ABSTRACT

This article notes the paucity of discussions on the inclusion of rural institutions in accountability and good governance discourses in South Africa. It argues that there is a need for the regulatory powers and mechanisms of good governance at national level to filter through to micro-level of governance, through the Rural Institutions of Governance (RIG) model. Although much work has been done at macro-level to promote good governance, rural institutions of governance at micro-level are pressurized by their constituencies, since RIG are closer to the people and carry the constitutional mandate to provide services, particularly those relating to traditional communities and customs in their areas of jurisdiction. However, the establishment of the national house of traditional leaders, in terms of national legislation and provincial legislation is meant to maximize efforts to improve rural governance, especially concerning service delivery. The limited economic and political autonomy of RIG highlights a greater need for a viable RIG praxis with a visible scope of agenda on policy issues and local economic development. This paper applies the case of the Royal Bafokeng Tribal Authority in canvassing its verifiable assumptions, proffering strategies and lessons to be learnt on patterns of the praxis on rural governance. The emerging new knowledge of traditional leadership with a corporate face is a unique practice of rural governance that contributes towards studies in rural governance and community development.

Key words: Traditional Leadership, Rural Governance, Local Economic Development, Service Delivery, Royal Bafokeng Nation.

INTRODUCTION

Rural governance issues have recently come under the spotlight in the context of governance and community development. This growing concern has surfaced among other scholars in the field of governance and public management (Binza, 2011; George, 2011; Mayende, 2010; Ntsebeza, 2003; O’Toole, 2007; Tshishonga, 2011). This growing interest in
governance as a key research area reflects the need for repositioning and recognition of rural institutions of governance for better local economic development and for inculcating good governance. The strengthening of these institutions imply multi-agency partnership with better ways of relating and partnering with the communities for empowerment and self-reliance and forming networks and contacts while development efforts are applied.

Rural institutions of governance, particularly traditional leaders, are an old form of governance, respected internationally and locally. The United Nations (UN) declared the period of 1995–2004 as the decade of the world’s indigenous people. In this regard, the UN and its member states took the initiative to improve the standards of living for indigenous people. This milestone comes with a challenge for Africa and South Africa to foster new strategies for rural governance supported by legislation and public policies. The political environment and the forces of imperialism and colonialism have severely undermined traditional leadership by failing to include them in policy legislation formulation. The apartheid government further accelerated the rule for excluding these institutions in decision-making concerning natural resources and land rights.

Our rural communities have a rich and varied life that must be celebrated by capturing the experiences of the diverse communities in interacting with the state and development agencies to re-invigorate rural life. The literate acknowledge the contributions of rural institutions of governance. The RIG experiences are hard, because they come with attributes used for forced removals on wealthier land areas; hence the postcolonial paradigm calls for a more participatory approach on land and communal rights to allow social justice in the management of natural resources and equity for the previously affected groups in rural areas.

This article calls for recognition of RIG and a shift in the nature of functioning of rural institutions of governance in South Africa, using the case of the Royal Bafokeng Nation (RBN). After a brief introduction, the writer will follow recent contributions to the rural studies literature by adopting a governance and accountability discourse while developmental efforts are applied. While the case of the RBN is analyzed and considered, the essence of community development informs how governance is practiced in this nation. This article will also link up this debate with the implications for service delivery and conclude with recommendations for accountability and good governance by RIG.

TRADITIONAL LEADERSHIP IN SOUTH AFRICA
Apartheid laws created a bizarre governance landscape by isolating traditional leaders from the main South African governance structures, leaving the traditional leaders with limited governance powers and inadequate infrastructure and resources for them to operate effectively. The majority of services for rural areas, including tribal authority, were administered through the homeland systems. In fact, representative structures to offer municipal services existed on the South African borders, excluding the majority of blacks to form representative structures in their homelands. However, the powers and functions of traditional leaders were fairly limited to judicial functions under customary law, to dispute resolution like land allocation (Reddy, 1997:241). National legislation may provide for the role of traditional leadership as an institution at local level on matters affecting local communities with limited roles on land allocation. Mayende (2010: 51) agrees more with Reddy (1997) when he commented on the inherent systematic failures of agrarian policy reforms since 1994 until the Zuma administration.

Between 1993 and 1994, a negotiated settlement for democracy in South Africa conceived the Government of National Unity, with a different vision of institutions of rural governance. The South African democracy brought changes and transformed the institutions of governance by recognizing roles and responsibilities of traditional leadership. In response to the demands of traditional leaders, Chapter 12 of the South African Constitution (1996) recognizes these institutions and provides for the roles and responsibilities of traditional leaders, such as those dealing with matters relating to traditional leadership, like customary law and traditional affairs. The Interim Constitution (1993) provided for the limited recognition of traditional leadership and Houses of Traditional Leaders at national and provincial spheres of government. However, the existence of the Congress of Traditional Leaders of South Africa (CONTRALESA) paved the way for negotiating the inclusion and recognition of existing traditional affairs.

Chapter 12 of the South African Constitution (1996) provides for, and acknowledges, the institutions of traditional leadership and their place and role in the system of governance. The Constitution further established the Council of Traditional Leaders, which was formalized in 1994 (Republic of South Africa, 1996). In 1997 a new Council of Traditional Leaders was passed and the 1994 one was amended.

The National House of Traditional Leaders Act (2003) provides for the establishment, composition and roles and responsibilities of traditional affairs in South Africa. This Act
contributed to progress made by the South African government in recognizing the RIG even though there are still some pockets of conflict in different clans on chieftainship and inheritance of the crown in some royal families. The consolidation of democracy resulted in traditional leaders working with local government on some common responsibilities like the application of customary law and decision-making regarding the demarcation processes and land claims.

The South African parliament passed the Traditional Leadership Act (2003) and amended the Communal Land Rights Bill. Another milestone for traditional affairs was the appointment and the investigation conducted by the Nhlapo Commission of Traditional Leadership Disputes and Claims (CTLDC), established in terms of section 22 of the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003). Its terms of office expired at the end of January 2010. The CTLDC was tasked to investigate whether or not all the paramountcies and paramount chiefs qualified to be recognized as kings or not. The CTLDC report was released, and the commission only recognized six kings to be qualified as kings out of 12 kings, while others were not recognized as such. During this period, the Traditional Leadership and Governance Framework Act (2003) only recognized three positions of traditional leadership; namely; king, senior traditional leader and headman/woman. This exercise provided answers on the current disputes that existed for a long time in southern Africa, noted as pockets of conflict on the question of chieftainships and succession.

It is obvious that traditional leadership is relevant in the development of the governance structures in South Africa, within a society that embraces its cultural values as legitimate foundations for development and governance of communities. However, rural approaches might not be enough to address debates for sustainable democracy in South African space politics.

THEORETICAL POINTS OF DEPARTURE

The concept of governance is contextualized in different disciplines, with much emphasis on the expectations of citizens towards the response of government. In public management, governance refers to the interactive ideological forms of management that have been developed since the’ eighties (Nuijten, 2004: 104). The concept of governance offers a novel theoretical and managerial way to deal with social and political processes in different environments linked with their locality, whether rural or urban. Rural governance can be
referred to as self-organization and self-regulation of development by rural people integrating their rural environment with the mainstream development efforts steered by rural institutions responding to community needs (Connelly, 2006:267). This article focuses on the relationships between rural institutions of governance, such as traditional leadership, rural communities and local and national agencies collaborating to enhance development and good governance.

There is the essence of community is at the centre of these debates. Rural institutions and development agencies cannot escape from interacting with communities with a sense of commitment and responsiveness to their needs. However, the use of community has paradoxical objectives, in the sense that the community can be constructed with positive and negative attributions. O’Toole and Burdens (2004: 433) state that community governance can be seen as a normative construct that can be dressed up as an ideal mechanism for serving local needs. Communities are then expected to identify and organize their own means and resources for them to be able to survive. This new paradigm of community governance is not far from the ideas of community involvement that can be constructed to be self-reliant and self-supportive, taking ownership of the process of development to address community development needs. Community involvement can also be constructed in forms that support global needs and entrepreneurial benefits that foster development through technological forms associated with community stewardship. Dominant power structures can exist where livelihood is not sustained when development projects are in place.

In general, rural development can foster development efforts assisting communities to develop through empowerment with much involvement in the implementation and application of development initiatives. This paper disassociates itself from the rhetoric where communities are constructed to further the interests of the neo-liberals, government and external experts by limiting empowerment and using global technological change to steer development. Research indicates that development efforts in rural areas have largely been on investment in human capital, ignoring the representation of traditional authorities as stakeholders in such efforts (Lehman, 2007: 302). People’s interpretation of representation can be influenced by their understanding of belonging to a particular group that has defined commitment to core democratic or cultural values. Olowu and Wunsch (2004: 170) reason that traditional rulership is a closed system, characterized by heredity and legitimacy. It is not surprising that some traditionalists are not open to democratic processes that promote universality and equality.
In the same spirit, after many decades of development it has been discovered that people are both the means and the end of economic development. Many societies, despite an abundance of financial capital, have been unable to develop. Brunori (2007: 183) suggests that rural studies are increasingly inspired by the post-rural approaches, ‘with a set agenda for research on an awareness of an inside-outside dynamic’. Brunori (2007:183) adds that post-rural approaches seem particularly effective in explaining economic and social patterns that exist to produce concrete space and system resources of particular qualities. This suggestion of a post-rural approach highlights a paradigm shift in the praxis of rural governance, with more emphasis on the capacity of local forces to construct and share governance and coordination of local resources in both traditional and cooperate terms.

Rural change can be in conflict with rural development where actors have diverse interests. Local administrators, including traditional authorities, should have a specific role to play in this new rural approach and managerialism that apply to the allocation of resources for creating a new socio-economic paradigm. Rural groups should demonstrate responsibility for their actions, activities and decisions by incorporating community considerations and demands to sustain rural development in their daily practices and into future generations. The accessibility of stakeholders is crucial to establish new discourses of change that do not foster one-sided dominant interests of a particular group. Rural institutions of governance should comply with principles of good and effective governance such as responsibility, accountability, transparency, representation and accessibility.

The RBN of Phokeng in North-West is one of the rural communities that has initiated and implemented local development projects with the intention embracing development issues such as capacity building and skills training, public participation and empowerment. At this point, the sustainability of these local community development initiatives has not been noticed by some other communities. While there is less documentation of all the development initiatives that have been undertaken by the RBN, this article reveals show efforts on rural governance and local investment supported by traditional leaders, local government, business and communities.

THE PRAXIS OF RURAL GOVERNANCE AT THE RBN

Historical background
The RBN is made up of twenty villages that cover 14,000 square kilometers, located in Phokeng, Rustenburg, in the North West province of South Africa. Since 2000, the RBN kingdom has been under the rule of King Leruo Molotlegi. The Phokeng are descendants of the Sotho-Tswana people who, just over a thousand years ago, migrated in a southeasterly direction from central Africa over a period of 200 years (RBN Review, 2010). A substantial portion of the people settled in the area now incorporated into the countries of Botswana and Zimbabwe. In the 1920s, geologist Hans Merensky discovered in the Rustenburg valley the surface outcrop of arguably the world greatest ore body, in particular substantial quantities of the platinum group of metals such as platinum, palladium, rhodium, ruthenium and iridium, as well as gold, referred to as 5PGM+Au (RBN Review, 2010). The discovery lead to the pursuit of mining, with land rights belonging to the RBN.

The RBN has made a fortune out of the discovery of minerals in their land, on account of the world’s largest deposits of the platinum group of metals. The RBN prides itself in rich cultural and cooperate identity that has made them competent in advancing socio-economic development. The mining companies pay royalties to the RBN in exchange for the right to mine substantial reserves of the platinum group of metals (PGMSs) on RBN land (Molotlegi, RBN Review, 2010).

**Leadership and governance of the RBN**

Kgosi Leruo Tshekedi Molotlegi is the current king of the Bafokeng. He is recorded as the fifteenth king, the third son of the queen mother Semane Molotlegi and the late Kgosi Lebone 1. Leadership remains a key factor for the RBN. The royal traditional leadership is the custodian of the RBN tribal affairs to encourage, inspire, inform, unite and remain accountable for their policies to empower the communities and achieve their vision (RBN Review, 2011). The leadership has a mandate to instill their efforts to promote ethical and holistic leadership among their traditional, hereditary and professional structures. The Royal Bafokeng Institute offers programs to train the RBN leaders and professionals on programs such as the leadership development programs for the Dikgosana and Bakuduthamaga, Executive Development Program and the Management Exchange Program. Furthermore, the Royal Bafokeng Institute has collaborated with Wits Business School, training 20 members of the senior management of the RBN entities and association companies in Management and Leadership Challenges in 2010.
Power in the RBN is shared among the Bafokeng Supreme Council, which is made up of the 83 hereditary headmen and elected and appointed men and women from the traditional legislature, entrusted to oversee the RBN expenditures and policies as a community and as a nation. They also abide by the Bafokeng customary law and the South African Constitution. The Rules and Orders of the Bafokeng Supreme Council are being finalized and approved and will enable the Supreme Council to play its policy and oversight more towards good governance. This will be supported by the addition of the Portfolio Sub-committees, linked to the RBN entities and departments to align governance and operational structures. These sub-committees are tasked to review the progress in the operations of the RBN focus area. There is shared governance among the RBN and the local government (Molotlegi, 2011).

Dikgosana (headmen) are identified through rigid rules of succession, responsible for the 72 Makgotla (wards) at RBN. The Bafokeng community interacts with governance structures most directly and frequently at the level of makgotla. The Traditional Councils update each other on governance issues when they meet on a monthly basis at their villages and the Makgotlato review and respond to constituency reports from different regions. Directives on interventions and follow-ups are then fielded to the relevant RBN entities and departments, as well as to the portfolio sub-committees of the Supreme Council (Molotlegi, 2011). A special commendation goes to the Traditional Council for showing leadership in attending to protests experienced late in 2009.

Continuing from the succession of the Sustained Leadership Development Program, the Makgotla will be further located into the governance structures with some constituency work transferred to the Traditional Councilors. The Makgotla will integrate all levels of governance structures and open more doors to communities to participate in the affairs of the RBN. The RBN relates with the Rustenburg local municipality and local private mining companies to invest in human capital and ensure that prosperity for future generations of Bafokeng is assured.

The Corporate Governance Department is located in the office of the Kgosi and is responsible for making sure that in all of the RBN corporate entities, the nation observes relevant laws, procedures and best practices. The RBN code on corporate governance regulates RBN policy-making structures and operational structures, including By-laws and Rules and Orders, Funding Agreements, Entity and Shareholder Compact Agreements.
The RBN improves its leadership and governance through the tracking and monitoring of the RBN systems. The use of the Content Management System housed in the Operations Room in the Rustenburg Civic Centre enables workers to register, update and track all their projects and programs online. The system also enables the RBN to compete with other countries by comparing the RBN micro-indicators with other parts of the world such as Botswana, Brazil, India and Singapore. In addition, there is an electronic calendar for all the RBN entities, governance structures, and communities. Every department, entity, and kgotla can now enter its meetings, events, and important days on this calendar, for the rest of the RBN to have access to information such as the RBN agendas, minutes, maps and other documents.

**Local economic development (LED) of the RBN**

Blakely (1994: 9) defines LED as the process with which local governments and local institutions/organizations engage to stimulate or maintain business activity and employment. LED can be understood as the process in which local structures, including local government and business entities, stimulate local business, using existing human, natural and institutional resources, enter into partnerships, create jobs and address local challenges. The RBN prides itself in working towards the goal of economic sustainability for the Bafokeng nation and its 40,000 households. Currently, the RBN has the following business entities that back up their local economic development initiatives:

- **Royal Bafokeng Holdings** (RBH) is an investment entity in Johannesburg, responsible for managing and maintaining the community’s income stream.
- **Royal Bafokeng Sport** (RBS) is in charge of the RBN sports palace, an official venue for the 2010 FIFA World Cup.
- **Royal Bafokeng Administration** (RBA) is principally a town planning unit, charged with service delivery and monitoring the progress of the master plan across the region.
- **Royal Bafokeng Institute** (RBI) aims at uplifting the quality of education and learning in the RBN. The focus is on education reforms, vocational training and leadership development for the nation.
- **Royal Bafokeng Enterprise Development** supports and incubates small, micro- and medium-sized enterprises in the RBN.
The Bafokeng and local municipality use the competitiveness of the RBN by attracting business and industry to invest in the RBN. The RBN has recruited several manufacturing companies to Phokeng as part of a drive to expand the nation’s exports beyond raw materials (Molotlegi, 2010). This has created employment opportunities and expansion of business confidence in the area. The value of the Bafokeng stake in the Impala mining company had tripled to more than $50 million by 2001. At the end of 2010, the total value of RBN commercial assets was R30.9 billion (Molotlegi, 2011). However, King Molotlegi during the state of the RBN address, asserted that profitability and high returns do not come at the expense of good governance and accountability; there is a commitment to strengthen its role as an advocate for good environmental and social governance, with good standards in business in which the RBN is investing (Molotlegi, RBN Review, 2011).

In the study on which this article is based, the author sought to address a gap in government and academic literature by examining how local economic development is implemented by rural institutions of governance with rural communities and the business sector. It is apparent that ‘resource dependency’ cannot be isolated from the case of the RBN. The availability of resources in this area interlocks with the desired goals of the RBN in fostering development in their communities. This paper therefore argues that, while the RBM governance model is analyzed within the context of rural governance, there are challenges relating to the power struggle between the Rustenburg Local Municipality (RLM) and the RBN traditional leaders. This is further reflected in the communication challenge between RLM and communities, due to the failed implementation of the Memorandum of Understanding (MOU) between RBN and RLM (Cannon, Cook & Thebyane, 2010: 6). However, rural communities are gradually retaining some capacity to influence the process of democratization of the RBN.

As part of development initiatives, the RBN is committed to restructuring the Royal Bafokeng Enterprise Development and Agriculture sector. The RBN have embarked on a major collaboration with North-West University and the Agricultural Research Council to develop a master plan for agriculture for the Bafokeng area. This will include a comprehensive research and mapping program, the development of a department in the RBN devoted to the development of a strategic plan for expanding commercial agriculture and several pilot projects. It is evident that the RBN governance structures, the local community, municipal officials and business entities are committed to fostering local economic development to improve the lives of the RBN. The fruits of development in this area have
profound implications for service delivery. The following section will elaborate on these implications.

IMPLICATIONS FOR SERVICE DELIVERY

The RBN and local government created a complex platform for good governance, consisting of a traditional and a corporate culture. Various key role-players have come to the fore in this community to improve the standards of public service delivery. The RBN’s existing capital from investments and funds are targeted towards nine key areas prioritized by the Makgotla leadership in five regions, namely education, health and social development, economic development, food security and agriculture, safety and security, public and community utilities, environment and land use, sport and recreation, Bafokeng history and heritage.

The RBN adopted a better strategy for improving service delivery through cooperation and collaboration between partners and interacting networks. The core service delivery objectives are to improve access to service delivery and the ability to improve capacity of the governance structures, relating to communities on a continuous basis. Local government authorities in this area are playing a significant role in coordinating local communities at other levels of governance because of the positive response of the communities towards the Royal Bafokeng administration. Even though there are challenges in all parties sharing a space in decision-making while delivering services for the communities, it can be argued that local development groups and business partners at RBN are integrally involved in providing services to the community.

CONCLUSIONS AND RECOMMENDATIONS

This article argued for the repositioning of rural institutions of governance in South Africa, with particular reference to traditional leadership. The case of the RBN offered some debates for a twin responsibility of rural governance, such as effective traditional governance and local economic development in South Africa. It can be reasoned that successful rural governance offers the possibility of functioning networks capable of strategic goals, resource mobilization and integrative intervention. The case of the RBN offers us some insights into these possibilities through shared governance between the RBN, local communities, local government and the private sector. The author can claim that, even though the RBN is located in the rural setting of Phokeng, its investments are spreading to other urban locations because
their relations are not limited to one particular partner for developing its people. The richness of the RBN land has unlocked better potential for shared responsibility on developing the nation with other institutions of governance. Accountability is demonstrated as the share of RBN royalties and collective income contribute towards the community’s socio-economic development.

A theoretical lesson that may be learnt from this article is that rural governance is part of the broader change in governance in South Africa. The focus of this paper has been limited to traditional leadership in South Africa, using the case of the RBN. There is no doubt that different experiences can be witnessed in some other chieftainships where there are no mining royalties. Another lesson that can be learnt from this case, is that governance is shared among the RBN, local governments and other partners in this area for local economic development. This speaks volumes about the spirit and responsibility of some chieftainships willing to reclaim their ownership on land rights and advocate for a broader inclusiveness of communities in governance and in developmental efforts. There is an emergence of a new rural renaissance, where governance in rural settings is taking a whole new direction, with both traditional and cooperate practices. There are practices of participation and consultation about choices and objectives, involving all the different actors operating in the RBN.

REFERENCES


Cook, S. Personal Interview with the author. 25th November 2011. Rustenburg.RBN Research Institute.


