

Traditional leadership in zimbabwe



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Africans in this country including those in urban areas have their roots in some rural community under the jurisdiction of traditional authority systems. This system of traditional authority is entrusted with the custodianship of clan customs, rituals and tradition. It is important to note that it is these customary and cultural attributes that distinguish us as a people. Such customs have been passed on through generations and affect our general and affect our general deportment and decorum, how we relate with others, family conduct and hierarchy, courtship and marriage.

In the pre-colonial era, chiefs enjoyed unlimited and undefined powers over the tribe. The chief was the custodian of tribal land and allocated it to tribesman to farm and for residential purposes. The chief was legislator, adjudicator and executor all in one.

The system was however unraveled with the advent of colonialism. With colonialism traditional leaders were turned into auxiliaries for the colonial administration and were stripped of much of their powers. Non-pliant chiefs were often deposed and replaced with more malleable ones.

In post-independence Africa, the political elite has largely accommodated the traditional leadership systems without necessarily considering them as important components for building the modern post independence state. In the Zimbabwean context, the post-independence era saw the enactment and subsequent passing of the Chiefs and Headmen Act, Chapter 29. 01 that relegated and condemned traditional authority to the periphery zones of governance as a result of the perceived role they played during the liberation struggle.

However, the evident influence of traditional leaders despite efforts by government to thwart their powers was challenged by the findings of the Rukuni Commission leading to the enactment of the Traditional Leaders Act, Chapter 29. 17 of 1998. The findings of the commission observed that traditional leaders are the true representatives of their people, accessible and therefore essential to the politics of the nation and the building of democracies.

The above position concurs with the observation of the Political Governance Programme (PGP) of IDASA which agreed at its May 2009 Annual Strategy review to further explore how existing customs and practices on the continent can serve to consolidate democracy and embed it within communities. There is growing recognition that African communities being mostly rural, continue to place high value on indigenous customs and tradition for guiding their day to day lives. Traditional leaders, to use the generic term, are at the core of these traditional polities and as such should be seen as central in devising strategies of embedding popular democracy on the continent.

Traditional leadership is part of the panoply of localized governance structures on the continent which to varying degrees subscribe to values and practices that contain elements of democratic governance, such as the consensus building approach to taking decisions.

Legitimacy of Traditional Institutions

It is crucial to note that unlike public officials and administrators who claim authority basing on qualifications, professionalism and constitutional legality, traditional leaders, derive their legitimacy from tradition though enshrined in <https://assignbuster.com/traditional-leadership-in-zimbabwe/>

the constitution. They are seen to represent “ indigenous truly African values and authority.” Religiously they claim links to the divine world of God, ancestors or a spirit. It is a revered office steeped in custom and tradition and fortified by midzimu (amadhlozi).

The Traditional Leaders Act, Chapter 29. 17 is the statutory instrument that is responsible for the appointment and observes the conduct and referees the powers and jurisdictions of traditional leaders. The Act is responsible for issues ranging from powers and duties of traditional leaders and the handling of misconduct.

Systems of Appointment The Traditional Leaders Act, 29. 17, regulates the appointment of chiefs, headmen and village heads, for example in the case of appointing a chief, section 3 (1) of the Act, states that the president shall appoint chiefs to preside over communities inhabiting communal and resettlement areas. However section 3 (2) stresses that in the process of appointment due consideration should be given to the prevailing customary principles of succession of that particular area to which a chief is being appointed.

It is however important to note that there are varying systems of appointment between Mashonaland and Matabeleland. In Mashonaland, the collateral system that assumes that chieftainship rotates with houses (ushe ndehwemadzinza) is used while in Matabeleland the primogeniture system that is, chieftainship transcends from father to son is used and is based on the assumption that a chief begets a chief.

Structures of Traditional Leaders The following are the development structures of traditional leaders at grass root level a) Village assembly b)
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Village development committee c) Ward assembly d) Ward development committee.

Provincial and National Level Structures

a) Provincial Assembly of chiefs b) National council of chiefs

Duties and Functions of Traditional Leaders Traditional leaders are a relevant indigenous institution capable of providing effective and low cost connection between the population and the institution of modern state. Traditional leaders have been integrated into the modern state and entrusted with developmental, judiciary and cultural functions. Traditional leadership have and continues to play an important role in the society as the embodiment of the way of life of the people and a custodian of culture, customs and traditions. Traditional leaders will ensure that as a nation we retain culture, customs and tradition while simultaneously recognizing the indispensable role of elected representatives in the creation of a better life for all.

Below are the categorized duties and functions of traditional leaders which can be used as a beacon against the development of the national law.

a) **Cultural and Ceremonial Functions** Maintaining customs and tradition, direction and guidance on the cultural activities, custodians and protectors of the customs and general welfare, symbols of unity in the community, protecting cultural values and providing a sense of community-hood in their areas, communal social frame of reference.

b) **Representative Functions** Head of traditional authority and as such has legislative authority and certain executive and administrative powers, general spokesmen of society, lobby government and other agencies for the

development of their areas, assisting members of the community in dealing with the state.

c) Advisory Functions Advise the government and the parliament as representative in the Provincial Assembly and the national council and senate on matters affecting traditional leaders and the rural community, make recommendations on land allocation and the settling of land disputes.

d) Judiciary Functions Preside over customary law courts and maintain law and order.

e) Development Service Convene meetings to consult with communities on needs and priorities and providing information, consulting with traditional communities participating in various dimensions of development.

Relevance of Traditional Leaders in Sub-National and National Governance

The institution of traditional authority plays a critical role in bridging the communication gap between central and local government on one side and the local people on the other side. In this essence, traditional leaders play an important role as a communication cable for live transmission of information between central and local government and the local population. This implies the responsibility of interplaying and intersecting information about government programmes to the people which is critical in as far as harnessing the community attention to national programmes is concerned.

In his assumption of a traditionalist perspective, Keulder (1998) viewed the institution of traditional authority and its procedures of governance as not only a simpler form of government, but a more accessible, better understood and a more participatory one. It is accessible because it's more closer to the

subjects than any other system of government. In this regard, subjects have more direct access to their leaders because they live in the same village and because any individual can approach the traditional leader and request for a meeting, decision making is based on consensus, which ensures greater harmony and unity. It is transparent and participatory because many people attend tribal meetings and express their views directly and not through representatives and lastly harmony and unity prevail because the interest of the tribal community rather than an individual is expressed.

While this paper accepts unconditionally that people have a platform of participating in national government through parliamentarians politically elected, this representation is not enough to cut across the political divide to the customary and cultural custodial roles. Tradition institutions provides leadership which is rooted in culture and customs and this form of administration if reconciled with modern democracy can be used as a tool of enhancing a democratic indigenous society.

Kwesi Kwa Prah (2008) pointed out that, “ democracy is best indigenized: it succeeds best when it wears and acknowledges the specific historical realities in the society in question. Democracy has the best chance of institutionalized success when it is homegrown and enjoys the active participation in its development by the society as a whole.”

Thus the institution of traditional authority can be used as a tool of balancing traditional authority against modernity and hence an “ Africanised” democratic dispensation.