ISSN: 0976 - 1195

# THE ROLE OF TRADITIONAL LEADERSHIP IN PARTNERSHIP POLICING: ADDRESSING CRIMES ASSOCIATED WITH TRADITIONAL INITIATION PRACTICES IN SOUTH AFRICA

#### **Dumisani Quiet Mabunda**

School of Criminal Justice, University of South Africa, South Africa

#### **ABSTRACT**

This paper explores the role of traditional leaders as both indigenous and politically respected figures among communities at the local level. The results indicate that traditional leaders may play a significant role to address crimes primarily resulting from traditional cultural practices, such as traditional initiation schools in South Africa. Traditional leaders and South African Police Service (SAPS) members were interviewed in focus-group interviews in Giyani and Malamulele areas, Limpopo Province (South Africa). There appears to be concerns among some traditional leaders who believe that their institution/customs have become a mere symbol of preserving cultural heritage while they are excluded from participating in real governance matters and other socio-economic activities. While a comprehensive legislative framework existsin South Africa which recognise the role of traditional leadership, including power to execute their functions as the custodians of custom and tradition, it appears that most traditional leaders experience challenges or are unable to operate within the confines of the law during traditional initiation practices. In this light, crimes, such as sexual assault and abduction of young initiates, resulting from these practices poses challenges for the South African Police Service since indigenous customary laws hinder the policing of such crimes. The study highlights the importance of collaborative partnership between traditional leaders and the police and proposes a Multi-Stakeholder Partnership Policing Strategy to prevent injury and death of initiates because of traditional initiation.

Key words: Traditional leadership, partnership policing, culture, South Africa.

#### Introduction

Although much has been written about traditional leadership, very little has been written about their role in partnership policing in South Africa. In this context, it is significant that the role of traditional leadership is analysed and clarified, more specifically with regard to their role in terms of policing crimes associated with traditional initiation schools. Bokwe (2013) posits that the rate of injuries and death of initiates continues to rise in most provinces in South Africa. This requires both political will and unwavering effort by all concerned to stop the carnage and

ISSN: 0976 – 1195

unnecessary deaths of initiates. In addition, it is reported that the number of illegal initiation schools and bogus traditional surgeons have also shown an increase in the recent past. Very little has been written about the challenges both the police and traditional leaders face in addressing crimes associated with traditional initiation schools, particularly in Malamulele and Giyani areas in Limpopo, South Africa (Mabunda, 2017). Mabunda (2017) argues that traditional leaders can play a significant role to reduce crimes associated with traditional initiation schools in the affected areas and proposes a multi-stakeholder collaboration.

Rugege (2003) notes that, while many countries adopted the United Nations Convention on the Rights of the Child, it appears that in South Africa such rights are not respected. The fact that the rights of many young initiates are adversely affected due to traditional initiation customs and tradition bears witness to violation of basic rights. The UNCRC provides minimum protection for children from all forms of interpersonal violence (World Health Organisation, 2015). Media reports show an increase of botched circumcisions and death because of illegal traditional initiations (Venter, 2011). The sad part is that these incidents have a long-term effect for the victims. It is hard to believe that twenty-four years after democracy in South Africa, that children die in large numbers or maimed for life because of traditional circumcisions which could be prevented (Sithole & Mbele, 2008). It appears that far too many parents neglect their responsibilities about parenting or are complicit in the perpetration of crimes against children, as they are often missing, resulting in exposure to dangers resulting from traditional initiation schools (Tutu, 2008). The institution of traditional leadership Africa generally, and in South Africa in particular, have existed for generations and cannot be simply wished away (Tshehla, 2005). However, it is important to note that, this institution has experienced various challenges and controversies about governance issues throughout the years of its existence. Furthermore, the institution of traditional leadership has been the only recognised governance structure in most rural communities. This institution earned the respect among community members who afforded it the highest regard. Since the advent of democracy in South Africa, its existence has often been threatened by a democratically elected government structure (Tlhaoele, 2012). For example, councillors are seen to be having overriding powers at the municipal level, and these are perceived by traditional leaders as undermining the traditional leadership institution. Some indigenous leaders argue that their positions as leaders were inherited, and they were not elected to positions like elected public representatives such as councillors (South Africa. 2009). As a

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

result, these traditional leaders believe that they have been born into leadership position as

opposed to elected leaders.

The objectives of this article seek a better understanding of the role of traditional leadership post

1994. Moreover, this research intends establishing whether there are relevant roles that

traditional leaders could play to enhance the socio-economic well-being of the communities in

South Africa. In addition, the role traditional leaders can play about crimes associated with

traditional initiation custom. Focus group interviews in Greater Giyani and Malamulele

Municipalities were undertaken. This involved law enforcement agency participant and various

role players within communities such and Community Police Fora (CPFs), traditional leaders

and Non-Governments Organisations (NGOs) representatives. In the final analysis, it is

perceived that the role of traditional leaders is often reduced to culture preservation and they are

not afforded full rights in terms of the developmental agenda of government. It may also be

argued that traditional leaders in South Africa are taken seriously only on matters related to

elections. This paper examines the role of traditional leaders in partnership policing, particularly

crimes associated with traditional initiation practices and recommends a multi-stakeholder

partnership. Moreover, it investigates challenges associated with male initiation practice, where

underaged children are often forced to participate in the practice without the knowledge of their

parents. There have been reports of injuries and death in most parts of the country because of

illegal initiation operated by illegal traditional surgeons which often result in botched

circumcisions. The legislative framework which govern traditional leadership in South Africa is

discussed below.

Legislative framework that governs traditional leadership

In terms of the Constitution of the Republic of South Africa of 1996, members of society enjoy

guaranteed rights which are enforced which are also respected and implemented by the judiciary

(South Africa, 1996). According to Section 211(1), traditional leadership is accorded the

necessary respect. However, such recognition often poses a challenge since there is no

substantive provision regarding what and how traditional leaders should function. The matter of

partial recognition of roles/functions remains a national challenge (South Africa. 1996).

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

#### Constitution of the Republic of South Africa of 1996

Mashau, Mutshaeni and Kone (2014:220; Tlhaoele, 2012:1) notes that, while the role and functions of traditional leaders are provided and recognised in accordance with section 211, there appears to be deliberate attempt by democratically elected public representatives who are determined to undermine the institution of traditional leadership in some parts in South African. Section 211(1) views traditional leadership as a recognised body which was established as a system of law for indigenous communities to enable these communities to govern themselves. It is therefore important that traditional leaders must be consulted before any project can be undertaken by elected public representatives such as councillors. Traditional leaders must be afforded an opportunity to express their views/opinion about projects in the areas under their leadership (South Africa. 2003).

#### Traditional Leadership and Governance Framework Amendment (Act No. 41 of 2003).

According to Mr. Sydney Mufamadi, former Minister of the Department of Cooperative and Traditional Affairs, the institution of traditional leadership has a significant role to play in the politics in South Africa, particularly in local government (South Africa, 1998). The main provision underpinning the functioning leadership is in Section 1(1) (b), which provides a definition of who should be regarded as a traditional leader. In South Africa, many communities have been governed by traditional leaders for many centuries (Nthai, 2005:1). In addition, Nthai (2005:1) believes that, traditional institutions were the only known form of governance African people knew over the centuries. Tutu (2008:34) asserts that traditional leadership could mean different things to different people. Tutu's views include the fact that a respect for custom from one generation to another could constitute a tradition. According to Khanyisa, (2010); Rugere, (2014), the traditional governance system is a very old system of indigenous groups which was established to assist these groups to run their affair and was introduced by Europeans in Africa. These authors further indicate that, this method varies among different communities. In addition, some of the core functions for the traditional leaders included community development such as the provision of infrastructure, as well as to manage resources such as water, graveyards and land, among others. These activities were also demonstrated by collaboration of Christian missionaries in the provision of schools, health centres, water as well as scholarships. According to Khanyisa, (2010) Ntsebeza, (2003), whenever traditional authorities do not have a good relationship with government at different spheres, rural development will not take place. A good

relationship is necessary as a measure to influence economic development to benefit rural

community members. According to Holomisa (2009:1), the 21st century role and relevance of

traditional leadership depend on the communal developmental challenges. The National House of

Traditional Leadership spells out its core function of traditional leaders, and spells out their roles

as custodian of culture, customs and traditional values (Burger, 2011:96). This perspective

provides a clear lens through which traditional leaders view their participation in the democratic

dispensation of South Africa post-1994 as primarily culture preservation (Holomisa (2009:1).

Limpopo Province Circumcision Schools (Act No. 6 of 1996)

Section 2 and 3 of Limpopo Province Circumcision Schools indicate a commitment by the

provincial authority to protect initiates. Section 16 regulates the permit requirements to operate a

school, age of initiates as well as the duration of the initiation period. Furthermore, this Act

clearly instructs the prohibition of abductions and that any person who is found to have forced or

abducted initiates upon realization the permit holder of the school will be ordered to release that

person (Section 11). The Act also prohibits the holding or establishing of traditional initiation

school without a permit which can only be issued by the premier of the province. This means that

any school without such permit will be deemed to be an illegal.

**Customary Male Initiation Practice Bill, 2018** 

The bill aims to regulate customary initiation practices (Rugere, 2014). It dictates a minimum

age of 16 for initiates and requires traditional surgeons to be registered. It also provides for the

establishment of initiation oversight and national and provincial co-ordinating structures.

Furthermore, the purpose of the bill is mainly to curb dubious practices which may result in the

death of initiates. However, underage children are always reported to have either been forced or

abducted to undergo traditional initiation custom, which often result in amputations, serious

health challenges and even death in some instances.

Culture and traditional leadership in South Africa

According to Khanyisa, (2010:11), the concept of tradition in South Africa is different to other

African contexts. Khanyisa (2010:11) argues that traditional leadership in rural areas is seen to

be necessary to cultural identity and cohesion in regulating local populations' affairs. By

implication, this definition assumes that traditional leadership means that rural leadership

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

activities are undertaken by leaders in rural areas, especially those with historical connection to

traditional royalty, such as chiefs and kings (Khanyisa, 2010:11; Cumbe, 2010).

Tshehla (2005:1) posits that it is may be confusing to discuss issues and roles of traditional

leadership without explaining their reporting levels and ranks. In this context, it is necessary to

highlight the different reporting levels. Leadership in this context is made up of chiefs (usually

village chiefs) and kings (Tshehla, 2005:2). Village chiefs report to the senior traditional leader

who is a king. In terms of Act 41 of Traditional Leadership and Governance Framework, both

chieftaincy and senior leaders are accorded legitimate community responsibilities (Tshehla,

2005:3). There have been reports of disputes about the genuineness of some positions of

traditional leaders in South Africa. Nhlapho Commission of Inquiry was appointed by the

government to investigate the different levels and authenticity of different traditional leadership

(Nhlapo Commission). This investigation was necessitated by the fact that there were various

traditional leaders who were not qualified to occupy certain positions. Such traditional leaders

apparently claimed their rights and privileges which were not due to them post-1994

government. The Nhlapo Commission investigated whether all paramountcies qualified to be

kings or not. This is because the word paramountcy refers to the highest level of traditional or

tribal chief to whom another traditional leader report. According to Nhlapo report, the roles and

responsibilities have been substantially influenced by the amended Traditional Leadership and

Governance Framework of 2003. The following levels, namely, King, Senior Traditional Leader,

and Headman/Headwoman and Principal Traditional Leaders are now recognised. There are

those paramountcies which were found not to be legitimate or not qualified by the Nhlapo

Commission (Ministry of Cooperative Governance and Traditional Affairs, 2010:1-2). This

reconfiguration leads to the following compromised levels: King, Principal Traditional

Leadership, Senior Traditional Leadership and Headman/Headwoman. It is therefore, important

to note that all these different levels may also establish their traditional councils to serve the

advisory roles to the relevant traditional leader.

Preservation of cultural heritage

It is common case that culture means different things to different people (Magubane, 1998).

Rambe (2012:1) defines culture as a distinctive spiritual, material, intellectual and emotional

features that characterize a society or group. Beall and Ngonyama, (2009:3) argues that culture is

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

merely limited to the way of doing things but extends beyond the intricate tapestry of beliefs that

define societies. These authors further argue that, protection and preserving culture means the

inclusion of aspects such as human rights, cultural rights and cultural identities in all their forms.

Traditional leadership in local government/socio-economic activities

Legislative framework in South Africa allows both traditional leaders and elected representative

or councillors to coexist (South Africa, 2003). The challenge is that, the 21st century governance

arrangement focus mostly on economic development, leaving out the more obvious social and

cultural development aspects (Khunou, 2009:121). Traditional leaders remain relevant for the

community challenges. According to Khunou (2009:122), there is the need to promote the

culture of their communities such as languages, traditional outfits, and social cohesion among

different ethnic communities. However, their role should also include service delivery issues.

Without land, there will be minimal service deliver. Traditional leaders are relevant even in RSA

today, because they are even acknowledged in the constitution (Khunou, 2009:122). There are

those members of society who believe that traditional leaders are no longer relevant in the

democratic dispensation (Sithole, & Mbele, 2008).

The traditional leaders are currently participating in municipality meetings such as council as ex-

officio members (Tshehla, 2005:5). However, traditional leaders do not always have knowledge

of municipal processes and protocols and lack information on how to function and support some

of the municipal decisions and activities. There have been serious conflicts between elected

councillors in local municipalities and traditional leadership. In fact, traditional leaders in

municipalities should not serve only as rubber stamps for the decisions made, especially those,

which are made by the councils. Traditional leaders also need a full representation, which should

also be non-partisan in the local politics of the municipality (Tshehla, 2005:5).

Cooperative governance is an imperative between different government sectors and traditional

leaders (South Africa, 2003). Consequently, traditional leaders have the responsibility to ensure

that there is a sound relationship between their subjects and government, which will result in

cooperative governance. Tshehla (2005:7) posits that, roles and responsibilities of indigenous

leaders must be clearly defines to avoid confusion about planning and implementation of

developmental programmes and service delivery. Moreover, it is significant that the traditional

leaders understand their roles in the issues of governance and community development. Together

with elected representatives of government, they should serve as service delivery agents in the

local area.

Conflict management, resolution and negotiation skills

While there are positive aspects about the role of traditional leaders, such as resolving tribal

disputes through traditional and land ownership, among others, sometimes traditional leaders

believe they are only recognised for the role they can play in influencing their constituencies to

vole in election. (Tshehla, 2005:7). Bokwe (2013:18) believes land ownership which is being

administered by the traditional leaders on behalf of the community, must be revisited.

Empowerment for the traditional leaders to deal with communal challenges is a necessity.

Monitoring and evaluation of community projects

Traditional leaders as ex-officio of the municipality council have the right to call the contractor

and question the quality of the project if it is not up to the required standards (Peltzer, Nqeketo,

Petros & Kanta, 2008:2). In all the projects, traditional leaders call a community meeting and it

is imperative to ensure that the community's contributions are facilitated. Corruption may be

reduced when traditional leaders and councillors work together and ensure the monitoring of

progress of contracts and development. Traditional initiation schools fall within the mandate of

traditional leaders as custodians of culture.

**Relationship for Local Governance** 

Mabunda (2014:56) established that relationship between traditional leaders and councillors is

mutually beneficial while in some instances, there are deep acrimonious relationships due to

various reasons. There are often tensions which may be attributed to unilateral decisions by

councillors not consulting with the traditional leaders when decisions affecting community are

undertaken (Cele, 2013). Such lack of consultation by the municipality when projectis

undertaken is a contributor to conflict and service delivery protests. Historical activities (such as

land management, community dispute resolutions and charging land taxes, among others) were

normally the imperative of traditional leaders, however, councillors appear to have the same

responsibility in the new dispensation (South Africa. 2000). Government should not unilaterally

make decisions but should engage the society on the viability of the traditional leadership on

various aspects affecting communities led by traditional leaders (Dodo, 2013:39). Furthermore,

Dodo posits that such inherent clashes are often caused by democratically elected public

representatives who have less respect for traditional leaders. It may be argued that government

recognises the political system over traditional leadership to serve the general welfare of the

country.

Adherence to the confines of the law during traditional initiation practices.

Though traditional leaders have no full authority over legal matters, they have a legal duty to

report matters related to traditional initiation custom which fall within their mandate as

custodians of custom. For instance, when cases such as murder, abduction, extortion, assault

among others are perpetrated during traditional initiation practice, they have a legal duty to

report such to the police (Saidu, 2015:10). However, there is a need to provide support and legal

backing to assist traditional leaders to discharge of their duties.

Crimes associated with traditional initiation practices

Traditional male initiation practice has cultural significance to many African communities

(Vincent, 2008; Mabunda, 2017). However, traditional male initiation has been associated with

crime such as abduction, extortion, assault, substance abuse and even murder cases and botched

operations which result in genital amputations and death in or outside these initiation schools

(Malisha, 2008:585). The number of injuries and death in initiation schools in certain provinces

keep rising every year, as depicted in Table 1 and 2 below. The researcher only conducted

research in Limpopo, but also gathered statistics from the Eastern Cape in order to depict the

seriousness of challenges associated with traditional initiation schools in South Africa.

Considering these challenges, it is recommended that the current legislative framework which

governs traditional initiation schools be reviewed. Such review should seriously look at ways of

protecting the rights of initiates; parental obligations, guardianship towards children who

undergo initiation process. While government seem to be putting some effort in terms of issuing

permits to conduct the initiation schools, there are always report of illegal initiation schools

which contributes immensely to the rising numbers of injuries and death. It is also important to

obtain views about the relevance of traditional initiation schools in the 21st century in

comparison with medical male circumcision.

Malisha (2008:586) posits that some community members believe that traditional initiation school is outdated, and therefore should be discontinued. On the other hand, there are some community members who believe that it should continue as it is integral to their culture and only need to be regulated and monitored to save the life of initiates. Considering some of the above challenges, it becomes relevant to publicly debate the relevance of traditional male initiation in the 21<sup>st</sup> century because of irreparable physical harm and death. Table 1 and 2 below indicate number of injuries, hospitalisation, death and illegal initiation schools in the past 10 years. These numbers keep rising each year and it is a serious cause for concern. Serious action should be taken for individuals operating illegal traditional initiation schools, as well as individuals found violating the law under the guise of culture and tradition. It appears that there are difficulties in locating illegal initiation schools as more organisation is involved and these schools are often established in inaccessible mountainous rural areas.

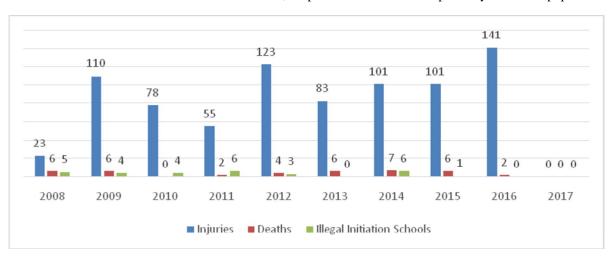


Table 1: The number of initiates who have suffered, hospitalised and died in the past 10 years in Limpopo

Source: CRL Rights Commission, 2014

The results of the analysis as presented in Table 1 show the number of initiates who suffered because of traditional initiation culture in Limpopo in the past 10 years. It also shows the number of illegal initiation school in the province as well as the number of recorded deaths. Table 1 depict the following: Six (6) deaths and twenty-three (23) injuries recorded in 2008. In 2009,

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

another six (6) initiates' deaths were recorded, while one hundred and ten (110) initiates sustained injuries. In 2010, there was seventy-eight (78) injuries recorded and zero (0) deaths. In 2011, fifty-five (55) initiates sustained injuries and two (2) initiates died. In 2012, four (4) initiates died, while one hundred and twenty-three (123) sustained injuries. In 2013, six (6) initiates' deaths were recorded, while eighty-three (83) were injured. In 2014, seven (7) deaths were recorded with one hundred and one (101) injuries recorded. In 2015, one hundred and one (101) injuries were recorded and six (6) deaths, which indicated a marginal decrease in deaths. Finally, in 2016, two (2) deaths were recorded, while one hundred and forty-one (141) injuries were recorded. In 2016, three hundred and twenty-five (325) traditional initiation schools were granted permission to operate (Maponya, 2016:8). As can be seen in table above, Limpopo province registered a death free initiation schools in 2017 which came to an end on Friday July 29 (Greatertubatsenews.co.za - August 3, 2017).

#### When initiation goes wrong

Despite government efforts to deal with incidents associated with traditional initiation schools in South Africa, the number of injuries and deaths of initiates keep rising. However, it is encouraging to note that these statistics decreased significantly in 2017. This may be attributed to various factors, such as government intervention and awareness programmes undertaken by various Non-Governmental Organisations (NGOs). As can be noted in Table 2, many initiates were taken to hospitals and some had their genitals amputated while others succumbed to death due to various complications associated with traditional initiation schools in the Eastern Cape between 2008 and 2017. The study reveals that dehydration, assault were the main contributing factors. It is of great concern that despite the high number of crimes associated with traditional initiation custom, there is no reported conviction of perpetrators due to lack of evidence. Most of these incidents are brought to the attention of authorities long after they have occurred, making it difficult to even have witnesses. Moreover, traditional initiation custom is shrouded with secrecy and taboo, therefore, witnesses are afraid to talk about what takes place in the traditional initiation schools. Table 2 below shows the number of hospital admissions, amputations and deaths of initiates also in the past 10 years in the Eastern Cape.

ISSN: 0976 - 1195

Table 2: The number of initiates who have suffered and died in the past 10 years in the Eastern Cape.



Source: City Press, 2018

#### Challenges in policing traditional initiation schools

Recent media reports indicate that, injuries, and death continues to increase in certain parts of the county (Bogopa, 2007). This despite efforts by government and other role players to deal with challenges associated with traditional circumcisions in South Africa. Challenges associated with traditional initiation school are not only confined to specific geographic area. In 2007, 30 deaths were reported in Mpumalanga, while in Limpopo 6 initiates reportedly died in the same year, and 38 were admitted to various hospitals because of botched circumcisions (Maseko, 2008). Initiation school is described as an African custom and ritual which takes place in the bush where it is usually performed by experienced traditional practitioners (Maseko, 2008:2). The ritual often requires seclusion as well as painting of the body, changed clothing to demonstrate that they are in a period of transition (Venter, 2011:88). It is unfortunate that this custom has fallen into the hands of young and inexperienced men or fake traditional healers in quest for quick money-making schemes (Matshoba, 2015). According to Pelser (2002), bogus traditional surgeons contribute to the high number of death and initiates. Such traditional surgeons have no regard to the law, and their objective is to generate as much revenue as possible, thereby putting the lives of initiates at great risk of losing their lives and manhood. Moreover, some of these traditional surgeons are inadequately trained to perform circumcision.

There are different views regarding the relevance of initiation schools in the 21st century.

Traditional leaders believe medical doctors who have embraced their culture by going to the

mountain raised their hopes that boys will go to the initiation schools in their numbers in future

(Vincent, 2008). Schlegel and Barry (2008:2) argue that there is a need for a shift of mindset

[paradigm shift]. These authors further argue that this change of mindset should include training

in human rights. According to Vincent (2008:2), there are some mutilators masquerading as

traditional surgeons and are running amok in the country operating illegal traditional initiation

schools.

Use of technology to access illegal initiation schools

In a bid to curb the ever-increasing number of initiate death, government is looking at

introducing technological devices such as drones to uncover hidden illegal initiation schools

(Ngcukana, 2018). This author argues that the government is concerned about the mushrooming

of illegal schools, which are usually inaccessible because they are hidden deep in mountainous

forests and bushes. These illegal schools are believed to be the reason for the deaths of initiates

in South Africa. While drones are expensive, government is looking at hiring them during the

initiation school season. It is believed that drones will assist authorities to access such illegal

initiation schools and help monitor activities in mountains and forests. Moreover, these special

chips will be put in every initiation school and be linked to an application (app) that can be used

to detect where there are problems (Ngcukana, 2018).

The role of traditional leadership in partnership policing

Traditional leadership has played and continues to add value in the lives of communities under

their leadership (Magubane (1998). One cannot imagine the difficulties that the police would

experience without the cooperation of traditional leadership (Mabunda, 2017). While it is certain

traditional leaders may contribute ingovernance at local level, some individuals are reluctant to

recognise such role. Most rural communities regard traditional leaders as leaders who

understands the challenges faced by communities as they reside within the communities.

Traditional leaders are regarded as symbols of unity in the community in certain areas in South

Africa (Bokwe, 2013; Rogers, 2006). In certain instances, even the suggestion of the abolition of

traditional authorities is met with fierce resistance. Findings of this research illustrate that

traditional leaders were and are still used as political tools. While it is not possible for traditional

ISSN: 0976 - 1195

leaders to totally be apolitical, they should refrain from participating in party politics as they represent all communities regardless of political affiliations. Findings further indicate that there is some evidence of legislation which address matters related to traditional leaders. It is therefore recommended that the respective roles should be revisited and clearly spelled out. Moreover, traditional leaders and communities should be consulted before projects can be implemented at the grassroots level. Based on the engagement with the traditional leaders of the Greater Givani and Malamulele District Municipalities, it was found that government is committed to offer traditional leaders opportunities for skills development, and other leadership training to assist these traditional leaders to govern better. This will in turn ensure a sustainable, progressive and workable relationship between government representative at a local level (councillors) and traditional leaders. There have been reports of power struggles in some local municipalities in the recent past, because of attitudes by some elected councillors. This resulted in the lack or poor service delivery as traditional leaders refused to allow projects to proceed in their areas. Government interventions afforded certain powers and influence on traditional leaders to ensure development and was aimed to address rifts between councillors and traditional leaders (Mashau, et al. 2014:221). It was established that the institution of traditional leadership in a democratic dispensation in South Africa experienced and continues to be challenged on various fronts (Mashau, Mutshaeni & Kone, and 2014:219). It also appears that the roles of indigenous leaders have not been clearly defined or alternatively, their roles are often deliberately undermined by democratically elected public representatives. Envisaged challenges may be averted by the establishment of the Multi-Stakeholder Partnership Policing Strategy (MSPPS).

#### Multi-Stakeholder Partnership Policing Strategy (MSPPS)

The strategy will ensure that all role players in the partnership policing clearly understand their respective roles (Mabunda, 2017; Rogers, 2006). The MSPPS was designed with these in mind that is to assign roles in accordance with the expertise of various role players. Moreover, it is also important that all parties in the partnership should be treated equally and with mutual respect. This means that no party should dictate the terms and/or conditions of the partnership. All partners should adopt a style of negotiation that accommodates differences in both culture and interest. Burger (2011:95) posit that multi-stakeholder partnerships should be designed in such a manner that they positively affect the intended objective. The strategy is meant to empower and encourage partners to be actively involved, from the planning of operations to their

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 – 1195

execution (Oppler,1996). To successfully implement partnership policing, continuous

communication is encouraged (Pelser, 2002). Local initiation for a partnership which consists of

traditional leaders, local stakeholders, South African Police and medical professionals amongst

other should be part of the strategy. Furthermore, traditional leaders must be vigilant to illegal

initiation schools in their areas (know all initiation schools and identities of traditional surgeons)

and must ensure that only initiates who are older than 18 years, pre-screened and have parental

permission are allowed to go to the initiation school. Stakeholders must ensure that no drugs or

alcohol is allowed in the initiation schools.

The strategy involves traditional leaders as key stakeholders, as they are regarded as primary

pillars of African customs and tradition. All role players in partnership policing have a

responsibility to ensure that the MSPPS is implemented effectively.

**Conclusion** 

The study sought to investigate how traditional leaders can play a role in partnership policing,

particularly in addressing crimes associated with traditional initiation schools. With the rising

number of initiates as victims of traditional initiation school in South Africa, it is clear that more

still need to be done to ensure their safety, while at the same time ensure that those who want to

practice traditional initiation custom do so within the confines of the law. The study also found

that, even though traditional leaders do not have administrative, legislative or judicial powers

they used in the past, they are the custodians of culture. There is a need for clarity in terms of

what role traditional leaders can play in partnership policing in South Africa. Traditional leaders

have provided strategic focus and guidance throughout history in terms of the development of the

communities they led. Currently there is a substantive role that traditional leaders are playing,

particularly regarding the development of their communities such as the provision of basic

services. In view of the above, there are views to be considered by the government, bearing in

mind the constituencies and respect traditional leaders command. It is through mutual respect

and cooperation that government and traditional leaders can ensure an effective partnership

policing which will result in the safety of initiates and the preservation of culture. Government

and/or traditional leaders should ensure that channels of communication regarding the facilitation

of the relationship between traditional leaders, government and the community are consolidated.

ISSN: 0976 – 1195

Finally, a Multi Stakeholder Partnership Policing could ensure a healthy relationship between all concerned.

#### **REFERENCES**

- Beall, J. & Ngonyama, 2009. "Indigenous institutions, traditions, traditional leaders and elite coalitions for development: the case of greater Durban, South Africa". *Cities and Fragile States*, Working Paper No. 55.
- Bogopa, D.L. 2007. Challenges facing the initiation schools: The case of Nelson Mandela Metropole in the Eastern Cape. *Acta Criminologica: Southern African Journal of Criminology*, 20(4):55-60.
- Bokwe, A.Z. 2013. The role of traditional leaders in enhancing service delivery in Mbhashe local municipality. Unpublished dissertation. Port Elizabeth: Nelson Mandela Metropolitan University.
- Burger, J. 2011. Strategic perspective on crime and policing in South Africa. Pretoria: Van Schaik.
- Cele, S.B. 2013. A Closer Look at the Relations between the Traditional Leaders and Local Government Councillors. Discussion Paper on The Role of Traditional Leaders in A Democratic South Africa. Available at: <a href="https://www.kwanaloga.gov.za">https://www.kwanaloga.gov.za</a>. [Retrieved on 10 November 2018].
- Commission for the Promotion and Protection of the Rights of Cultural, Religious & Linguistic Communities, 2010.
- Congress of Traditional Leaders of South Africa (CONTRALESA). 2011. Available at: <a href="https://www.contralesa.org">https://www.contralesa.org</a>. [Retrieved 18 October 2016].

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 - 1195

- Cumbe, M.J.C. 2010. Traditional Leadership, the state of rural development in southern Mozambique: A case study of Mandlakaze District in the Second Half of the Twentieth Century. MastersDissertation, University of KwaZulu-Natal.
- Department of Provincial and Local Government. 2003. White Paper on Traditional Leadership and Governance. Government Gazette. 10 September 2003. No. 25438.
- Dodo, W.J. 2013. Traditional leadership systems and gender recognition: Zimbabwe. *International Journal of Gender and Women's Studies*, 29(1): 30-33.
- Donkoh, W.J. 2004. Traditional leadership, human rights and development: The Asante example. Kumasi: Kwame Nkrumah University of Science and Technology. Available at: <a href="https://www.nhtl.gov.za">https://www.nhtl.gov.za</a>. [Accessed on 04 March 2016].
- Holomisa, S.P. 2009. According to Culture: A cultural perspective on current affairs. Somerset West: Essential Books.
- Khanyisa, G. 2010. The role of traditional leadership in governance and rural development: A case study of the Mgwalana traditional authority. Unpublished dissertation. Port Elizabeth: Nelson Mandela Metropolitan University.
- Khunou, S.F. 2009. Traditional leadership and independent Bantustans of South Africa: Some milestones of transformative constitutionalism beyond Apartheid. *Potchefstroom Electronic Law Journal*, 12(4):81-125.
- Limpopo Province Circumcision Schools Act (Act No. 6 of 1996.
- Mabunda, D.Q. 2014. *The challenges of implementing partnership policing in Soshanguve*. Unpublished dissertation. Pretoria: University of South Africa.
- Mabunda, D.Q. 2017. An analysis of the role of traditional leadership in partnership policing. Unpublished thesis. Pretoria: University of South Africa.
- Magubane, P. 1998. *Vanishing cultures of South Africa: changing customs in a changing world.* Johannesburg: Struik Publishers.
- Malisha, T. 2008. "Right of Passage to adulthood: traditional initiation schools in the context of HIV/AIDS in Limpopo Province, South Africa". Available at <a href="https://www.researchgate.net.../248978629">https://www.researchgate.net.../248978629</a>. [Retrieved on 20 November 2010].
- Maseko, T. 2008. The Constitutionality of the State's intervention with the practice of male circumcision in South Africa. *Obiter*. Vol 29(2): 191-208.
- Mashau, T.S., Mutshaeni, H.N. & Kone, L.R. 2014. The Relationship between Traditional and Rural Local Municipalities in South Africa: With Special Reference to Legislations Governing Local Government. *Stud Tribes Tribals*, 12(2): 219-225.
- Matshoba, W. 2008. "What is the role of the surgeon in traditional circumcision?" Available at: <a href="https://www.witsbiennial-online.co.za">https://www.witsbiennial-online.co.za</a>. [Retrieved on 20 November 2018].

- Ministry of Cooperative Governance and Traditional Affairs. 2010. Information sheet: the president's announcement of the findings and recommendations of the Commission on Traditional Leadership disputes and claims (Nhlapo Commission), 29 July. Pretoria: CoGTA
- National House of Traditional Leaders, 2007/8. Annual Report. Pretoria: NHTL.
- Ngcukana, L. 2018. Government goes high-tech to bust illegal initiation schools. City Press 17 June 2018.
- Ntsebeza, L. 2003. Traditional authorities, local government and land rights. In *Grassroots governance? Chiefs in Africa and the Afro-Caribbean*, ed. D.I. Ray and P.S. Reddy, 173-226. Calgary: University of Calgary Press.
- Nthai, S. 2005. Constitutional and legislative framework for traditional leadership in South Africa. Pretoria: University of South Africa.
- Oppler, S. 1996. Community policing in the new South Africa: Its implementation and development. Occasional paper. Pretoria: Institute for Security Studies.
- Pelser, E. 2002. *Crime prevention partnerships: Lessons from practice*. Pretoria: Institute for Security Studies.
- Peltzer, K., Nqeketo, A., Petros, G & Kanta, X. 2008. Traditional male circumcision remains a dangerous business. *Human Sciences Research Council Review*, 6(2):5-6.
- Rambe, P. 2012. African Traditional Customs' Potentialities and Dilemmas: Conflict over thanksgiving to Chiefs in Zimbabwean rural villages. International *Journal of Politics and Governance*, *Volume 3(3): 1-2*.
- Republic of South Africa. 1998. Municipal Structures Act 117 of 1998. Pretoria: Government Printer.
- Republic of South Africa. 2003. Traditional Leadership and Governance Framework Amendment Act 41 of 2003. Pretoria: Government Printer.
- Rogers, C. 2006. Crime Reduction Partnerships. Oxford: OUP.
- Rugege, S. 2003. Traditional leadership and its future role in the local governance law. *Democracy and Development*, 7(2):203-230.
- Rugere, S. 2014. Traditional Leadership and its Future Role in Local Government. Available at:https://www.safili.org.za/journals/LDD. [Retrieved on 10 November 2018].
- Saidu, I. J. 2015. The Roles and the Challenges of Traditional Rulers in Land Conflicts and Management in Nigeria a Case Study of Bauchi State in Nigeria (7577).

Volume XI, No. 11.1 Quarter I 2020

ISSN: 0976 - 1195

- Schlegel, A & Barry, H. 2017. 'Pain, Fear, and Circumcision in Boys' Adolescent Initiation Ceremonies. Availableat: <a href="https://www.journals.sagepub.com/doi/full/10.1177/10693971166">https://www.journals.sagepub.com/doi/full/10.1177/10693971166</a> 85786. [Retrieved on 20 November 2018].
- Sithole, P. & Mbele, T. 2008. Fifteen Year Review on Traditional Leadership: A Review Paper. Cato Manor. HSRC.
- South Africa. 1996. Constitution of the Republic of South Africa (Act No. 108). Pretoria: Government Printers.
- South Africa. 2000. Municipal Systems (Act No. 32 of 2000). Pretoria: Government Printers.
- South Africa. 2003. Traditional Leadership and Governance Framework Act of 2003 (Act 41 of 2003). Pretoria: Government Printers.
- South Africa. 2009. National House of Traditional Leaders Act of 2009 (Act No. 22 of 2009). Pretoria: Government Printers.
- Tlhaoele, C.T. 2012. The Interface between Traditional Leadership in Shared Rural Local Government. Unpublished Dissertation. Johannesburg: University of Johannesburg.
- Tshehla, B. 2005. Here to Stay: Traditional leaders' role in justice and crime prevention. *Crime Quarterly*, (11):1-5.
- Tutu, D.B. 2008. *Traditional leaders in South Africa: Yesterday, today and tomorrow*. Unpublished dissertation. Cape Town: University of Western Cape.
- WHO. 2015. Available at: <a href="http://www.who.int/hiv/topics/malecircumcision">http://www.who.int/hiv/topics/malecircumcision</a>. [Retrieved on 20 November 2018].
- Venter, R. 2011. Xhosa male initiation: An evaluation of children's human rights. *Child Abuse Research A South African Journal*, Vol 2: 88-101.
- Vincent, L. 2008. "Male circumcision Policy, Practice and Services in the Eastern Cape Province of South Africa". Available at: <a href="http://www.malecircumcision.org/file33358">http://www.malecircumcision.org/file33358</a>. [Retrieved on 15 October 2018].