and police are responsible but police stations are far away and ineffective
Teachers' social well-being	TAs and communities worked together.	SGBs cannot protect and support teachers and a greater proportion of teachers commute.
Truancy	TAs and school committee members worked together and there were systems in place to deal with truancy.	SGBs are responsible but ineffective. TAs role continues but is weakened because there are no systems in place.
Discipline of learners	TAs and school committee members worked together with relative success.	SGBs and teachers are responsible but ineffective.
Resolving conflicts between parents and teachers and also between teachers and learners	TAs and school committee members were involved and had the authority and systems were in place.	SGBs are responsible but do not have the capacity to intervene. TAs are sometimes drawn in.
Regulating youth and cultural activities	TAs and their communities were involved and regulated activities, minimising their impact on schooling.	These activities are not regulated.

Figure 1: School governance functions and responsible structures: Comparison between pre 1994 and post 1994 eras

## **CHAPTER FIVE: DISCUSSION AND CONCLUSIONS**

This study investigates the consequences of the exclusion of traditional authorities from school governance since 1996 by comparing ways in which governing structures operated before and after 1994.

Chapter one is an introductory chapter that states the question and provides a detailed background and rationale for the study. The chapter traces the role that was played by the institution of chieftaincy in rural development more broadly and particularly in schooling before 1994. It goes on to highlight the changes both in local governance and education policies after 1994 and to describe conditions of schools in rural areas in the post 1994 period. Chapter two reviews literature relating to the position, role and place of the institution of chieftaincy in schooling and in rural development in general and presents the conceptual framework for the study. Chapter three presents an account of the design and methodology for the study. It also addresses matters pertaining to validity, ethical considerations and confidentiality in this study. Chapter four presents the data analysis and highlights themes that emerged. In this final chapter I discuss the findings from the study and draw conclusions.

These findings illustrate that school governance in rural areas is embedded in broader social cohesion and political stability at local government level. The pre 1994 school governance arrangements show relative success when compared with the post 1994 arrangements because there was greater social cohesion at the local level during that period. While stability and order were achieved through relative local social cohesion in the period before 1994, the general view of the respondents is that the lack of it in the post 1994 period has resulted in chaotic conditions for schooling.

It emerged from the data that traditional leaders had been involved in a range of activities in schooling in the period before 1994. These activities related to resource mobilization through lobbying for government and local support, the establishment of social control that is integral to the smooth running of schools and communication between the state and rural communities. Schooling was everybody's business and was seen as part of broader social development.

The involvement of traditional leaders in schooling created a platform for rural communities to collectively lobby for local felt needs and the domain of each traditional leader was seen as a unit across which resources should be distributed.

However, this doesn't suggest that their authority was not contested. Respondents indicated that at times there were political tensions associated with their participation in school governance. For instance, respondents referred to autocratic tendencies of some traditional leaders while incidents of power struggle with principals were also reported. Furthermore, this doesn't mean that there were no problems in rural areas during this period. These problems are well documented in the study conducted by Jacklin and Graaff in 1994. Instead, this shows that at least there were systems and structures in place to deal with such challenges.

In the post 1994 period, the *South African Schools' Act No: 84 of 1996* excluded traditional authorities from formal participation in school governance while their authority and roles were also limited in local government, more generally. The creation of new democratic structures at the local level enabled separation of powers and consequently led to competition and conflict. The *Constitution of South Africa No. 108* of 1996 has created a platform for the establishment of municipalities as the third tier of government in every part of the country, including rural areas. Section 12 of this same legislation also provides for the recognition, status and role of traditional institutions under customary law. This created a scenario of two bulls in one kraal and a fertile ground for a conflictual relationship. Municipalities were created through divisions or at times amalgamation of traditional authorities. This whole process undermined prospects for coordinated and integrated rural development, as discussed in recent education research reports (HSRC, *Emerging Voices 2005* and *The Ministerial Report 2005*). In this study, respondents indicated that the changes in spatial boundaries for local government and division of traditional communities created fertile ground for more conflicts, jealousies, disrespect and lawlessness in rural communities.

One unintended consequence of the separation of powers at the local level is that it leads to tokenism and creation of governance structures and institutions which are both ineffective and inefficient. For instance, the establishment of the 'white elephant' structures called the National and Provincial houses of traditional leaders, to borrow a phrase from Oomen (2005), illustrates this tokenism. Senior traditional leaders occupy these structures but are required to do nothing other than to advise the state on issues pertaining to traditional leadership, customary law and issues affecting their communities. Oomen (2005: 56) noted that much of the discussion in these Houses is related to budgetary issues, especially to their own salaries. This situation prompted the then premier of the Eastern Cape, Makhenkesi Sitofile, to describe these structures as 'trade unions'. The reality remains that these are just 'toothless talk shops' with no impact at all towards service delivery in rural communities.

On the other hand, the role played by the SGBs in schooling is limited. Respondents describe SGBs as useless structures that have neither local support nor muscle to influence the upper structures of education. This prompted a certain headman in this study to describe these structures as 'toy trains' in the education system. Regardless of their good intentions, SGBs do not effectively represent school communities. Currently, school governance is in the hands of parents, teachers and in the case of high schools also learners. Even though South African parents have a role in the education of their children my findings suggest that there is still a distant relationship between parents and schools in the area where the study was located. There is a lack of parental involvement and the governing bodies do not have the support and backing of their respective communities.

The introduction of school governing bodies and new forms of local government brought substantial shifts in the role of traditional leaders within schooling and this has impacted on schooling with regard to resources, social regulations and relations between the school and local communities. In the post 1994 period, there are no formal channels for traditional institution to lobby government departments. The alternative structures such as the SGBs that are entrusted with such responsibility lack the capacity to do so. The data also suggests that social control institutions are weak, in the area under study.

Even though there are structures such as SGBs and police that are entrusted with responsibilities to protect schools against theft and vandalism, to ensure teachers' social well-being, to deal with truancy and to resolve conflicts. My findings suggest that these responsibilities are weakly enacted due to a lack of support from the local communities. Consequently, high crime rates, faction fighting, vandalism and unregulated cultural activities impact negatively on schooling.

But even though traditional leaders are excluded from formal participation in school governance, they are still involved in a number of ways. Traditional leaders and most respondents explicitly stated that, although traditional authorities are excluded from the school governance policy, the reality on the ground is that nothing happens without their involvement and approval. This therefore suggests that traditional institutions can enhance or hamper development at will. However, their authority is by no means uncontested as the modern democratic structures are also trying to establish their own legitimacy in these rural communities. The consequence is that neither traditional leaders nor modern democratic structures have power to influence government towards service delivery in these rural communities.

At times, traditional leaders build their own legitimacy and credibility by ensuring that SGBs remain dependent on them. Traditional leaders continue to control access of governing structures to rural communities. They control access to these rural communities: when schools want to communicate or need something from parents they are still compelled to do so via traditional leaders. While traditional authorities continue to wield influence over local communities, new local government and school governance structures remain conceptually and materially remote from largely illiterate people. This manipulation and competition undermines the authority of the new local government structures as well as the SGBs and has a negative impact on service delivery and schooling in these rural communities.

The key issue here is not the relative levels of corruption or good faith of old and new structures. There were good and bad instances of both. According to Krishna:

*Good and bad institutions cannot be identified uniquely either with modernity or tradition. Rather, institutions of both types can perform well or badly depending on how accessible they are and how well ordinary people can hold leaders and officials accountable (2001: 28).*



The central issue is that there is a need for a single, effective form of local government that can represent local concerns at higher levels and mobilize resources. Such a structure would link school governance to broader development initiatives and provide a supportive political and social context for schooling in rural communities. I argue along with Teffo (2001) Williams (2001) and Krishna (2002) that this would require a new hybrid institution that harnesses and combines the legitimacy of traditional institutions and modern democratic government and builds on local roots to this end. Change in rural areas is contingent on true democratization of these rural areas and this suggests a total transformation of traditional authorities to fit neatly within democratic society. Krishna believes that locally evolved institutions usually have better effects in terms of combining efficiency together with legitimacy, accessibility and voluntary compliance. He argues:

*Rather than attempting to install some pre-determined and seemingly modern institutions from the top down, policy makers will do better to work alongside the institutions that people have created for themselves (2001: 28).*

Jacklin and Graaff (1994) suggested that policies must ensure equal outcomes but must also identify where this requires different methods. In order to have representatives, whether women or men, who have full support or backing from the entire community, traditional institutions must be involved in school governance. Traditional institutions represent the ideological and political imperatives of unity in the rural communities. It has been noted by Williams (2001) that the concept of unity - “ubunye” in Zulu - is the dominant cultural and political theme structuring the day-to-day practices and interactions between the rulers and ruled. I argue that this applies to most Nguni communities. Political decisions must appear to achieve or maintain this unity if they are to be acceptable and legitimate in the rural community.

This is not about abandoning school governing bodies. Traditional leaders would operate at the level of local government not at the institutional level. Its role would be to support the activities of the school governing bodies, to provide a stable and cohesive social, political environment and to present the interests of schools at higher levels of government.

Traditional authorities could provide a relevant platform for integrated rural development and a platform to combine wealth of expertise and a variety of perspectives. They could be part of inter-agency partnerships and shift away from the narrowness of single-agency mandates and help to attend to the multitude of problems and challenges facing rural communities in a very comprehensive and meaningful way.

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## **APPENDIX: INTERVIEW QUESTIONS**

### **QUESTIONS FOR THE AMAKHOSI AND HEADMEN**

1. What was the role-played by the traditional authorities or traditional leaders in school governance before SASA of 1996 came into effect?
2. What do you think were the advantages and disadvantages of this involvement?
3. Could you tell me things that you can recall, if there were any, that were done by the school in conjunction with traditional authority or traditional leaders for the development of the school?
4. What was the relationship between the school committee members and the traditional institutions?
5. What was the role of the Regional Traditional Authority in schooling?
6. What is the role of this institution now?
7. In discussions, in the meetings of school governance, with the traditional leaders also present, was it possible to identify sub groupings (in support of the traditional leader or the school principal) or people taking sides within the committee members?
8. Currently, what is the position or the role of Traditional Authorities in schooling, if there is any role?
9. Do you see a role or place for the institution of chieftaincy in school governance in rural areas, presently or in future?
10. If yes, what would it be?
11. In the light of the past experience, what would you change in relation to the involvement of traditional leaders in schooling?
12. Did traditional leaders have any role with regard to teachers in rural localities in the period prior to 1994? Prompts: Security, Accommodation
13. Do traditional leaders have any role with regard to teachers in rural localities, if they still reside in these localities?
14. Did teachers commute before 1994? How many were they?
15. Do they commute now? How many are they?
16. How do you explain this?
17. What are the views of Contralesa around school governance and traditional institutions in rural areas?
18. What are views of the Provincial House of Traditional leaders around schooling in rural areas?

### **QUESTIONS FOR THE PRINCIPALS**

1. What was the role played by the traditional authorities or traditional leaders in school governance before the SASA of 1996 came into effect?
2. What do you think were the advantages and disadvantages of this involvement?
3. Could you tell me things that you can recall if there were any, that were done by the school in conjunction with traditional authority or traditional leaders for the development of the school?
4. What was the relationship between the school committee members and the traditional institutions?
5. What was the role of the Regional Traditional Authority in schooling?
6. What is the role of this institution now?

7. In discussions in the meetings of school governance, with the traditional leaders also present, was it not possible to identify sub groupings (in support of the traditional leader or the school principal) or people taking sides within the committee members?
8. Currently, what is the position or the role of Traditional Authorities, if there is any role?
9. What are the benefits of this involvement, if they are involved?
10. If not, what are the disadvantages of this absence?
11. Do you see a role or the place of the institution of chieftaincy in school governance in the rural areas, at present or in future?
12. If yes, what would it be?
13. In the light of the past experience, what would you suggest to be changed in relation to the involvement of traditional leaders in schooling?
14. Before 1994, did traditional authorities have mechanisms to ensure that children attend schools?
15. What was the policy?
16. What mechanisms do you have now to ensure that children attend schools?
17. What is the policy now?
18. Considering the fact that the Department of Education local office has always been far away in the nearby rural towns, who served as its eye in rural areas before 1994?
19. Currently, who serves as its eye?
20. How did the Department of education ensure that teachers were teaching and learners were learning in the period prior to 1994?
21. Currently, how does the department of education ensure that teachers are teaching and learners are learning?
22. Considering scarcity of resources in rural schools, how did the Department of Education ensures that all schools, especially those in one-area, share resources?
23. Currently, how does the Department of education ensure that schools do share available resources?
24. In order to protect schools from theft and vandalism, how did schools manage in the period before 1994?
25. Currently, how do schools cope with these challenges?
26. Did traditional leaders have any role with regard to teachers in rural localities in the period prior to 1994? Prompts: Security, Accommodation
27. Do traditional leaders have any role with regard to teachers in rural localities, if they still reside in these localities?
28. Did teachers commute before 1994? How many were they?
29. Do they commute now? How many are they?
30. How do you explain this?
31. Before 1994, was the allocation of resources based on the political influence of the community leaders? Can you give an example or a case?
32. Currently, is the allocation of resources based on political influence of the community leaders? Can you give an example?



## **QUESTIONS FOR PARENTS SERVING ON THE SCHOOL GOVERNING BODIES**

1. What is the position or the role of traditional authorities or traditional leaders in schooling, if they have a role?
2. What are the advantages and disadvantages of this current arrangement?
3. Do you see role or place of the institution of chieftaincy in school governance?
4. In the light of the past experience, what would you suggest to be changed in relation to the involvement of traditional leaders in schooling?
5. What mechanisms do you have now to ensure that children attend schools?
6. What is the policy around school attendance?
7. How do you make sure that you meet this requirement?
8. Considering the fact that Department of Education local office is far away in the nearby rural towns, who serve as its eye in rural areas?
9. How does the Department of Education ensure that teachers are teaching and learners are learning?
10. Considering scarcity of resources in rural schools, how does the department of education ensure that all schools, especially those in one-area share resources.
11. In order to protect schools from theft and vandalism, how does schools cope with these challenges?
12. Do traditional leaders have any role in regard to teachers in rural localities, if they still reside in these localities?
13. Do teachers commute? How many are they?
14. What makes teachers who teach in the rural commute instead of staying closer to the work place?
15. What makes some schools to be given first preference and others neglected? For instance, school renovations or rebuilding and other resources.
16. Do you think there are sufficient mechanisms to ensure that teachers are accountable?
17. Do they experience problems like teacher absenteeism or late coming?
18. If they do, what do they think is the problem?
19. How do they think this problem could be solved?
20. What is their view in regard to some schools with better resources than others?
21. What do they think could be a solution to this problem?

## **QUESTIONS FOR PARENTS WHO SERVED IN SCHOOL COMMITTEES IN THE PERIOD BEFORE THE SASA OF 1996 CAME INTO EFFECT**

1. What was the actual role played by the traditional authorities or traditional leaders in school governance before SASA of 1996 came into effect?
2. What do you think were advantages and disadvantages of this involvement?
3. Could you tell me things that you can recall if there were any, that were done by the school in conjunction with traditional authority or traditional leaders for the development of the school?
4. What was the relationship between the school committee members and the traditional institutions?
5. What was the role of the Regional Traditional Authority in schooling?

6. In discussions in the meetings of school governance, with the traditional leaders also present, was it not possible to identify sub groupings (in support of the traditional leader or the school principal) or people taking sides within the committee members?
7. Did tradition leaders have any role in regard to teachers in rural localities in the period prior to 1994? (Security, Accommodation)
8. Did teachers commute before 1994? How many were they?
9. Do they commute now? How many are they?
10. How do you explain this?

### **QUESTIONS FOR TEACHER UNION MEMBERS: SADTU AND CATU**

1. What is the position or the role of traditional authorities or traditional leader in schooling, if they have a role?
2. What are the advantages and disadvantages of this current arrangement?
3. Do you see role or place of the institution of chieftaincy in school governance?
4. In the light of the past experience, what would you suggest to be changed in relation to the involvement of traditional leaders in schooling?
5. What mechanisms do you have to ensure that children attend schools?
6. What is the policy around school attendance?
7. How do you make sure that an obligation of this policy is met?
8. Considering the fact that Department of Education local office is far away in the nearby rural town, who serve as its eye in rural areas?
9. How does the Department of Education ensure that teachers are teaching and learners are learning?
10. Considering the scarcity of resources in rural schools, how does the department of education ensure that all schools, especially those in one-area, share available resources.
11. In order to protect schools from theft and vandalism, how does schools cope with these challenges?
12. Do traditional leaders have any role in regard to teachers in rural localities, if they still reside in these localities?
13. Do teachers commute? How many are they?
14. What makes teachers who teach in the rural areas commute instead of staying closer to the work place?
15. Do teachers in rural areas upgrade their qualifications?
16. How does the impact of teachers who are furthering studies affect teaching and learning in rural areas?
17. What do they think could be a solution to this problem?
18. What makes some schools to be given first preference and others neglected? For instance, school renovations or rebuilding and other resources.
19. Do you think there are sufficient mechanisms to ensure that teachers are accountable?
20. What are views of the union to problems like teacher absenteeism and late coming?
21. What do you think is a problem?
22. What do you think could solve this problem?
23. What is your view in regard to some schools with better resources than others?

24. What do they think could be a solution to this problem so that others can also benefit?
25. What are the major challenges that are facing teachers in rural areas?
26. How do unions assist them in order to get the breakthroughs?

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