APPROPRIATE MANAGEMENT AND DEVELOPMENT
FRAMEWORK FOR TRANSITIONAL RURAL SETTLEMENTS:
A COMPARATIVE STUDY WITHIN NGCOLOSI TRIBAL
AUTHORITY

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ABBREVIATIONS

CDE-   Centre for Development and Enterprise

CPA-   Communal property Association

DFR-   Durban Functional Region

DLA-   Department of Land Affairs

Du/ha-   Dwelling units per hectare

ESTA-   Establishment Tenure Act

GEAR-   Growth Employment and Redistribution

HDI-   Human Development Index

INR-   Institute of Natural Resources

KFC-   KwaZulu Finance and Investment Corporation

LTGA-   Local Government Transition Act

NTA-   Ngcolosi Tribal Authority

PTO-   Permission To Occupy

PRACs-   Provincial Rural Administrative Centres

SADT-   South African Development Trust

SANAC-   South African Native Council

TRS-   Transitional Rural Settlements

TRPC-   Town and Regional Planning Commission

CHAPTER ONE
INTRODUCTION

1.1 TOPIC

The topic selected is within the broader theme of rural development challenges in the province of KwaZulu-Natal. It is entitled: An Appropriate Management and Development Framework in a Transitional Rural Settlement (TRS): a comparative study within Ngcolosi Tribal Authority (NTA). The study will be comparative in a sense that it will involve two different communities within one Tribal Authority with the intention of showing that one of the two communities has evolved to the stage that it does no longer fit to the current tribal authority framework. This is mainly a result of urbanisation and a number of internal dynamics and processes of change.

Settlements referred to, as Transitional Rural Settlements could also be called semi-urban or peri-urban. The case study area is outside Durban metropolitan boundaries but has been functionally urbanised to the extent that Tribal Authority management and development structures are no longer adequate, in spite of the fact that they are the legitimate authority. Such settlements are located in a transitional zone i.e. the geographic zone between two economic polar extremes. Other features of Transitional Rural Settlements (TRS) are discussed in section 7.2 of this work.

1.2 AIM OF THE STUDY

The establishment of democratically elected local government in South Africa aroused interest about the role and capacity of Traditional Leaders (amakhosi) to develop and manage Tribal Authority Areas. They are the constitutionally recognised part of local government. When jurisdictional demarcations for urban local governments were made, a number of peri-urban communities were defined out of metropolis and urban areas regardless of their dominant urban character. After a series of highly politicised consultations and deliberations it was decided that these settlements would remain under the jurisdictions of Tribal Authorities (Mzimela T: interview).

The compatibility between Tribal Authority management and a development framework suitable for TRS warranted further contemplation and suggested an interesting research topic. The aim of this study is, therefore to investigate the appropriateness of tribal authority and other elements of rural administrative framework to respond to the development needs of Transitional Rural Settlements.

1.3 RESEARCH CHALLENGE

The fact that there is a need for a study of this kind is clearly outlined by Centre for Development and Enterprise's (CDE) response to the government's draft rural strategy Document of 1996. The challenge is titled 'hidden urbanites' and argues:

"Now that apartheid has been abolished it is sometimes easy to overlook the spatial legacies of those disastrous policies. In our desire to 'make South Africa normal' we talk of cities, towns or rural areas, as though these were phenomena such as we would find in any other country. Unfortunately this is not the case. Our towns are segregated; our rural areas are still divided by race and the discriminatory consequences or racial policies. One kind of settlement that can too easily be ignored is dense settlements of people sometimes near a city or town but often far away... There is insufficient factual information available about these places and their inhabitants. What we do know is that the vast majority of these people have little or no connection to agriculture."

This document by CDE further pose the following questions:

"Where do these millions of people fit into the plans for rural development? Should public resources go into patently uneconomic places? How do we prevent further hardship for communities that have already been badly treated [by previous policies]? (CDE, 1996:4)

The issue to be examined here is the difference between Transitional Rural Settlements' and 'conventional' tribal areas. Arising from this is the question of the necessity of an alternative development framework.

This chapter contains the precepts of the study, spelling out the research problem, research challenge and questions, and the skeleton of the dissertation. Explanation as to how data that informed conclusions was captured will be discussed under methodology chapter of this dissertation.

1.4 BACKGROUND TO THE STUDY

A study of this nature is responsive to South African political history particularly the homeland strategy and separate development. Around 1905 the South African Native Affairs Commission (S.A.N.A.C) was set up to formulate a native policy that was going to suit the apparent political and economic demands of the post Anglo-Boer war era. This coincided with the time when dominant social classes needed a new framework and ideology to structure African exclusion and white supremacy (Gilomee and Schlemmer, 1985). These developments heralded the germination of Bantustans and homeland system in the second half of the twentieth century. It is highly refutable that the system was honestly designed to defend the sanctity of tribal culture and to prevent western contamination.

The system was intended to safeguard white rule, since having exclusive places for blacks justified the denial of equal rights in the white areas to the black folks (Gilomee and Schlemmer, 1985). Policy decisions were imposed on the majority of African population without proper consultation that would have unearthed the beneficiaries' important needs and the way they want to develop. The homeland system and separate development form of governance is now generally agreed to have failed and there is a need to mitigate the negative impacts it caused. It is also imperative to re-design the development perspective for the previously disadvantaged group especially rural communities.

Transitional Rural Settlements are a creature of anti-urbanisation legislation that deranged and complicated settlement patterns on tribal land. The influx control laws were designed to control the movement, settlement and location of black people throughout the South African space economy (Berstein in Gilomee and Schlemmer 1985). Measures were taken to ensure that tides of African urbanisation do not reach urban (former white) areas but are diverted towards proximal tribal lands in rural-urban interface.

Fourie (1983) argues that African migrants were diverted to tribal land to ensure that the cities of South Africa remained white enclaves. No if not very little provision was made to ensure that affected tribal authorities' systems are able to respond to such new settlement patterns.

In the short period in which the new South African government has been in office, the complexity of the relationship between democracy and tradition has already been revealed. There have been intense debates and dialogue about functions of the traditional structure and its general mode of operation. Its capacity to lead rural development is still under the spotlight and this includes the subjugation of Transitional Rural Settlements under their jurisdictions. The 1995-draft Integrated Rural Development Strategy document even hinted at the necessity for the exclusion of traditional leaders from service provision responsibility.

There has been a clear shift from the original functioning of amakhosi where they used to mediate between the chiefdom and the ancestors of the chiefly lineage and also perform a number of judicial services like allocating land, control the timing of planting and harvesting, etc. This institution was bureaucratised following the realisation that both colonial and apartheid regimes were in no position to deliver resources to meet popular aspirations (Fitzgerald P, et al, 1997). Traditional leadership started to operate under the ambiguity of being an administrator as well as a political representative. The current confirmation of ex-officio membership in Regional Councils reinforces this ambiguity.

Evidence from the rest of Africa indicates that Traditional Authorities cannot be ignored in the implementation of state programmes in their areas of jurisdiction. It is important that the role that they play is recognised, upgraded, and made progressive. Keeping Transitional Rural Settlements under unchanged customary management and development framework contradicts the RDP's desire to link development with democracy (Fitzgerald P, et al, 1997).

There has been benign neglect of research and documentation dealing with rural resource management and development in South Africa. This has resulted in serious information shortfalls in our understanding of South Africa's rural people and places (CDE, 1996). One common fallacy related to this shortfall is ignorance of the fact that rural settlements are not homogenous but they are complex places. They include the commercial farms, and the former homelands (CDE, 1996). Within these two categories there are many sub-types like small towns, resettlement areas, blackspots, densified tenants on farms, reserve areas, areas close to cities, etc.

Previous studies do not clarify what kind of area they refer to when speaking of rural and this has been a problem to large numbers of people in Transitional Rural Settlements as they do not fit into main settlement categories. As it becomes necessary for special attention to be directed to the planning problems encountered in rural areas, it is essential that attempts should be made to measure differences in the degree of rurality (Cloke P, 1977).

1.5 PROBLEM STATEMENT

There is a need to address the lack of appropriate management and development policies for Transitional Rural Settlements. The conventional role of tribal authorities extends mainly to the allocation of sites, (seldom) the collection of tribal dues, and in some cases the resolution of social issues. There is not much improvement in terms of modern administration to deal with provision of services and urban-related infrastructure, or maintenance of a livable environment in Transitional Rural Settlements. This has adverse impacts on these Transitional Rural Settlements since they do not get developed according to policies that suit their special characteristics.

The problem is therefore; the subjugation of Transitional Rural Settlements under the system that is unable to respond to its development needs and circumstances. The tribal authority system was not designed to cope with the phenomenon called intra-rural dissimilarities in socio-economic developments. This study will show that even at tribal authority level there are different settlement patterns and needs.

1.6 RESEARCH QUESTION

How does a Transitional Rural Settlement differ from a 'conventional' rural settlement and in what ways does that difference necessitate alternative management and development approach that is not offered by the current customary dominated administrative framework?

The research is premised on the notion that the customary administration as a local government institution has a framework for rural development. The point of interest is the relevance of that framework to the successful development of Transitional Rural Settlements.

To address the research question, the following sub-questions will be used.
* What are the differences in physical and demographic profiles of the two settlements and what implications do such differences have on management and development approach based on customary administration system?

* What functions does Traditional Administration perform in the two settlements?

* What household survival strategies characterise each of the two settlements and to what degree do people still rely on natural resources as an economic base?

* How far have the communities deviated from the traditional system of land tenure and land allocation procedures and what are the forces driving that deviation?

* What are the levels of development achieved and what processes of development are in place?

* What would be the performance criteria for effective land management and development in each settlement?

1.7 HYPOTHESIS

An overriding characteristic of rural areas is their variety of social types, which defy attempts to stereotype them in any way. It is hypothesised that the two settlements that will be compared will show different characteristics and development needs. The Nqetho settlement will be more urbanised to the extent that it is unable to fit within the current tribal administrative framework (see section 3.2.1). The peripheral settlement of Hushwini, on the other hand, will show less difficulty in coping with the same administrative framework.

The research hypothesis will be rejected should the following outcomes be observed: If no difference is found between the two settlements and if Tribal Authority framework shows unbiased approach to rural development and reflects full and efficient accommodation for urbanised settlements. It should be noted that results showing inefficiency of development and management approach based on customary system to both settlements would not warrant rejection of the research hypothesis

1.8 SCOPE, ASSUMPTIONS, AND LIMITATIONS OF THE STUDY

Whilst this study revisits some of the aspects dealt with in previous studies it also explores issues related to urbanised rural settlements development against the background of a Tribal Authority system. The emphasis is on the compatibility of Tribal Authority system and Transitional Rural Settlements. This has been a blind spot in most studies within the field of rural development. Although the study is informed by universal meta-theories it tries to apply the theories at the lowest level possible.

The proposed study is informed by an assumption that customary administration has jurisdictions and is a legitimate element of local government in the whole tribal territory that is within its boundaries. This legitimacy is not determined by political affiliation of masses living in that land. This assumption is fundamental to understanding power relations and the problems that traditional authorities face.

The limitations of the study rise from the fact that there is no known settlement within the country that is completely free of urban influences. This suggests that all settlements are urbanised but in varying degrees. It is therefore difficult to define a threshold separating rural from urban. This issue will further be dealt with under the discussion of the concept rural. There is also a difficulty of measuring the competence and effectiveness of the Tribal Administration without any pre-given performance criteria.

The performance criteria based on history is not of much use because communities have changed and some of the functions that the administration had, have spontaneously been phased out.

1.9 OUTLINE OF CONTENT

The flow of this dissertation is organised in chapters and sub-sections. An attempt is made to structure the chapters in sequence that will help understanding of the story line.

Chapter two
This chapter discusses the definition of basic terms used in rural development. It presents a brief review of literature and provides a theoretical framework for the study. Theories that will be discussed are rural-urban continuum, dependency theory, marginality theory and a dialectic model

Chapter three
Chapter three explores problem issues, power structures and institutions involved in rural development so as to further clarify the scope and context of the study

Chapter four
Chapter four discusses the methodology employed for collecting and analysing data used in the study. This chapter also outlines difficulties experienced during data collection and collation.

Chapter five
This chapter presents the case study. It offers an overview of the physical, political and socio-economic background of the Ngcolosi Tribal Authority

Chapter six
This chapter presents the findings of the study in both
settlements and a comparative analysis of results is
done.

Chapter seven
Chapter seven provides some conclusions and
recommendations

CHAPTER TWO
CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 INTRODUCTION

This chapter discusses the definition of basic terms used in rural development. The focus is specifically on different approaches involved in understanding rurality and isolating the term's main components. This chapter is also a presentation of a brief conceptual and theoretical framework for the study. An attempt was made not to make literature review on rural social relations a separate section but to blend it with the discussion of theories and concepts. Theories that will be discussed feature the Rural-Urban continuum, Dependency theory, Marginality theory and the dialectic model.

2.2 WORKING DEFINITIONS FOR CONCEPTS

It is imperative that working definitions for the following terms are stated. This is done to show how a term is understood and will be used for the purpose of this study.

Rural Settlements: Settlements on land under tribal chief. For purposes of this study this excludes commercial farms and freehold areas. In KwaZulu-Natal those settlements were under the jurisdiction of the old KwaZulu homeland government.

Transitional Rural Settlements: Urbanising settlements on tribal land (As defined in Rural Settlement in KZN Overview Report: 1995)

Customary/Tribal Administration: Non-elected administration under traditional hierarchy incorporating headmen, and chiefs. Components of this administration are as outlined in figure 5.2

Tribal Authority: This will be used to mean either the customary administration mentioned above or the area that is within its jurisdiction.

Inkosi: A head of the Tribal Authority, it is interchangeably used with the term chief

Development: It is progressive evolution of the society which involves transferring of skills to people, and giving them access to resources, so that they may have greater control of their lives. It is about the unfolding of the creative possibilities inherent in society (Fair, 1982)

Rural Development: Improving the living standards of the masses of low-income population residing in tribal land and making their development self-sufficient.

2.3 APPROACHES TO THE UNDERSTANDING OF 'RURAL'

This discussion is around issues of conceptualising the term 'rural' and its empirical manifestations. It is highly unlikely to successfully present a dissertation dealing specifically with rural areas and escape the risk of being trapped within definitional debates about what constitutes 'urban' and 'rural'. Although the crux of the discussion is about the approaches used to typify rural settlements for planning and development purposes, general approaches to settlement typologies are also unavoidable.

There are two main views behind the necessity of this discussion. The first opinion is that we should not sacrifice the discussion of important socio-spatial issues by focussing on abstract definitional exercises that are of little use. The term rural is understood as a theoretical concept and has little descriptive value in terms of social change. Proponents of this view argue that:

"There is no rural and there is no rural economy. It is merely our analytic distinction, our rhetorical device. Unfortunately we tend to be the victims of our own terminological duplicity…our thinking is ensnared by our own words" (Regional studies Journal 20,3:209)

Government bureaucracies that share the above mentioned conviction do not have departments of rural this and rural that. For they believe that the defining parameters of social problems are the same for rural as for urban areas. Instead of concentrating on the two extremes they focus on the recognition of common social variables in these extremes. The nature and political history of South Africa does not allow the adoption of such a radical viewpoint.

This dissertation agrees with the second opinion that says; settlements are treated according to terms or nametags that are given to them. Therefore, by engaging in terminological debates and discussing definitional issues we are, in retrospect, addressing how settlements should be treated at the end of the day. Hoggart (1988), also disapproves the contention that rural is an invalid concept. This discussion is now going to dwell on the approaches to the definition and conceptualisation of rurality as outlined by Collin Kodua-Agyekum (1997), Paul Cloke (1977), Howard Newby (1985), Keith Hoggart (1988), and the KwaZulu-Natal Overview report (1995).

2.3.1 Defining 'rural'

Collins Kodua-Agyekum (1997) in his dissertation titled an Analysis of the Rural Development Experience in the Former Transkei: The Case of Xalanga District presents analysis of definitions made by other authors. Those definitions of 'rural' are then grouped into three categories, namely negative, positive and perception-based definitions.

The negative definitions present 'rural' in terms of anything that is non-urban in character. This definition is linked to the deductionist school of thought hence rural is understood to be the remainder after delimiting urban territory. The author made an example of Singh (1986:13), who regards rural areas as:
"Those areas which are not classified as urban areas. They are outside the jurisdiction of municipal corporations, and notified town area committees." (Kodua-Agyekum C: 1997)

The author complains about the notion that negative definitions presume that the rural areas have no characteristics of their own for which they can be identified.

Unlike the negative approach the positive stance outlines important elements that characterise rural areas. Proponents of this approach such as Wibberly (1972), define rural as parts of the country that are characterised or showing signs of being dominated by extensive land uses. Variables of the index of rurality that will be discussed in this section are understood by positivists as important elements that typify rural areas. There are however, disagreements about which elements and in what magnitude should those elements be, in order to characterise the area as rural.

The third type of definition is based on user perception. The perception-based definition of rurality is premised on what most people think of as rural. This approach is elusive in practice, hence there is general agreement that people neither think the same nor share similar cognitive prototypes. There is common use of the term 'conventional' rural but there is no guarantee that the term is similarly conceptualised by most people.

The author then highlights important points that should be considered when defining 'rural'. He first suggests that an acceptable definition of 'rural' will have to consider different functions assigned to the countryside. The most acceptable definition will therefore take into account the functions which particular settlements perform (Kodua-Agyekum, 1997). The second consideration he suggests is appreciation of the fact that rural landscape is experiencing ever-changing demands and the people's attitude towards rural countryside changes over time. It is therefore, impossible to find a versatile definition that will be able to maintain relevance despite the mentioned dynamics.

The third stipulation made by the author is that the rural concept is subject to spatial variations. This viewpoint suggests that what could be seen as rural in one part of the country might not necessarily be so in another part. It is noted that the author did not include form of local governance as another element of consideration despite the fact that there is correlation between 'rural' areas and a particular form of local government in most regions of South Africa. The issue of intra-rural dissimilarities, which is the kernel of this study, is very little if not at all pronounced by the author.

This discussion is not going to dwell on the content of the list of criteria used by the author when formulating his own definition of 'rural'. The author explicitly stated that the characteristics he mentioned are not necessarily for all rural areas nor for a general definition of 'rural', but they are for a definition that is specific to the objectives of his study. The characteristics he mentions will however, be listed in appendix 2. What should be noted is that the author seems to adopt the positivist school of thought when defining 'rural'.

2.3.2 The index of rurality

Paul Cloke (1977) appreciates the fact that settlements can not only be categorised into two main sections, namely rural and urban. His idea is premised on the notion that transition from purely rural community to an urban one is not abrupt but gradual. As a result of that gradual transition a series of different settlement types emanate along the continuum. Inspired by the idea that calculations are able to act as important monitors of change in rurality definition he therefore, introduced a statistical indexation technique to get much objectivity as possible into the classification of settlement types (Cloke P, 1977).

Accordingly, "Rurality is defined in terms of selected discriminating variables, from which an index of rurality is formulated using principal components analysis" (Cloke,1977:31). This understanding is similar to the positivist approach that is suggested by Kodua-Agyekum (1997). The indicators or variables the two authors mention are not totally unrelated but the authors use and interpret them differently. Appendix 2 is a summarised comparative analysis of what the two authors say.

A scientific method of valuing and scoring the variables is used and the final categorisation is made according to the variable content per settlement. The index of rurality has variables taking one of the two directions. There are variables with large negative loading scores and corresponding with characteristics that are evidently rural. On the other hand there are variables with large positive loading scores and dominated by apparent urban characteristics. The author argues that there is a need to identify specific types of rural areas where planning problems are similar and perhaps to standardise the solutions to problems where local dynamics allow this to be done. He therefore, presents four rural settlement categories that match the levels of the index's scoring system. The categories are namely, extreme rural, intermediate rural, intermediate non-rural and the extreme non-rural. Cloke, as a rural sociology scholar, regards anything that does not fit into the four categories as urban.

The general indication of category one i.e. the extreme rural settlement is greatest degree of remoteness. Distance from urban centres therefore, partially determines the degree of the settlement's rurality. The remoteness variable alone is however unable to categorise a settlement. The intermediate rural category is found adjacent to the upland extreme rural belts and highly dominated by agricultural land use. The intermediate non-rural settlements are often a result of overspill and other forms of pressure from urban cornubations and from central urban regions (Cloke, 1977). When a strong urban centre such as London in Cloke's case, exerts sufficient pressure to extend its ring beyond rural areas that are adjacent to that urban administration area, those rural settlements are converted into the extreme non-rural category.

The index of rurality has however, serious shortfalls particularly with regard to its utility. Firstly the index is not fully applicable to the South African context. Some of the variables that the author manipulates in England and Wales are not necessarily significant to the South African settlement types. The two countries do not have similar socio-economic history; therefore, the pressures and trends of urbanisation are not expected to be the same. It is on these grounds that Hoggart (1988) regards the index as a mirage than a reality. Adopting Cloke's formula as the only means of determining rurality increases the high-risk probability of ignoring other significant discriminatory elements between localities.

2.3.3 Locality and rurality

Newby H (1985), focuses to some emergent characteristics that are often used to define 'conventional' rural areas. The article disputes the reliability and validity of two of the commonly used indicators or variables when defining 'rural' He later suggests another approach to community studies which, he believes, will save people from being trapped by the terminological problem.

This author in his article-titled 'Locality and Rurality' (1986) posits that the composition of conventional rural areas changes over time and this often necessitates regular re-examination and re-definition. An example he makes is that of rural Britain which has been significantly urbanised to the extent that there is no

more obvious link between 'rural' and 'agriculture'. Another illustration he makes is the 'population turnaround' which happens in most remote rural areas that were predominantly characterised by out-migration. The author thus concludes that any conventional definition of 'rural' will at one stage be rendered obsolete.

Another approach for determining rurality the author discusses is grounded on agrarian class relations. According to this approach it was argued that property rather than occupation was the defining principle of rural societies, given the fact that it was the organisation of property relationships not the division of labour which shaped the rural class structure (Newby H, 1985). This approach faded following the idea that localised systems in rural areas can not be simply characterised in terms of the relations between a new middle class and the old established rural class structure.

The author, does not make any specific conclusion about criteria that should be used in determining rurality. Instead he suggests that community studies be best approached as a method of analysis rather that objects of the study in their own right.

2.3.4 An Alternative Schema

In his article, Hoggart K (1988) responds to the issue of settlement classification with regard to rural settlements in particular. The author argues that distinguishing locations by rural attributes they have has hampered the understanding of geographical variations in socio-economic conditions. The term 'rural', he argues, is understood differently by general public as opposed to social researchers. The former use the term relating to different types of landscape whilst the later uses it to explain geographical differences in socio-economic conditions. Transitional Rural Settlements as settlement type do not fit within the above-mentioned connotations of rural but political economic conditions confined these settlements within the rural category.

Another alternative of classifying settlements discussed in this article is that which distinguishes between 'pressured' and 'peripheral areas'. This divide separates places under the direct impress of the city commuting

(Hoggart, 1988). This implies that settlements where commuting distance between the city core and them is shorter will be preferable and end up being heavily populated (pressured) as opposed to peripheral settlements. This alternative therefore suggests that rural settlement classification is not rigid but determined by mode and efficiency of transport used.

Settlements are however, not only pressured because of their proximity to the city. There is also legislation-related pressure that is manifested through the development pace and the direction of settlements, as well as the creation of particular administration. The form of political administration that is put in place should take cognisance of the resultant political climate in the area. There are instances where the designated form of administration is responsible for social unrest and resultant migration patterns. In KwaZulu-Natal for example, some settlements are pressured because of the relative peace and stability they portray.

The author also explores market-related methods of classification. In this procedure rural settlements are classified according to market determinants in property and land transfers. It is not clear as to how this method can be used outside market world. Presumably, such procedures of classification will not work in rural KwaZulu-Natal context where there are neither freeholds nor enabling legal conditions for land transfers.

Hoggart is opposing the way the positivist approach understands settlement types. His argument is that such an approach is for general public not planners and geographers and it does not distinguish locations for which causally distinctive processes operate (Hoggart K, 1988). Some of the indicators or variables he argues are aligned with the refuted idea that social behaviour is distinguished along rural-urban continuum. What he posits is that there is no social behaviour that can be regarded as exclusive for particular settlement types. This argument is responding to variables like 'strong personal networks and social bond'.

Other variables like below average manufacturing and dominance of agricultural sector employment are understood by the author as based on the discredited idea that primary sector employment dominates rural labour (Hoggart K, 1988). This idea is discredited on the grounds that it neglects massive decentralisation and apparent decline of agricultural sector that is prevalent in many countries. Furthermore, there has been a dramatic 'population turnaround' witnessed even in most remote rural areas (Newby H, 1986). The author therefore, concludes that it is unnecessary to develop peculiarly 'rural' analysis in order to understand changes occurring in localities because a locality is illogically the most significant geographical scale in the determination of socio-economic conditions.

An alternative schema the author suggests is that more attention should be devoted to classifications, which build on dominant causal processes. These causal processes do not stop at one side of the rural-urban divide. They therefore have significant utility rather than defining the rural concept, which is mainly a hindrance, and far from being helpful when used in explanatory context (Hoggart K, 1988). The schema is actually adopted from O'Connor's 1973 categorisation of three main market sectors in capitalist economies and it is founded on the notion that the differential presence market sectors has significant causal effects on local socio-economic environments.

The three market sectors of the capitalist economy this article discusses are the competitive, monopoly, and state sectors. It is assumed that these sectors attract distinctive conditions for growth, labour relations and social stratification in localities. Hoggart (1988) defines market sectors as competitive if they are characterised by high competition among outlets, which results in low wages and subservient labour force. This sector is associated with weak market position and mainly found in areas of low population density. Dominant activities involved in competitive sectors are farming, retailing, and tourism.

Monopoly sectors are those institutions distinguished by high product demand and this makes them offer higher wages relative to other market sectors. A single or a cartel of influential institutions runs economic activity in these sections that dictate price. "These institutions are price-makers not price-takers since there is a secure

market position" (Ibid. 1988: 37). Undoubtedly monopoly sector institutions specialise in high-tech equipment such as electronics and motor manufacturing. State sectors entail government institutions, which generate income in a non-competitive context; it is worth noting that there are huge differences between well paid full-time workers and unskilled, low wage workers of the state. This means that a single causal process may produce varying inputs to localities. Ulundi and other former homeland capitals are an example of places where state sectors influenced the behaviour of other local institutions.

The essence of this approach is that the relative potency of the mentioned three sectors determines the evolution of socio-economic conditions within localities. Certainly, the alternative of classifying settlements according to the relative importance of competitive, monopoly, and state sectors in their employment structures should not be neglected.

Whilst this schema makes a significant contribution to the understanding of localities, its utility seems to have obvious limitations. The taxonomy is able to explain differences in social stratification and income generation but it is doubted that it can explain issues of social stability and solidarity. Variables explaining social solidarity cut across market sectors just like causal processes cutting across rural-urban divisions. Another shortfall of the schema is that it does not appreciate that local people have a significant role to play in shaping their own communities, instead it regards them as passive recipients of influences imposed by market sectors

What this article has not covered is stating its position in assigning relevant terms to different settlements. If the localities happen to share similar causality processes, one binds them as what? The problem is lack of a collective term for all settlements that share similar causality process. There is also a need for a formula that objectively determines similarity of causal processes under circumstances of ever-changing social, political and economic conditions.

2.3.5 Classifying settlements in the KZN context

Apartheid policies contaminated settlement patterns in South Africa and this has complicated the understanding of settlement types in KwaZulu-Natal. The Institute of Natural Resources (1995) responds to this problem following the establishment of a new political dispensation. It posits that former Natal areas have clear hierarchy of settlements that is congruent to population size and economic significance. This minimises confusion in the understanding of settlement types. The former KwaZulu part is very chaotic and muddled due to factors such as apartheid, poverty, and lack of efficiency in local administration. (INR, 1995).

The settlement classification proposal made by the Institute on Natural Resources tactfully avoids the difficulty of defining 'rural'. The report just gives five categories of settlement that characterise KwaZulu-Natal and none of them have the word 'rural'. The categories are, namely, Metropolitan, cities and Town, Urbanising areas, Villages, and countryside. Appendix 3 is a detailed outline of all the five categories.

Settlements that are compared in this study a similar to category three and five of appendix 3. Category three matches what this study calls a Transitional Settlement and category five is related to proto-type dispersed rural areas. The KwaZulu-Natal Planning and Development Act (1997) follows this categorisation of settlements.

2.3.6 Conclusion

It is therefore argued that there are many approaches in the understanding of settlement types and the way settlements are treated and developed is mainly based on how they are categorised. This discussion has shown that whilst international debates about definition of settlements are useful, the unique South African situation is not sufficiently accommodated in those definitions. For example, farming is regarded as one of the main traits that characterise rural settlements internationally and in former Natal areas, but this is not the case in tribal areas since the household income that is attributable to agricultural activities is less than five percent. Certainly, this dissertation agrees with the categorisation given by INR and it is where the research problem is founded.

2.4 THEORETICAL FRAMEWORK

This study is located within a combination of philosophical positions. The idea of adopting a single meta-theory was rejected on the grounds that a single theory has limitations of failing to cover all the objectives of the study. Three initial theoretical pillars were identified as the most suitable to this study and they are (1) Rural-Urban Continuum, and Core-Periphery Relations(with special emphasis to (2) Dependency Theory) ,and (3) Marginality Theory .

One of the main precepts of these theories is the appreciation of the fact that local areas are part of a web of social, economic, and political transactions, that transcend their boundaries and that actions of a wide range of civil and corporate players affect the local economy and society (White Paper on Local Government, 1998). Since the framework is eclectic in nature, Comaroff's Dialectical Model will be used both as a fourth pillar of the theoretical framework and as an integrating mechanism. The above-mentioned pillars of the theoretical framework will be discussed below, and their special role and relevance to the topic will be clarified as well.

2.4.1 RURAL-URBAN CONTINUUM

The idea of a continuum followed the realisation that the rural-urban dichotomy as explained by Gwyn Jones(1973), had serious flaws. It was found that transition from purely rural community to urban one is not abrupt but it is gradual and there is no obvious threshold between the extremes of the dichotomy. The dichotomy was therefore found to be unrepresentative of the real world whilst the continuum showed awareness of the gradual transition of communities.

The continuum is characterised by the rural pole which is regarded as an idealised, unchanging peasant society, organised in small, scattered and inward looking settlements based on kinship and rely mainly on natural resources as an economic base. The urban extreme on the other end of the continuum is perceived as ever-changing life of the large cosmopolitan, commercial cities.

The Rural-Urban continuum is informed by the following assumptions which it is believed, are imperative to the understanding of the philosophy. The first assumption is that descriptions of the polar extremes are universally valid and almost constant but these descriptions are intended to be of hypothetical and ideal types. These descriptions could be used as a background where real situations could be assessed according to the extent of relative degree to which they match either pole. The second assumption is that the relative dominance of the characteristics observed (per pole) vary in different cultures and all need not be present in every circumstance (Jones,1973). The second assumption should not be understood as opposing the notion that rural transformation occurs along the continuum in a continuous and linear manner.

Jones (1973) appreciates the concept of the continuum on the grounds that it allows one to the idea that any social system can be classified in relation to others, and that its changing nature as a result of alterations in its characteristics, is not only complex but can also be comprehended in relation to changes in other systems and the relative changes occurring in its own various characteristics.

Relevance to the research problem
The continuum is very suitable for a comparative study since it is used to embrace the characteristics, which typify and distinguish a rural culture or society from an urban one (Jones, 1973). Within the context of the topic the theory postulates that the two polar extremes are : (1) The hypothetical tribal settlement. Such a settlement is assumed to have encountered very little western value system. The other end of the continuum is (2) ever changing and cosmopolitan urban city core. The hypothesis is that the position of the Ngcolosi Tribal Authority in the continuum means that the two settlements in question will take different positions in the continuum when assessed according to their relative degree to which they resemble either pole. It is further maintained that the Tribal Authority system was designed for one position (in the continuum) and it was never intended to deal with the urbanised environment

2.4.1.2 CRITICISM OF THE RURAL-URBAN CONTINUUM

Rural-urban continuum is criticised of reflecting a degree of Western ethnocentrism since it underwrites transformation as towards western way of life. The approach is also challenged for being simplistic and leading to generalisations which are not only too broad but inaccurate as well. It is also wished that the perceptive said something about factors that speed up or hinder transformation along the continuum.

Cloke(1977) argues that the continuum model is unrepresentative. The crux of his concern is that the continuum seems to adopt a unilinear approach in explaining the way communities get urbanised. One of the characteristics of modern world is a series of inter-connected system. This includes economic, political, and social systems that affect our communities differently. It is therefore unlikely that implications of all those systems are considered and confined in a linear explanation of the continuum model.

The rural-urban continuum, as already mentioned, has its origins 'as a critique of the dichotomy'. Cloke's criticism of the continuum can be grounded in the very same fact. This is what Fair (1982) calls a 'mirror-image trap' of attempting to create a paradigm through direct, polemical opposition to the old one whilst sharing similar precepts and point of departure. It is therefore, difficult to conceptualise the continuum without dichotomy elements, and it seems impossible to distance the flaws of the dichotomy from the continuum. It is for these reasons that one can not use the continuum as the only pillar of the theoretical framework.

2.4.2 CORE PERIPHERY ANALYSIS

In order to make quality explanations about current South African space economy, an explicit historical background is required. Information showing how and why the country's space economy has evolved in a way it has, is of necessity. What South Africa is today is a reflection of how it went through previous stages. Core-periphery relations involve two sharply different perspectives that explain the same reality in different ways. The two schools of thought are the modernisation and the dependency paradigm.

In their attempt to make inferences to South African spatial pattern they utilise different evaluative judgements, different assumptions and different methodologies.

2.4.2.1 Modernisation paradigm

John Friedmann's core-periphery perceptive postulates that for each major period of economic development, through which the country passes, there is a corresponding structure of space economy (1966). Space economy in this regard, comprises of nodes, networks and surfaces. These three elements represent the manner in which the economy of the country is manifested spatially. It is this spatial manifestation of economy that somehow influences the change of settlements to certain typologies.

Nodes are understood as dense concentrations of political, economic, and social activity. They are arranged hierarchically from larger to smaller centers. Networks represent the flows of both concrete and abstract elements within and beyond the country. This term therefore entails the flows of ideas, capital, goods, telecommunications, etc. Surfaces are a product of human activity. They explain the magnitude and form of influence and particular dynamics have on the ground. John Friedmann uses these elements to show that differences in levels of development between localities "can be explained in terms of their place in the political and economic system of the nation they are enmeshed" (Fair T J D, 1982).

It is the arrangement and the functioning of nodes network, and surfaces that generates the spatial pattern where the country consists of the core and the periphery. It should be noted that this pattern is manifested at different levels. This arrangement may occur at international level as between first and third world countries, secondly at national level as between strong regions such as Gauteng and poorer regions like Eastern Cape. The third and the last level is at regional or local level as between the urban heartland and the hinterland.

The core is understood as the dominant center of the space economy (Fair T J D, 1982). According to this perspective, the core has 'a high capacity for generating and absorbing innovative change'. The core of South African space economy comprises of areas like the Gauteng, Cape Town and Durban-Pinetown area. At provincial level the core consists of Durban-Pinetown, Richards Bay, Pietermaritzburg and the South coastal belt. The centers mentioned form the 'T corridor' which is recognised as a vital prospect for the so called 'crowding in' of investment.

The periphery comprises of four parts that are, namely, upward transitional regions, downward transitional regions, resource frontiers, and special problem regions. This discussion is however, going to expatiate on the first two since they are most relevant to the objectives of the study. Upward-transitional areas, alternatively called the inner periphery consists of areas that are very close to the core in terms of location. They are favoured because of their resource endowment and characterised by high population in-migration. In KwaZulu-Natal this category is located within the shadow corridor which includes some commercial farms and parts of Tribal Authority areas. The downward-transitional areas also known as the outer periphery consists of the remote rural parts of the former homelands that had minimal or no progressive economy relative to the country as a whole. Such areas are highly characterised by huge out-migration of the economically active segments of the population.

The evolution of South African core-periphery structure

It is mainly, the geographical, political and socio-economic history of this country that has dictated the spatial evolution of its economic structure over a longer period. Fair T J D (1982), for example outlines factors like the country's racial and cultural diversity, its European penetration and colonialism as the fertile ground in explaining the way South Africa stands today. This discussion is now going to focus of the application and interpretation of John Friedmann's four phases of development(adjusted from Rowtow's evolution stages) in South African context. The phases are the Pre-industrial stage, the transitional period, the industrial period and Post-industrial period.

Pre-Industrial Period

Rostow regards this stage as charecterised by the traditional society. In South Africa it could be understood as a period between the beginning of time and time when European way of life was practiced on South African soil. Events that marked the end of this period were the introduction of market oriented economies around 1820s according to Hobart Houghton(1964) and the great mineral discoveries in 1870s according to Browett.
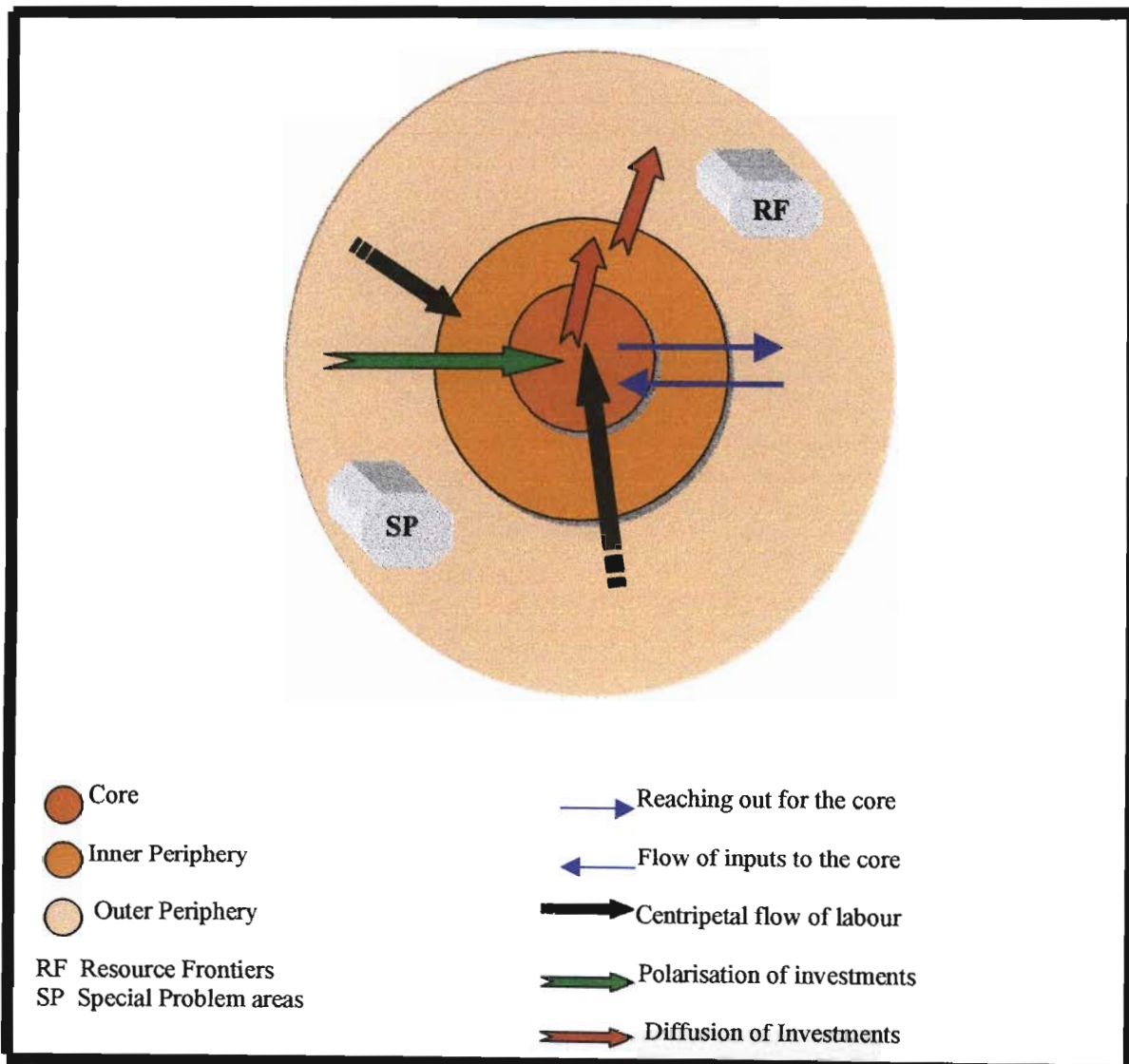
FIG 2.1 Friedmann's Development Regions and Associated Spatial Processes   (Adjusted from: Fair TJD,1982)

Fair T J D (1982) outlines three peculiar realities about South African context that are not well accommodated within John Friedmann's explanation of the pre-industrial stage. The first aspect is that the South African countryside was relatively highly populated by indigenous people when the colonists moved to the interior. One would expect a movement to the unoccupied or sparsely populated area if following Friedmann's explanation. The second aspect is that inland movement stems from a number of isolated beachheads or ports. This was not the case in South Africa since the *great trek* and subsequent movements emanated from a single beachhead that is Cape Town.

Moreover, the homeland system and other forms of political fragmentation interrupted Friedmann's hypothesis of a unilinear sequence from unhabited area to a single national unit. Although this single nation stage has been reached in South Africa, Friedmann's hypothesis did not take cognisance of the political fragmentation that the country has gone through. Lastly, the South African subsistence stage was not followed by a long colonial agricultural stage since the discovery of minerals in the interior dramatically changed economic development

Transitional Period

The South African transitional period according to Houghton (1964) was between 1820 and 1933. It is likely that Houghton based this on Friedmann's statement that this period is characterised by the falling of old blocks and resistance giving way to growth and modernisation. Political history of South Africa shows that between 1820 and 1933 there were serious changes aimed at converting the indigenous ways of life and breaking its resistance. During this period a number of wars were fought within the country between Africans and Europeans as well as between Afrikaans and English communities. The intention was to suppress any form of resistance to the colonial rule.

Browett (1976) on the other hand maintains that the transitional period in South Africa was between 1870 and 1911. Friedmann's proposition is that this period is marked by the emergence of sharp differentiation between the core and the periphery that happens mainly in the form of a dual economy. Thus the transitional period in South Africa experienced the germination of a new core, the PWV urban area, following mineral discoveries.

This new core forced the abandoning of subsistence and semi-subsistence economy in fertile parts of the country since there was now a huge and serious demand for food and other agricultural supplies in the new core. As a result of this demand Natal emerged as a source of sugar cane, South western Cape specialised in wheat and the highveld became a strong producer of maize. Networks between the nodes and between the periphery and core were accordingly intensified.

Friedamann's hypothesis is that a single core emerges at this period. This however, was not the case in South Africa since the emergence of the PWV was on a par with the development of the ports as well as some agricultural nodes. A series of inter-dependent cores therefore, emerged simultaneously in South Africa.

Industrial period
This period entails Rostow's two stages, namely the *take-off* and the *drive to maturity* stage. These two stages are characterised by the rapid economic growth that is supported by high technological and entrepreneurial skills. Fair (1982), states that "these technological advancements allow a country to produce not everything but anything that it chooses to produce" (1982:6). Browett (1976) postulates that South Africa experienced this period from 1911 to the unspecified year but after 1982. There is obvious spiraling of economic activities to the core areas such as Gauteng as well as significant infrastructure provision to some part of the country. This is how Fair T J D (1982) explains the South African space economy in the industrial stage:
"… a series of economic surfaces much like topographic surfaces, indicating high levels of output and economic well-being and around the metropolitan centers but declining to inter-metropolitan valleys between them and to lowlands distant from them."

Post- industrial period
The post-industrial stage is described as manifested by total elimination of the periphery and the new replacement that is a single interdependent system of urban regions emerges. In other words outward augmentation of the core will have covered the whole territory with a series of urban nodes. This stage, according to Houghton (1964) should have started in 1993 in South Africa. It is unfortunate that he did not mention factors that may cause changes in the time schedule.

The conception of the post-industrial period led to the formulation of the dependency paradigm (still to be discussed) which maintains that there will never be such a period.

Criticism of Modernisation Paradigm

Whilst appreciating that illustrations made by Houghton and Browett partly reflect the true evolution of South African space economy, the modernisaton paradigm as such, has serious implications that this dissertation disagrees with.

The theory does not take cognisance of the notion that disparities between developed and underdeveloped localities and social groups are also influenced by conflict of interests, particularly political economic interests that dominate the country at a given time. The theory presents the augmentation of the core as an economic process that is free from social stumbling blocks and political diversions. It would therefore be a mistake to repudiate the obvious racial undertones that harnessed the spread and the concentration of economy in the South African space.

Another contested aspect of the modernisation paradigm is the belief that the dual economy would eventually be eliminated and transformed into a fully modern economy that is characterised by an inter-dependent system (Fair TJD, 1982). In other words growth in the core would eventually move out to rich the less developed areas. The theory assumes that there will be an equilibrium where the periphery will be fully developed through the "trickle downs effect". But the reality is that rural-urban disparities, as well as significant wealth disparities within rural areas are enormous in third world countries despite impressive achievements in terms of national economic growth. According to Fair (1982), the gap in GGP between the former white areas and the African outer periphery increased more than six fold in 1975 despite the fact that the annual growth rate of the two regions was the same in relative terms. Core – periphery relationship between rural and urban areas in KwaZulu-Natal has not been complementary .i.e. conforming to the modernisaton paradigm but it has been parasitic .i.e. conforming to the dependency paradigm (Haarhof E,1989).

2.4.2.2 DEPENDENCY THEORY

This theory is located within core-periphery relations and it postulates that the essence of relations between the core and the periphery is to keep the periphery underdeveloped for the good of the core. The theory attributes disparities between social groups and between localities to rich localities and social groups that have become rich because they have exploited others. It is in this condition of exploitation where a relationship between the localities is channeled and it is a deliberate process.

Underdevelopment is thus seen as an externally induced phenomenon. This paradigm, just like the modernisation, is applicable at international level between imperial capitalist countries of the north and former colonies (now third world countries), at national level between economically potent provinces and the poor dependent ones, and at regional or local scale between the urban heartland and the hinterlands. It is at the local level where this theory will be used for the objectives of this study, but for general understanding national and international levels will be used as examples.

Do Santos made one of the most powerful statements of the dependency school of thought:
"… Dependency is a conditioning situation in which the economies of one group of countries are conditioned by the development and expansion of others. A relationship of interdependence between two or more economies or between such economies and the world system becomes a dependent relationship when some countries can expand through self-impulsion while others, being in a dependent position; can only expand as a reflection of the expansion of the dominant centers, which may have negative or positive effects on their immediate development…" (quoted from Todaro M, 1982)

Distinctive Features of the Dependency Paradigm

Fair TJD (1982) analyses the characteristics of the paradigm and he finds the following features: The basic principle of the paradigm is that underdeveloped regions need not to be coerced to imitate the western-oriented strategy, rather they may develop their own economic needs and value systems.

They should choose for themselves the kinds of external influence that should permeate their country. In other words, there is no unilinear process of development. The 'do as we did' kind of advice that is offered by the first world communities is therefore disputed by the dependency theory.

Just like the modernisation theory, dependency classifies the space economy into three areas which are called zones. The description of zones is not different to how modernists define the core, the inner periphery and the outer periphery. Dependency however, differs in a way it explains the relationship among zones. Their argument is that zone A and B, which are similar to the core and the inner periphery drain resources in the form of raw material and manpower from zone C to such an extent that the latter is kept under the condition of underdevelopment.

The paradigm also takes full cognisance of the historical, political and social processes by which underdevelopment occurred. The idea of spontaneous development of underdevelopment within the setting of a harmonious social order is strongly refuted by this paradigm. The paradigm therefore assumes that there is a clash of interests between the social groups and between localities and underdevelopment is a result of one group loosing dominance and succumbing to the exploiting political economic process.

CONTEXTUALISING SOUTH AFRICAN SOCIO-ECONOMIC PROCESSES UNDER DEPENDENCY PARADIGM

The spatial pattern of South Africa, as it stands, is attributed to the country's political history, particularly colonialism, capitalism and apartheid policies. Unlike modernisation paradigm the dependency theory outlines three periods to show how underdevelopment occurs over time. The periods are called surfaces and they are pre-colonial, colonial and the post-colonial.

Pre-colonial surface
This period is also called the *traditional African* development surface and it is located between the beginning of time and 1700. At this development surface the natural environment, rudimentary techniques of production and traditional social systems determine how the people organise settlements.

Events that marked the end of this period were, according to Fair (1982), the Mfecane and the subsequent arrival of Europeans in the interior in the early 1830s.

Colonial Surface

This developmental period is also called the *modern alienated* and it is believed to have started from 1830. It is at this level where the European culture and value systems started to dominate. Indigenous economic systems were discouraged and deliberate attempts were made to enforce the dependency relationship between social groups as well as between localities. The administrative and settlement arrangements that are involved in this study have a direct link to what happened during this period.

Policies of the former South Africa government meant that the distribution of most resources had to be polarised towards urban centres leaving the reserves to a very dependent position. There is a view that South Africa has been charecterised by a vivid dual economy with white capitalist and progressive economy on the one hand and dependent, subsistent, and stagnant economy on the other hand (Gilomee and Schlemmer, 1985). Dependency theorists do not see this as dual economy; instead they regard it as the dominance-dependence single capitalist economy as manifested in its perfect form. Homelands were so greatly dependent on the white South Africa (the core) for aid in economic development, defense, and otherwise, that they enjoyed little more than the degree of political freedom the South African government wanted then to enjoy.

The gross neglect of subsistence farming in the outer periphery, brought by migrant labour and resettlements put people of these regions into a very dependent position. This coincided with the contraction of labour markets i.e. Tribal Labour Bureaux, magistrate's and mine recruiting offices in rural areas. Few Africans that were active in commercial farming became a threat to white commercial farmers and were "tactfully discouraged".

Affected people as rational beings and income maximisers converged upon the metropolitan centres of South Africa to seek better opportunities. In response to this development, the apartheid government established movement controls between urban areas and African reserves. This entailed restriction of Africans to access urban land ownership and a range of influx control measures.

This meant, as Byerley and McIntosh in Hindson and McCarthy (1994) state, control over the actual urbanisation process itself.

McCarthy in Cross (1988) posits that movement control measures however did not preclude *de facto* African urbanisation. Tribal Authorities were placed under severe stress in areas adjacent to the major cities, where the demand for land had enabled indunas or landholders to empower themselves by allocating land independently of the chief. In such situations, shacklords and their tenants replaced Tribal Authority and became administrators themselves. Informal land transactions started to dominate. These are the kinds of issues that will be unearthed from the case study area.

The government laws impacted heavily on the migration patterns. People who could not attain a section 10 status that allowed one to enter the urban labour market and have permanent urban residence rights had to divert to transitional areas to escape the scrutiny of white officialdom. A new phenomenon of rural to rural migration started. In Friedman's terms this could be understood as migration from the outer to the inner periphery to join the so-called frontier commuters. This had adverse impact to kinship and degree of new settlers' loyalty to the Tribal Authority.

This brief outline of the events that constitute the colonial period confirms the fact that the shape that the space economy takes reflects the needs of the politically dominant thought at that time (Fair T J D, 1982).

Post colonial Surface
Some hallmarks of this surface have been witnessed in South Africa. In political terms South Africa dropped the practice of internal colonialism in 1994 when a new democratically elected government was established, thus forming a political integration of all South Africans in one state. Conditions of dependency have, however not been fully terminated and there is still a lot to be done to address the issue of regional inequalities. One quality that has not yet been achieved is the overthrowing of private ownership of the means of production and ushering a socialist economic system. It is beyond parameters of this dissertation to scrutinize the capacity of GEAR to manage such a drastic change.

Relevance to the Research Problem

Dependency theory will be used to argue that the current profile of the Ngcolosi Tribal Authority is a reflection of apartheid history and therefore means the kind of dependency relationship the Tribal Authority has with the core. It is also argued that due to physical constraints, settlements within the Tribal Authority were not affected in the same manner. The kind of settlement patterns that emerged in response to dependency therefore questions the capacity of the customary administrative system in managing very diverse settlement types. The settlements are said to be diverse because they were not affected by the development surfaces in the same way. This refers particularly to the modern alienated and the modern African surfaces. It is also hypothesised that the two settlements do not belong to the same zone of the spatial economy.

Criticism of the Dependency Theory

Dependency theory is highly criticised by Comaroff (1976) and Fourie (1982) on the following grounds: The theory is said to portray the process of rural transformation and articulation with undue uniformity. This criticism questions why there are places with almost similar characteristics as this Tribal Authority but never experienced the same impact. The theory is also blamed for underplaying the need to understand local systems in their own right i.e. not as product of external historical forces.

Other critiques of the paradigm are related to the solutions it puts forward. Delinking, for example, is not deemed successful in localities that have no sufficient resource endowment. If the outer-periphery (zone C) was to delink, factors such as low percentage of economically active population, its relative location to the major economic corridor, and backlogs in technological and educational advancement would put it at a disadvantage. Dependency theory also proposes socialism as a solution at national and international level of economic relations. It is however beyond the scope of this dissertation to discuss the utility of socialism as an economic tool. It is due to the above mentioned criticisms that dependency theory will not be taken as the only pillar of this theoretical framework.

2.4.3 MARGINALITY THEORY

This theory explains marginality as a lack of participation in spheres which are considered to be within the radius of action or access of the individual or group (Germani, 1980). Whilst participation could be defined in political, economic, and in social terms, this theory will be perceived through social and political participation since these two seem to be more relevant to the objectives of the study. Social participation is defined as an opportunity for involvement in cultural, recreational and other social activities (Evans, 1988). Political participation is understood as structural conditions that allow all people the opportunity to engage in electoral and community politics.

Lele U, (1975) posits that the underlying philosophy for community development is that local people not only have the right but the responsibility to choose their own development objectives and make their own decisions. The state of marginality is when people do not exercise this right nor take the above-mentioned responsibility. The theory holds exclusion as a central tenet resulting from some form of dominance. Marginality is assumed to depend on the nature of that dominance. A marginalised settlement, according to Jones G (1973), has an open disintegrated community whilst the dominant settlement has closed integrated one.

This theory also postulates that there is a concrete set of ecological, economic, social and political circumstances which place most residents in a disadvantage when trying to fulfill their own goals and aspirations (Perlman, 1976). Rural women are part of this marginalised sector and Ritchken in Fitzgerald P, et al (1997) argues that so long as rural development is determined by local balance of power and exempted from national scrutiny, the result will be the reinforcement of powerful local dominant forces and maintenance of oppressive gender relations.

Relevance to the Research Problem

There is an obvious link between marginality inferences and development. As a result of that link Fair TJD (1992) defines the ' development problem' as the unequal manner in which individuals and groups access material and non-material resources of a society. The study focuses within a Tribal Authority setting to unearth material and non-material resources that are (not) available to Transitional Rural Settlements in order to allow for effective participation on spheres which are considered to be within their scope. Two settlements which it is believed are experiencing different structural conditions in terms of ability to organise amongst themselves will be examined and that will inform the marginal character of one settlement.

The question of dominance will be addressed by examining the Tribal Authority as a structural framework in terms of what it offers and what the Transitional Rural Settlements deserve. A result from that may satisfy another definition of marginality which is inhibiting marginal neighborhoods" (Perlman, 1976). People in those neighborhoods are described as settlers who have the aspirations of the bourgeoisie, the perseverance of the pioneers, and the value of true patriots. What they do not have is an opportunity to fulfill their aspirations.

Transitional Rural settlements deserve a balance between order and freedom, between controls and flexibility. Absence of that balance implies marginality in the functioning of dialectics.

2.4.4 DIALECTIC MODEL

Economically based theories like dependency and others used in this document make a useful contribution in highlighting the fact that capital penetration had a crucial effect in the formation of Transitional Rural Settlements. But 'they have inadequately portrayed the diverse responses of local communities to external factors' (Fourie C, 1993:35). The policy of this study is one that takes the advantages shown by each pillar. In order to combine these advantages and have a cohesive framework, Comaroff's dialectical model is therefore used both as a fourth pillar and as a combining mechanism.

The essence of the approach is that communities are shaped by multi-dimensional interaction between and within various levels. This perspective focuses on the interplay between macro and micro levels. Local systems are shaped by an ongoing dialectic between internal forms and external forces. A working definition for external forces in this context would include things like urbanisation and other factors that shape a society not from within. This, in other words, means that a profile of a settlement is a mosaic of how it interacts with external forces and the kind of domestic conditions that give it an image.

The model assumes that local systems are an internal dialectic that is made up of a number of contradictory principles. These contradictory principles shape local level of behaviour i.e. they influence the way the local attitudes and philosophies manifest themselves. Local systems also interact with their encompassing context (in space and time) and this is called the dialect of articulation.

Relevance to the Research Problem

This model justifies the use of all the three mentioned theories since it suggests that we have to focus on how the Tribal Authority is shaped by external forces like urbanisation whilst also not neglecting what the local people are doing in making their own history.

The model implies that the difference in settlement types within Ngcolosi Tribal Authority is a result of both internal and external conditions e.g. how they resist change. The theory also appreciates the interaction in context, which therefore allows us to examine the capacity of a Tribal Authority to fully serve the post-apartheid (time context) interests of urbanising settlements that are adjacent to urban boundaries (space context). The model will be used to explore differences or contradictory principles between settlements as part of internal dialectic with an intention of verifying the hypothesis.

The strongpoint of this model is that it is multi-dimensional and therefore eclectic in nature. It is able to accommodate the three mentioned theories and this allows one to look at the research problem from:

      (1) External forces shaping internal form view

      (2) Internal forms contradictory to each other and

      (3) Internal dialectics in relation to context.

The model also appreciates the fact that local communities have a significant role in the making of their own history whilst marginality and dependency theories are not explicit on that.

The following illustrates the argument by one of Comaroff's scholars, justifying the relevance of the approach:

> "By using Comaroff's approach I will show that it is also possible to avoid reifying and contextualising the local communities of the third world.... and ...denying them any dynamic integrity beyond that wrought by external forces....Comaroff's approach allows changes in local level behaviour to be linked to the encompassing context of the wider society in such a way that the residents of an area are not seen as merely passive receptors of external developments in the wider political economy, but rather as active players on their own history" (Fourie C, 1993,36)

2.5 CONCLUSION

This discussion has shown that the problem of rural development and general treatment of Transitional Rural areas is based in a number of different theoretical foundations. Some explanations capitalise on the country's history whilst others offer standard inferences that could be applicable to other countries without difficulty. It has been captured that the origins and problems of Transitional Rural Settlements are attributable to both historical socio-economic causes and the current internal and external dynamics that give shape to a locality. It is for this reason that a single theory was not used in explaining the foundation of the research problem.

CHAPTER THREE
INSTITUTIONAL AND POLICY ISSUES

3.1 INTRODUCTION

This chapter first discusses what this dissertation calls an appropriate management a development framework. It also explores issues, power structures and institutions involved in rural development so as to further clarify the scope and context of the study.

3.2 TOWARDS A DEFINITION OF AN APPROPRIATE MANAGEMENT AND DEVELOPMENT FRAMEWORK.

Appropriate management and development framework entails the balanced consideration between the direction and pace of development on one hand and socio-economic context of the community that is being developed on the other hand. A management and development framework that is deemed to be appropriate has to be effective but in a progressive manner. It has to interpret and specialise in the aspirations of the designated community. Successful interpretation of the aspirations requires a foundation where channels of communication are open throughout the community structures and manifested by community participation in all development stages including planning, implementation, and maintenance (McCann B, 1996). The themes of efficiency and competence are highly related to the appropriateness of the framework.

3.2.1 Elements of an appropriate development and management framework

The shape of management and development framework is determined by a number of elements. Firstly it involves the existence, arrangement and functioning of formal /official structures in the locality. In this case study such structures are the Tribal Authority itself, development committees, and elected councillors. There are also highly influential community structures that might be regarded as indirectly involved in the development and management of communities. This includes social groups like burial clubs, women clubs, and religious and sports organisations. These institutions are mainly located outside the political realm most of the time.

The third integral part of the community's management and development framework is the internal dialectics and socio-economic context. Elements that belong to this category include the community's history e.g. the impact of political violence and faction fights, the demographic profile and dominating social indicators such as poverty, crime, corruption, peace and stability, public participation, etc. The management and development framework that this dissertation discusses is understood to be constituted by all the above mentioned elements. It is noted that some of the elements mentioned are difficult to manipulate but the appropriateness of the whole framework is based on how these elements work as a unit.

3.2.2 The mode of operation

All wings of the management and development framework should have a common direction, which is to pursue, shape and encourage the achievement of explicit development objectives. Other functions of the framework include operating as gatekeepers in a sense that the framework sanctions what should and should not enter into the community. The character of the framework therefore, suggests what kind of developments are possible and what social backlogs should be expected.

3.2.3 Objectives of an appropriate framework

It is therefore, concluded that an appropriate development and management framework should have the following objectives, (adapted from Kodua-Agyekum, 1997)
    *To harmonise the functioning of internal systems
    *To create internal welfare and livable environment
    *To fight inefficiencies, inequalities and
     development backlogs
    *To facilitate basic needs delivery
    *To maximise the peoples ability to contribute to
     economic growth

3.3 RURAL LOCAL GOVERNMENT IN KWAZULU-NATAL

This sub-section discusses the rural institutional framework with emphasis the customary administration, local government, and land tenure forms. Problems, which led to the absence of the rural primary government and the proposals by the new local government issues, will also be explored.

3.3.1 Customary/Tribal Administration

The hypothesis carried by this study is that customary administration is incapable of leading development in Transitional Rural Settlements partly because it has not been designed for that purpose. This discussion is an outline how the current traditional institution originated. Historical circumstances that shaped it to be what it currently is will also be outlined. This section will conclude by discussing some developments and challenges facing the institution in the post-apartheid context.

Traditional Leadership in the pre-Colonial era:
Historical sources outline that after king Shaka had amalgamated a number of small tribes, a new political organisation started within the region now called KwaZulu-Natal. The KwaZulu territory, according to that arrangement, was divided into a number of districts (*Izifunda*) that were headed by great *indunas*. These indunas exercised some sort of fatherly care over the people of their districts.

District indunas were responsible to the king, with the king being perceived as the ultimate guardian of the rights of people (Daphne P, 1982). The position was hereditary because an induna might have originally been an independent leader [or a descendent of that leader] of a small tribe that was forced by circumstances such as war and scarcity of resources to owe allegiance to the Zulu 'super-power'. Some of the descendents of those district leaders are today referred to as *amakhosi*.

Colonial era:
The British government wanted to exert its authority over a large colonised population of indigenous people. It was obvious that the British colonialists could not succeed without some form of local support.

The whole 'traditional bureaucracy' was identified as a suitable target for co-option. Customary administration began to be contaminated and distorted in order to satisfy the interests of the then colonial government. The connection between the district leaders (who were then called chiefs) was interrupted since the chiefs were then responsible to the district magistrates rather than the king. Sir Theophilus Shepstone, well known by the Zulus as *Somtseu* made a remarkable contribution in conditioning this traditional institution to comply with the colonial government objectives.

The colonial government then started to depose and appoints chiefs, as it liked mainly because these leaders had been incorporated as colonial government officials. Some leaders lost their legitimate positions when their conforming illegitimate rivals were installed. This colonialist intervention to the traditional institution led to a remarkable increase of chiefs in the region (Mzimela T: Interview). Daphne P (1982) uses the 1891 Code of Natal Native law to illustrate the relationship between the chiefs and the then Natal government. Some clauses of this law say:

> "33 the supreme chief (referring to the Governor of the Natal colony) appoints all chiefs to preside over tribes or sections of tribes…

> 34 The supreme chief in council may remove any chief found guilty of any political offence or for incompetence or other just cause, from his position as such chief….

> 46 The chief in charge of a tribe, or section of a tribe, is a minor deputy of the supreme chief."

Homeland/Apartheid era and Afterwards:
The homeland government of KwaZulu did not significantly change what the colonial governments had done to Traditional Administration. Instead it reinforced some of the colonialist principles for its own purposes. Rural development encountered major constraints during homeland-apartheid period. During homeland administration there was further centralisation of service delivery that made the amakhosi more redundant and only responsible for menial functions. Most line departments have effectively bypassed Traditional Authorities. The situation is exacerbated by obvious neglect of Traditional Authorities shown by their own departments i.e. chief ministers office and presently the Department of Environmental and Traditional Affairs (McIntosh, 1997).

Rather than performing the traditional judicial functions some chiefs moved into politics and became members of the KwaZulu Legislative Assembly. Others joined politics in order to defend their prestige and to maintain local popularity. They ended up obtaining authority from outside their tribal areas. The Tribal Authority institution has therefore, been heavily politicised for decades. According to the present dispensation, provincial premiers legally appoint amakhosi and this makes traditional leadership part of the government system as opposed to its original setup of being community oriented. It is however, noteworthy that the institution of chieftaincy remained relatively popular to a significant population of KwaZulu-Natal in spite of all the distortions mentioned.

3.3.2 Tribal land and forms of tenure

The land in proclaimed Tribal Authority areas was formerly stateland under the functionary of South African Development Trust (SADT). This land was transferred to the KwaZulu homeland in the 1970s when this homeland government was established. In 1994, ownership of the land was entrusted to the Zulu king under the Ingonyama Trust Act3 of 1994. According to this act, the Zulu king became the sole trustee of Ingonyama Trust 'for and on behalf' of the tribal communities including the study area. Approximately 2.8 million hectares of land falls under the Ingonyama trust and about two thirds of KwaZulu-Natal population reside on or is directly affected by the act (Ingonyama Trust Board Workshop, 1998).

The context outlined above justified a need for a larger institution to administer such vast land. In 1997 the Ingonyama Trust Act was amended to allow for the establishment of Ingonyama Trust Board that was going to assist the Ingonyama with the administration of the land and ease the complications which followed the promulgation of the act. The board has powers to:

"decide on and implement any encumbrance, pledge, lease, alienation or other disposal of any trust land, or of any interest or real right in such land"
(Ingonyama Trust Amendment Act 9 of 1997)
The board also has power to delegate and assign any of its functions to various entities including a Traditional Authority, a local authority, a member of the board, etc.

One of the crucial issues that the board and the National Department of Land Affairs are expected to address is the establishment of tenure arrangements that allow prosperity not only to communities who are beneficiaries but also to investors and developers as well. The question lies whether the board will alienate land and thus granting full ownership to individuals, families, groups, investors and developers, or whether the land will be retained in the ownership of the trust meaning that beneficiaries will get lesser rights.

The granting of lesser rights seems to be a feasible option favoured by most writers but such a decision will have to withstand the demands of section 25(6) of the constitution which states:

> "A person whose tenure of land is legally insecure as a result of past racially discriminating laws or practices is entitled to the extent provided by an act of parliament, either to tenure which is legally secure or to the comparable redress."

Tenure on tribal land affected by the Ingonyama Trust is occupied under two arrangements, namely traditional tenure that is unregistered holding by members of the various tribes and communities that occupy such land according to laws and customs of the tribes concerned. Another arrangement is the permissions to occupy (PTO) certificate which authorised someone to occupy a portion of tribal land under controlled circumstances (Peter Rutsch & Company, 1998). The contemporary circumstances in rural areas suggest that there is a need for tenure reform given the unviability of the two arrangements in offering greater security of tenure to land. Tenure reform in Transitional Rural Settlements is thus long overdue.

The traditional system is criticised as discriminating against women and being autocratic. Occupants are not treated as decision-makers regarding land which they may have occupied for decades. People living in tribal land affected by the traditional system are unable to benefit from the land reform programmes as well as from the national housing subsidy schemes since those programmes require tenure that is mainly based on freehold. The system of traditional tenure has shown serious negative impacts in transitional areas where demand for land has allowed unlawful land transaction and apparent 'sale' of the once communal land. In such cases the traditional system marginalises not only women but poor community members as well.

Traditional Authorities have shown unwillingness to give up their prerogative of allocating land within their areas. This resistance could be attributed to the fact that some traditional leaders still understand their position in communities as trustees of tribal land. Their powers have been founded on the size of territory, land allocation, role in politics and judicial functions whilst service delivery has not been considered as an important variable. This link between land allocation and power of amakhosi is evident in situations where an Inkosi uses his authority over tribal land to defend his popularity against those who threaten his prestige through provision of services to communities. There are however, exceptional cases where an inkosi excels in both service delivery and traditional functions. New political and socio-economic dynamics made the system of traditional tenure vulnerable to exploitation by certain power-hungry despots.

The original motive behind the introduction of PTO system in homeland areas was setting up of an administrative device as opposed to betterment of general rural public. The system was established to prevent arbitrary decision-making by traditional leaders since there are no planning schemes in tribal areas. (McIntosh A and Vaughan A, 1998). The PTO procedures allow the national and provincial governments a degree of control in tribal areas since they involve district magistrates, agricultural officers, and line function departments. The system was therefore introduced as a form of land use control in traditional areas. Applications for PTO's have been for the establishment of schools, clinics, business and other institutions but not for residential purposes in most cases. It is thus argued that PTO's were not intended to offer security of land tenure to the majority of rural residents. Furthermore, rural communities deserve a system that is built on rights as opposed to permits (PTO's)

PTO system has entirely broken down in some areas following the changes in national government system particularly the design and functioning of new line departments. In spite of the fact that the system is not recognised by many financial institutions for loans and does not allow households to access housing subsidies, it has some advantages that need to be incorporated to a new, more secure, and appropriate tenure arrangement. Advantages include the fact that the system is simple to operate, cheap to implement (compared to freehold) and relatively compatible with indigenous tenure practices.

The national Department of Land Affairs (DLA) is proposing a bill that recognises the rights of individuals and groups on tribal land. The land rights applicable to individual holders do not only refer to the identifiable immediate household premises but they include access to grazing fields, woodlands, and other communal resources. The rights proposed are legally enforceable and registered in central deeds registry. This will protect rural households against deprivation. This bill does not disregard the functioning of traditional leaders outright since it allows land right holders to appoint an existing chief or any body to manage their land rights on day to day basis. Instead it introduces the element of democracy and equality in a group system.

The ownership of land will, however be in the hands of the state [or Ingonyama trust in this case] but people will be accessing rights to use that land. Where right holders have organised themselves into legal entities that meet specific criteria, the ownership of land will be transferred from the state to those entities. The DLA further proposes that individual land rights holders may be able to sell their rights depending on the policy and position of their land right structures with regard to such matters.

In anticipation of logjams, resistance, and disputes the bill is planned to be administered through land rights boards at magisterial district level. Their functions would include ensuring that there is proper consultation in decision making and recommending for additional resources in areas of serious backlogs (DLA, 1998). The composition of such boards would include traditional leaders, civil servants and local councilors. Presumably, most members of the district councils will have very close working relationship with the Land Rights Boards. Other support structures and personnel that will facilitate the system are the Land Rights Officers and land right holders structures at community level.

3.3.3 Local Government in KwaZulu-Natal's Rural Areas

The question often asked is whether rural local government in its current form, is able to play a realistic development role at local level. In addressing that question, this discussion will analyse the current form of rural local government with regard to the form of representation and delivery systems. Suggestions will be made as to how rural local government can have major impact in developing rural areas and function as a significant sphere of government within a framework of cooperative governance.

3.3.3.1 A Two Tier System of Local Government

It was originally envisaged that local government system in KwaZulu-Natal would consist of two levels. The primary level constituted by urban and rural councils was expected to be established in urban and rural areas respectively. There was however serious political controversy and poor legal support which resulted in this level of government only being formed in urban areas. The original design of the secondary level was an amalgam of the two councils. All the seven regional councils (as secondary level) were therefore established without elected primary councils in rural areas. Areas outside the towns are thus directly represented in regional councils. The problem of development management in tribal areas is somehow attributed to the absence of a democratically elected local government at primary level.

Regional councils are formed in terms of the Local Government Transition Act (LGTA) which accommodated the traditional leaders as ex-officio members of the council. Traditional leaders are not democratically elected, their accountability is questionable and they are not the majority in the council. This inclusion of traditional leaders necessitated the increase of democratically elected councilors to prevent the domination of traditional leadership. McIntosh A (1997) argues that some regional councils are difficult to manage and financially not viable due to their membership size.

It is therefore argued that the current format of Regional Councils has shortcomings in representing the interests of rural communities. Incapability is partly because of the situation outlined in the previous paragraph and the system of proportional representation which rural communities used to elect councilors to the Regional Councils. Such a system does not guarantee equity and optimal use of democratic freedom of choice.

3.3.3.2 Delivery of services

National and provincial departments have shown reluctance to entrust the implementation of local level projects entirely to rural local government i.e. Regional Councils. The delivery system in rural areas is fragmented and needs a great deal of coordination. The system is still centralised since most local services continue to be provided directly by national or provincial departments (McIntosh, 1997). Local government in this sense, is nothing but another service provider amongst many.

Some line departments have established their own systems of community based delivery system at local level and this further bypasses the local governments. Provincial and national departments have established local forums e.g. transportation forum or local committees in order to obtain feedback from the user groups and to secure a stake in the delivery process even at local level. This introduction of separate parallel structures by departments at local level has not only created competition with local government, but also divided communities in the image of the state (McIntosh A, 1997).

In addressing the delivery problems discussed, McIntosh A (1997) suggests that working relationship should be built between local government and traditional community structures in order to avoid unnecessary delays and confrontation. In most cases traditional leaders complain about being sidelined even when local projects are implemented in their areas of jurisdiction. It has been found that the role played by traditional leaders in local projects somehow determines the success or failure of those projects particularly due to the level of influence they have in their communities. It is therefore suggested that effective information should be regularly disseminated to traditional structures in order to keep them on board.

Other suggestions that are featured in current
discussions include the integration of various sectoral
forums into a local government system in order to link
the delivery of services to local/regional planning
priorities and requirements. In situations where local
government is unable to undertake provision of a
particular service it is still imperative that the line
departments concerned or other service providers liase
with local government rather than complete bypass. Most
of the suggestions outlined in this section are featured
in the Integrated Rural Development White Paper of
KwaZulu-Natal.

3.3.4 THE WHITE PAPER ON LOCAL GOVERNMENT

This white paper proposes a system of inter-governmental
relations where interaction between different spheres of
government is intensified. This concept is derived from
the element of co-operative governance that is contained
in the constitution. The proposal addresses the problem
of bypassing since the national and provincial
governments together with their line departments have to
redefine their roles in the context of local governments.
It is anticipated that the framework of intergovernmental
relations will help to minimise confusion and maximise
effectiveness in the functioning of the entire government
system since there would be minimal wasteful competition
and duplication of duties. Once the line departments
undertake to work through local governments directly,
substantial resources could be available even to rural
administrations to perform their constitutionally
assigned functions.

In response to the obvious contradictions between civil
and customary power in the new political dispensation, a
co-operative model for rural local government is thus
suggested by the white paper. This model does not fully
spell out the role of traditional leaders in rural local
government given the fact that their functions will
differ from area to area. It however, outlines some
fundamental principles regarding this issue. The White
Paper reaffirms the representation of amakhosi on
Regional and Municipal Councils. It also stipulates that
traditional leaders are not a replacement of elected
local government and that these two systems are not
necessarily incompatible.

CONCLUSION

This discussion has outlined the issues affecting the appropriateness of rural development and governance. Rural areas are generally under the administration of Tribal Authorities as well as Regional Councils. This brief overview has highlighted that traditional leadership was tactfully transformed from its original course and made to comply with the previous political demands. This subjugation has forced the current government to be innovative and devise policies that may revive the traditional institution. Some of the challenges facing the current government include issues of land tenure and management, as well as the role of the institution in a democratic country context.

This new political context has not only necessitated the redefinition of the chiefs' role but it also allowed for consideration of rural people's rights. This includes, amongst others, the right to land, government of their choice, descent life, as well as other access to social services. This chapter has shown that rural areas do not have a primary tier of local government and the Regional Councils still have not reached the performance level expected due to financial, logistical, and political constraints. The weakness of local government has allowed for a less than ideal functioning of line departments and their delivery systems.

In order to secure an appropriate institutional framework for rural areas, a number of national and provincial policies and acts have been proposed. This discussion has noted the establishment of Ingonyama Trust Board, the Land Tenure Bill, Integrated Rural Development White Paper for kwaZulu-Natal, the LTGA, National White Paper on Local Government and principles such as co-operative governance.

CHAPTER FOUR
RESEARCH METHODOLOGY

4.1 INTRODUCTION

The general approach upon which the study has been conducted is two-pronged as it includes quantitative and some qualitative aspects of the research. There is a need to complement quantitative and qualitative techniques in order to make relational distinctions (Collins Kodua-Agyekum, 1997). The sub-questions stated in chapter one insinuate that one had to trace failures and success stories that shape the two settlements against the background of development and management approach based on customary environment. Information required to answer these questions can be grouped into the below-mentioned categories and it necessitated extraction from both primary and secondary sources

4.2 CATEGORIES OF DATA REQUIRED

Demographic profile of both settlements

Information that is under this category includes migration patterns and the existence of migrant labour in both settlements. Other demographic components of required information are kinship networks, social bond and identity, as well as the utilisation of women resources. The demographic profile of the area is linked to the people's way of life and it indicates the communities' extent towards urbanisation.

Physical profile of both settlements

This category entails components like geographic location and topography of the two settlements. Proximity of the settlements to natural and economic resources was also considered. It is very important to analyse permeability of both settlements in order to detect their vulnerability to foreign influences and movement patterns within the area. Other physical aspects that characterise the settlements are building materials and dwelling types used, as well as the approximate density in du/ha.

Survival strategies

It is very important to get information showing how people in the settlements use land. The intention is to reach the conclusion whether the land-use in mainly intensive or extensive. The two forms of land use are somehow used to separate rural from urban settlements. Data showing dominant forms of employment in the two settlements is also important.

Land management and tenure

South African history has led to the tendency of putting a specific land management and development tags to certain settlements types. In most cases the systems of land tenure were varying according to different racial, political and administrative backgrounds. Information showing any deviation from the expected system of land tenure was needed for this study, as that would show a shift from the current administrative system as well as gradual development towards a new settlement type. There was also a need for information outlining current and desired land management and development procedure.

Functioning of Tribal Administrative structures

The Tribal Authority has jurisdiction and is the legitimate government in both settlements. Its influence and capacity in the betterment of Transitional Rural Settlements is the subject of this study. It is therefore very important to get facts about how people in both settlements use and understand this institution. Another valuable information required is how the institution understands and relates to the citizens of the settlements. Information about other local development structures is necessary.

4.3 DEFINING POPULATION OF THE STUDY

Schweigert W (1994) defines statistical population as all the individuals about whom a research project is meant to generalise. Population therefore, consists of all members of a given group. This research project involves the settlements of Nqetho and part of Hushwini not the entire KwaNgcolosi Tribal Authority Area. The target population of the study consists of all homesteads within the settlements as marked in the locality map (*see fig 6.1*).

Other involved people who do not come from the mentioned population are experts in rural development, NGOs, Tribal Authority officials, politicians and government departments.

4.3.1 SAMPLE DESIGN AND SIZE

Time, labour, financial, and logistical constraints made it impossible for the researcher to contact the entire sample frame i.e. all the households of both settlements. Random sampling technique was used in the selection of the survey population in both settlements. This technique was used to escape the subtle biases of the person doing the selection (Schweigert W, 1994).

There is no single universally approved method of determining the sample size in social investigation. However there is a general agreement that the greater the sample size, the greater the power of a study, and the smaller is the probability of failing to detect a difference between groups being compared when a difference truly does exist (Ibid. 1994). After an adequate sampling frame was constructed a sample of sixty homesteads (thirty per settlement) was used.

This sample size was chosen for the following reasons. This was considered to be a manageable number given the topographical, human resources, and logistical constraints involved. The size complies with the one-tenth rule that stipulates that "The researcher should obtain a tenth of the population he studies in his sample" (Black and Champion, 1976:312).

In this study, there was no precise census information found to help us know the exact population per settlement. But estimations based of observation of the settlements and their aerial photographs (taken in October, 1997), one settlement has between 280 and 400 homesteads whilst the other one has between 150 and 250. The sample is just above one tenth of the estimated average total of 450 homesteads. The third reason for taking this sample size is that most researchers generally approve it. Schweigert W, (1994) argues that a sample of about 30 subjects provides a researcher with power to reject the null hypothesis 80 times out of hundred.

4.3.2 SELECTION OF RESPONDENTS

Choosing a random sampling often involves using a table of random numbers to avoid haphazard and arbitrary selection of respondents. A typical feature of rural settlements is that there is no formal layout and the houses are not numbered. This feature narrows the durability of random numbers table in a rural context.

Other possibilities that were dropped from first thought are the telephone directory system due to its bias against those who can not afford telephones. Fortunately the photometry section of the Physical environment service unit at Durban Metropolitan Council had usable and most recent aerial photographs that were a reliable basis for random selection of homesteads. A 30-centimeter square grid was drawn on a gateway paper. All thirty lines on the *x-axis* of the grid were numbered from one to thirty. This was done to the y *axis* lines as well. A table of random numbers was then used to select homesteads through the grid. There were also pre-stated guidelines used in mitigating possible selection problems.

Another set of respondents was not randomly selected. This entailed people that were not part of the sample framework. Some of these respondents were selected by virtue of their expertise and command they show in the subject of rural development and management. This section includes people like Cathrine Cross, Dannis Luckett and Dr Clarrisa Fourie. Another set of these respondents was chosen following the influence and the role they play in rural development and management. This necessitated the consultation of politicians particularly the councilors, NGOs and government officials.

4.4 METHODS OF DATA COLLECTION

This study involved a combination of methods used in gathering data mainly because a wide range of sources were needed in order to reach informed conclusions. In a study of this kind there is a need for statistical coverage for the organisation of the community under investigation, observation to discover the physical characteristics of the settlements and the need for interviews to elicit the expert knowledge about the subject and the culture of the people.

All survey findings were complemented with documented
material since the importance of referring to documented
material is unfathomable. Methods used in data collection
were then grouped according to sources.

4.4.1 USING PRIMARY SOURCES

Research methods linked to primary sources include
surveys, semi-structured interviews, and physical trace
measures. These methods were aimed at getting first hand
information.

4.4.1.1 Survey

A questionnaire was designed with an intention of
eliciting socio-economic characteristics of settlements
and the people's feelings, understanding, and attitude to
circumstances that shape their settlement context. The
sixty randomly selected homesteads were identified as a
target of the survey. Figure 4.1 shows the two
settlements from which sixty households were picked. The
questionnaire had only twenty-five questions to ensure
that the respondents do not get demoralised by a lengthy
questionnaire. This was done in full awareness of the
fact that too short questionnaires provide too little
information and limited chance to secure a full picture
about the settlement dynamics.

Appendix 1 is a copy of the questionnaire that was used
and therefore illustrates the content as well as the
format of the questionnaire. An effort was made to avoid
the use of leading questions since they often do not
reflect the respondents' point of view (Schweigert W,
1994). Questions requiring yes or no answers were used
and respondents were given a space to expatiate to yes or
no answers. Open-ended questions with not pre-determined
answers were also used to allow the respondents to give
other aspects and new information that the researcher
might have failed to extract through closed-ended
questions. Open-ended questions however allowed some
respondents to give responses that were completely
irrelevant to the subject problem.

Figure 4.1   The two surveyed settlements of Ngcolosi tribal authority

Settlement B (Hushwini)
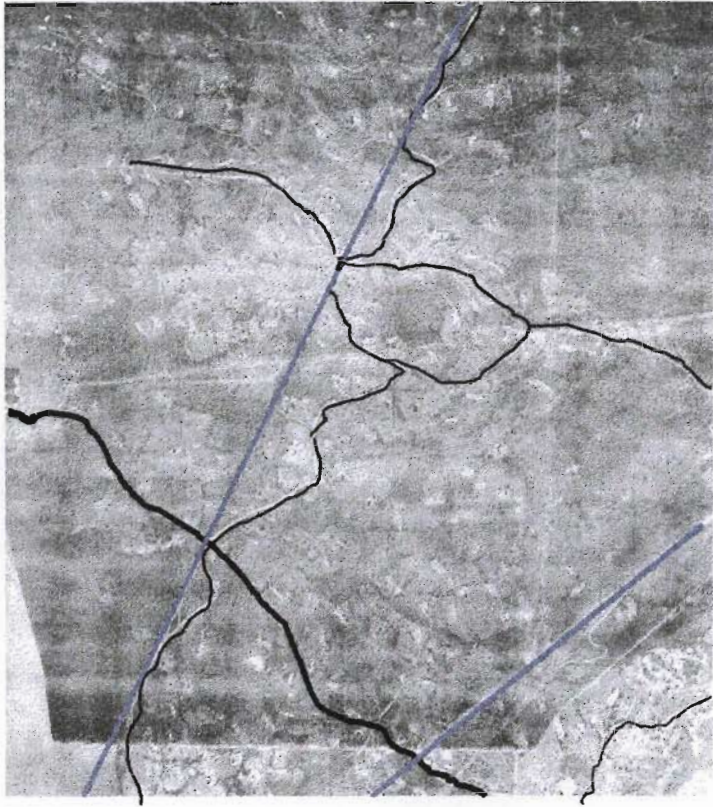
Settlement A (Nqetho)
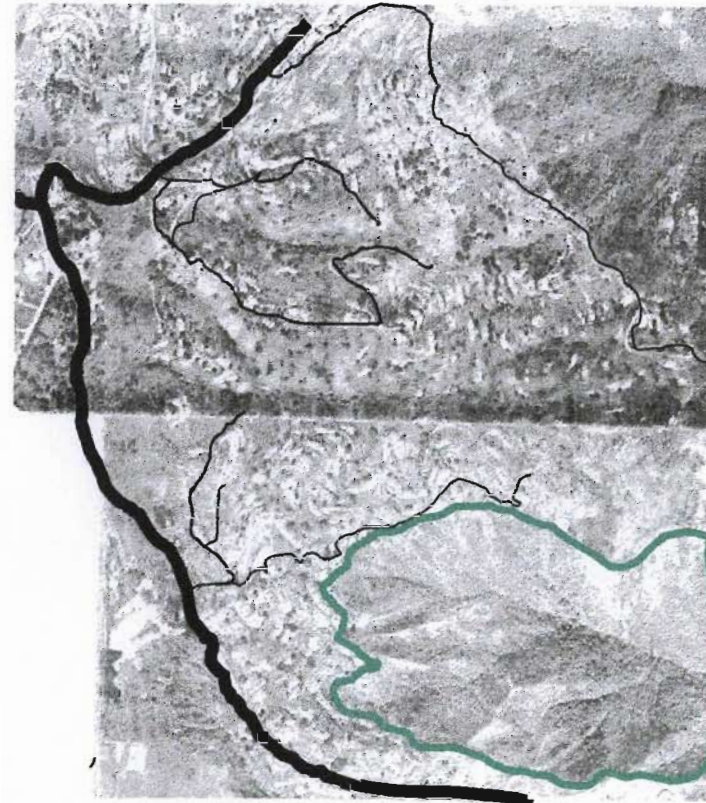
▬▬ Tarr Road	⌐⌐ Gravel Road	
▬▬ Water Pipelines	— Minor Road	
	◯ Steep Undeveloped Land	

*most white patches represent homesteads

A pilot survey is a necessary step towards the development of a successful questionnaire. It gives a researcher an opportunity to simulate the final survey and taste the possible problems. The pilot survey therefore is important because it shows the potential strengths and weaknesses of the questionnaire. Accordingly, a pilot survey was conducted immediately after the initial consultation with the Inkosi. Five households per settlement were hapharzadly selected. The analysis of the survey revealed that there was a need for drastic changes in the questionnaire format and content, timing of conducting the questionnaires and it allowed the researcher to make informed estimation of time involved in doing the whole survey.

The demographic background of the Ngcolosi Tribal Authority suggested that it would not be possible for the researcher to use the drop and collect method of administering questionnaires. This was done to minimise the number of wrongly answered questions. The researcher was the only interviewer since there was no additional back up staff. Local connections were however used to assist the researcher in the practical location of homesteads that were selected from the aerial photographs. Questions were written in English, asked in Zulu and answered in Zulu, and the responses were recorded in English.

In every household the researcher interviewed household heads or senior members of the family that were in a position to respond successfully to the questionnaire. The local Inkosi (Chief B Bhengu) and his senior headman (Mr. Duma) were very cooperative in smoothening the flow of the survey. The Inkosi was contacted in advance for permission to carry out the survey in the two settlements. He appeared to be very outspoken, well educated, and analytic to the extent that a lot of useful information was drawn from him on that first day. The survey was first administered at KwaNqetho settlement and the Hushwini section was done afterwards. It was impossible to administer the survey simultaneously given the fact that there was only one interviewer and the two settlements are wide apart.

A composite answer sheet was then designed to coalesce all the responses that were in the sixty questionnaires. This was done to summarise data and to group the responses into meaningful categories. A series of tables were then generated and this facilitated comparative analysis since data was then deciphered in quantitative terms. Please refer to appendix 4 that is the tabulated version of captured data.

4.4.1.2 Interviews

This technique was used to get information that is mainly attainable through speaking to key persons. Interviews were also used to explore other issues related to the subject that might have not been covered through the surveys. Interviewing provides greater depth of understanding relative to observations and questionnaires (Collins Kodua-Agyekum, 1997). People that were interviewed can be grouped into two categories i.e. Tribal Authority residents and outsiders. The list of people interviewed is attached at the back of this document. A list of outsiders consisted of people that hold expertise knowledge about the subject or involved in key decision making structures about the development and management of Tribal Authorities.

The respondents were briefed about the research topic and problem in order to let them give the interview an opportunity. Tribal Authority residents were not given prompts before hand. This was done to ensure the informality of the interviews whilst simultaneously securing the correct responses. The local chief however asked for the research proposal document before hand and he came with academic arguments before his interview started. The majority of outside respondents were able to get the prompts before the interviews. The wording of the questions was tailored to suite each particular interviewee's background and the prompts were not necessarily the same. The information gathered from the interviewers was largely qualitative in nature and it presented a series of sometimes conflicting ideas about how tribal areas particularly Transitional Rural Settlements should be managed and developed.

4.4.1.3 Physical trace measures

Actual site observations and aerial photos were used in this method. Schweigert W (1994) finds physical trace measures useful when evidence is assessed in the absence of the individual who did the behaving. The evidence is typically assigned to one of two categories i.e. traces and products. Traces are evidence left as a by-product of the behaviour, whilst products are items created as end products by subjects. Physical trace measures were used to acquire information dealing mainly with physical profiles of the two settlements. Part of section 6.3 was captured through physical trace measures. It was very imperative that such information is used because through it one could tell how each settlement is exposed to urban influences and to what degree has development been achieved. Information acquired through this technique manifested a vivid picture of the two settlements with regard to development backlogs, economic activities, land use, etc.

4.4.2 SECONDARY SOURCES

The methodology used to get information entailed accessing documentary sources. Different documents were consulted including books, thesis, reports, newspaper articles and other similar sources that deal with the subject. The references and literature review section of this dissertation exhibit documents that were read. These sources were accessed through libraries i.e. University of Natal libraries, Natal Society library, and private libraries for consultants particularly MXA library. Government institutions that keep public information were contacted for maps and aerial photographs. These documentary sources provided valuable information that would have otherwise been very difficult to secure through interviews, and questionnaires.

4.4.3 SHORTCOMINGS EXPERIENCED DURING DATA COLLECTION

The settlement pattern of the area was very problematic in selecting houses randomly. Nqetho settlement (A) has single house structures that accommodate more than one family. Once the random selection system has selected that structure from the aerial photograph it does not tell, which door to knock at. This, in other words, shows that the geographical sampling procedure has limitations in a shanty-town environment.

Some households felt that certain questions in the questionnaire were too sensitive and they were not very keen to communicate to a stranger. Settlement B had sparsely located homestead that meant that a lot of travelling was done in between the interviews and this forced the reduction of the sample size.

During data analysis, no statistically approved significance tests e.g. *student T test* was done. Ranges between highest and lowest scores of the compared responses therefore informed conclusions. This study assumed a difference of ten percent as a minimal threshold for significance. Differences below this percentage were however, noted, but no confidence was shown in conclusions informed by them.

Another obstacle encountered was the unwillingness of the local leaders particularly politicians to speak to a researcher. This situation was partly caused by the fact that there is intense power struggle between some councilors of the same organisation. There is a speculation that the Regional Councils will reduce the intake of councilors after the next local government elections, meaning that some of the local councilors will not retain their seats in the Regional Council. They are therefore, doing all they can to prove their worthiness and sometimes out-competing each other.

In one instance I made two separate appointments to meet two councilors somewhere in town. The two councilors some how captured that I was going to meet both of them. So when the first councilor came he cancelled his interview and clearly disapproved my meeting with the other councilor. The second councilor did not even come, when I made follow-up telephonically he made it clear that because I had spoken to the other councilor there was no need for him to express his views to me.

The two councilors that I eventually met, made it clear that they would not like to have their names mentioned anywhere in this study and they were not speaking on behalf of their political organisations. They said that there were serious accusations going on within their structures. The interview was done under certain abnormalities. For example they did not want to be interviewed separately meaning that I had to speak to both of them at the same time. The intention I suppose, was to ensure that none of the two was giving responses that are contrary to the wishes of the other and to the principles of the organisation.

CHAPTER FIVE
THE NGCOLOSI CASE STUDY

5.1 INTRODUCTION

This chapter is a contextual introduction to the two
settlements that are compared in this dissertation. To
avoid unnecessary duplications the discussion will
present the whole Tribal Authority Area and special
remarks about the two settlements will be made where it's
needed. It should be noted that the next chapter is
solely about the two settlements. So it is important to
use this chapter to outline a broad context upon which
the two settlements operate, This chapter therefore is
going to attend the regional, physical, human and socio-
political background of the Tribal Authority.

5.2 NGCOLOSI TRIBAL AUTHORITY IN THE DFR CONTEXT

Ngcolosi Tribal Authority is one of the Tribal
Authorities found north-west of Durban city that were
part of the former KwaZulu homeland and it is within the
valley of Thousand hills area. Other Tribal Authorities
found in that district include Qadi, Maphephetha, Nyuswa,
Thembu-Molweni and Khumalo Tribal Area. All the T A's
mentioned are under the jurisdiction of the Ndwedwe
Magisterial District. Durban metropolitan areas
neighbouring Ngcolosi Tribal Authority are Hillcrest,
Waterfall, Durban, KwaDabeka, Ntuzuma and Inanda. This
tribal authority is less than fifty minutes drive from
the national roads N2 and N3.

The area is easily accessible from the South i.e. from
the route through Hillcrest rather than from the route
through Inanda area (*see fig. 5.1*). Pinetown taxi rank
has bays for taxis from and to this Tribal Authority.
People of Kwa Ngcolosi mainly use Durban and Pinetown for
employment and higher order social and commercial
services. The sprawling of small-scale industries to
areas such as Crestview at the edge of Durban metro as
well as the rise of commercial nodes in places like
Waterfall offers employment opportunities closer to the
Tribal Authority.

Figure 5.1

LOCALITY MAP

- Urban area boundary
- Ngcolosi tribal area
- Inanda dam
- Umgeni river

5 km

BHENGU T 1998
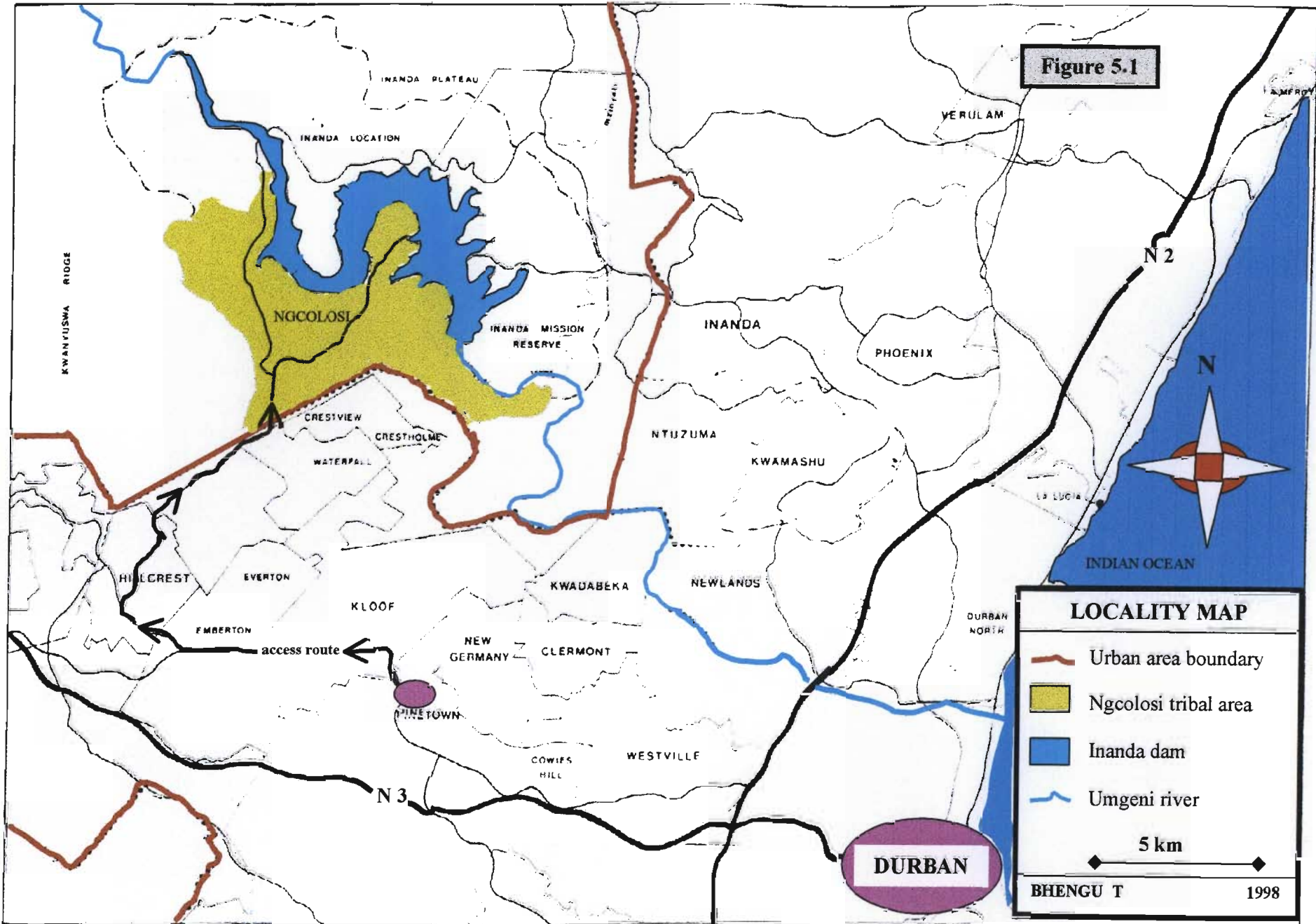
5.3 REASONS FOR CHOOSING THE CASE STUDY

This area was chosen as a case study because it is located within the Durban functional region (DFR) which is the most powerful economic concentration in the province. As a result of that, it manifests significant in-migration patterns and dominated by intensive concentration of varying economic and political interests. It is therefore easier to recognise differences, if there are any, between the core, inner periphery and the outer peripheral settlements of the region. Tribal Authorities of the DFR are thus, the fertile ground to test the hypothesis mentioned in chapter one.

Within the DFR, the Ngcolosi area was chosen as a case study because of its accessibility. The Regional Council offices that serve the area are located in Durban and easily accessible to the researcher. The chief, his office and other key persons in the area are accessible by telephone that makes the arrangement of interviews fairly easier. Travelling to the area is relatively cheaper compared to other Tribal Authorities of the DFR such as Nyuswa and Sobanakhona-Makhanya. The most important reason for choosing this area was its involvement in the Durban metro demarcation debates, just before 1996 local government elections. This triggered one to study its settlement pattern and form of administration it has.

It is emphatically stated that the intention of choosing this area was neither to praise nor to denounce customary administration and other stakeholders in the area. The intention was to use the locality as a 'laboratory' for the study of general social issues. KwaNgcolosi Tribal Authority should not be understood as an object of the study in its own right. This specific locality is rather a method of obtaining data because it happened to be an appropriate level of analysis. The researcher therefore, humbly requests the readers to take and interpret this material in that spirit.

5.4 PHYSICAL BACKGROUND

The Tribal Authority Area extends from uMgababa section on the east to the area just beyond uMshazi stream on the west. On the south, it stretches from metro boundary next to Crestview -Waterfall area to the river course marking of Inanda Dam. Part of the dam is therefore within the tribal territory. Calculations that were made estimated the Ngcolosi surface area to be between 40 and 48 square kilometers. The topography is very steep marked by an escarpment on the south boundary. A huge percentage of the tribal territory is undevelopable because of this very steep slope. The outstanding topographical features marking the area include the two escarpments, the Ngcolosi Pass and the Inanda Dam.

5.5 DEMOGRAPHIC BACKGROUND

There is no reliable census data for the Tribal Authority because the smallest unit for census data is the magisterial district. In 1991 the population of the area was estimated at 9 000 people. This suggests that the population in 1998 is close to 10 500 assuming the natural increase of 2,2% per annum. Age and occupational distribution data was not accessed as well but it is assumed that it is not different to other rural areas of the district where there is huge unemployment and few lower middle income earners. The area has two permanent clinics, eight primary schools and three high schools. It is served by one police station located outside the area.

5.6 ADMINISTRATIVE AND SOCIAL ORGANISATION

Three main structures that are found in KwaNgcolosi will be discussed in this section. Those structures are the customary administration or the Tribal Authority, the Ngcolosi Development Committee, and the Ngcolosi Civic Association. Efforts to find the political parties were all ineffectual and the few local politicians the researcher spoke to clearly stated that they were not speaking on behalf of their respective organisations instead they were speaking as community leaders.

5.6.1 Structure of the Ngcolosi Tribal Authority

Traditional administration in KwaZulu-Natal, partly with the support of the provincial government, has managed to resist the influence and changes of the new political dispensation. This is illustrated by the Tribal Authority structure that will be discussed below where the arrangement is not different to what it was more than ten years ago. The hierarchy of Ngcolosi tribal administration will be explained from bottom up. The roles of various office barriers and functions of other members of the hierarchy will be mentioned. It is noteworthy to understand this structure against the demands of the diverse communities it suppose to serve.
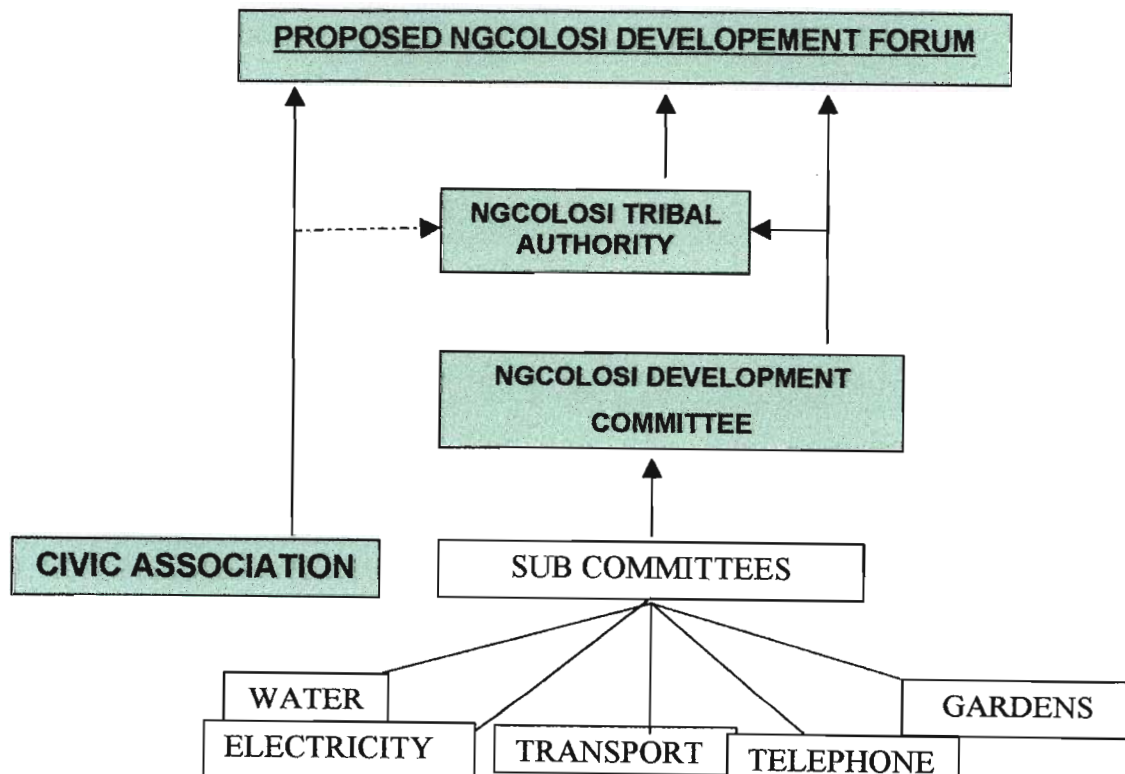
FIG: 5.1...Arrangement of local development structures

Ward Committee

In formal terms, the tribal area is divided into wards (izigodi). Each ward has its own committee that comprises of the messenger, lay-councilors, and a headman. Certainly, the headman (Induna) chairs this committee. The ward committee is the smallest unit of the tribal administration. The headman functions as an eye of Inkosi at ward level. He has jurisdiction over a number of cases including mediating and arbitrating in disputes that arise from within his isigodi. The headman is also a

gateway to the chief since all cases that need the attention of the chief have to go via him. He is the person who decides on what may and may not be taken to the chief.

In the absence of an appropriate English term referring to people called *abanumzana*, this dissertation has adopted the term lay councilors. Lay councilors are not the Regional Council members and they are not even elected in the same style. The chief, owing to the contributions they make to their communities, sometimes nominates them. The ward citizens elect other lay councilors themselves. Their duties are not very clear after the democratic election of local government councilors. The lay councilors before the local government elections were taking the community development functions leaving induna focussing on judicial and traditional functions. Besides headmen and lay-councilors there is a messenger *isigijimi* entrusted with the functions of relaying official messages within the ward and between the ward and the chief's office. Others call this person *iphoyisa lenkosi* meaning the inkosi's policeman.

Tribal Council

All the headmen from different wards together with their lay councilors sit in a structure that is chaired by the inkosi. In this case study there are five wards meaning that there are twenty five members of the council excluding the immediate members of the chief's family (*abantwana*). This is the executive structure of the Tribal Authority. 'In principle', said chief Bhengu, "all members of the tribal council are equal." It is this council which advises the chief about serious tribal issues such as granting and confiscation of land rights, mediating faction fights, appointment of headmen, expulsions, installing of the a chief, etc.

Inkosi

The inkosi is regarded as the head of the tribe and is responsible for overall management and development of the area. The chief has however a number of functions and this discussion is going to illustrate his background briefly before attending few of his specific functions.
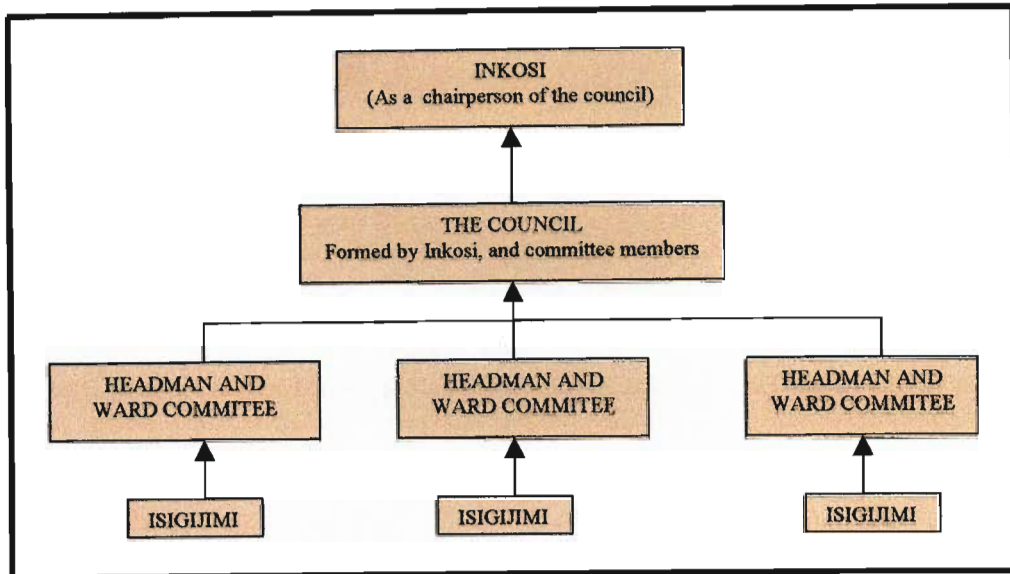
Fig 5.2 Structure of the Ngcolosi Tribal Authority

5.7.1.1 Background of the local Inkosi

Chief Bhengu was installed as an Inkosi after the death of the chief's father Inkosi Mdelwa. Inkosi B Bhengu is estimated to be at the early forties in age. It would have been understood as uncultural and very rude of me to ask the chief's age since he is the father of the tribe and cannot be grouped into any age cohort like *umfokazana* (a commoner). Furthermore, the age difference between him and me really did not make me comfortable to ask such a question directly.

Details of the chief's school education were also not accessed because of the reasons mentioned in the previous paragraph. It is however, obvious that he passed metric, looking at the way he is articulate, critical, and generally portrays characteristics of a learned person. Inside his office there are tertiary education certificates and graduation pictures, mainly from Damelin College. Courses he did include leadership and development, Local government administration, Project management and others.

The chief has his office at the tribal court complex called Ekuphikeni (meaning the place of denying), located at approximately five hundred meters from his homestead. The office has a full-time secretary furnished with the telephone and basic office furniture. Every Tuesday is an off day for the secretary because the Inkosi is working at the office full day. Members of the tribal community

know that the day to consult the chief personally is Tuesday and one does not necessarily need to make an appointment because he works on first come first serve bases. There is often a queue outside his office on this day. During other four weekdays he is at the regional council offices, Indwedwe magistrates offices, government departments, and elsewhere. He has two vehicles, one is his personal car and the other one is a sponsored Toyota Venture written 'Ngcolosi Development and Services' in big letters.

When speaking to the Inkosi about his schedules including the Tuesdays he stated that his citizens are complaining and they wish that he was at the office more than one day a week. His argument is that he has other commitments elsewhere, he has to scout and lobby for development in far-field areas. "Sitting at the office for more than one day a week will threaten development opportunities of the tribe" he said.

Mrs.Dladla from Nqetho ward (settlement A) complained not about the number of days but the location of the office and she said it is difficult for the people of her ward to reach. She suggested that the chief establishes a satellite office at her ward to cater for the aged, the disabled and the poor who need the chief's signature or a Tribal Authority rubber stamp but can not easily reach the current office location. She wants the chief to spend few hours of his Tuesday at different wards 'like a mobile clinic', rather than expecting everybody to go to the tribal court. Mrs. Dladla's concern alone is a direct illustration of the research problem since it questions the Tribal Authority's effectiveness in settlement A. This chief's background, according to Mr. Ninela 'illustrates commitments of Inkosi to a variety of activities beside land management.

5.6.1.2 Functions of the Chief at Tribal Authority Level

As head of the tribal authority, Chief Bhengu either performs the following functions in person or sees to it the they are performed by other members of the Tribal Authority. It should be noticed that what Chief Bhengu is doing is not necessarily representative of what the chiefs are generally doing, that is why this discussion is going to focus on the more routine bureaucratic functions that are likely to be observed in other Tribal Authorities as well.

This section therefore outlines the functions of the chief. It is suggested that this discussion should be understood with consideration of the debates already mentioned, as well as with consideration of the diverse nature of settlement that form the Ngcolosi Tribal Authority (NTA)

Rubber Stamping and development support services

Tribal areas particularly in KwaZulu-Natal are not efficiently surveyed and properly laid-out like proclaimed urban residential townships. Residing in such settlements is often problematic for social security since a resident can not be easily traced and located on the ground like in surveyed areas. In response to this problem, government systems used the Tribal Authority rubber stamp as a proof that a particular person is domiciled in a tribal territory. Certainly, the chief does not know personally all citizens under his jurisdiction and that is why visits to the chief go via respective lay councils and headmen. The department of home affairs needs this service by the chief at most for pensions, birth certificates, I.Ds etc. The rubber stamp is also needed for testimonials that are made for young members seeking employment.

When application for development are sent to various agencies, they are recognised if they have a Tribal Authority rubber stamp and sometimes accompanied by another letter from the chief justifying the motivation. A typical example of this happened during data collection stage whilst I was still in the area. Mrs. Dladla from settlement A was concern about the waste from Durban metro areas that is dumped by companies in settlement A. She was also concern about unmanageable waste that the dense settlement produces. She heard that the nearby municipal structures were formulating a strategy of collecting waste from peri-urban settlements for recycling purposes. She went to Pinetown municipality to inquire and she was told that the municipality was willing to put big rubbish containers on tribal land but the chief had to write a letter in support of the idea. In one Tuesday Mrs. Dladla was at the tribal court to present that case.

The Issuing of Trading Licenses

Historically, a community member wishing to undertake trade in a Tribal Authority area such as a bottle store, café, a shop and others had to apply and get a license from the Joint Services Boards (JSB). Presumably, the Regional Councils now issue trade licenses. But there is an initial discussion between the applicant and the chief sometimes including the headman in whose locality the business is proposed.

It is therefore contended that trading licenses are issued by the Regional Councils following significant consultations made with the chief and it is unlikely that the Regional Council gives a decision that is contrary to the Tribal Authority wish. Partly because it is believed that the chief stands in a better position to consider community interests and he has jurisdiction over tribal land including the proposed site for business development. This system of issuing trading licenses is caused by the fact that there is neither zoning nor a structure plan guiding development for Tribal Authorities and this leaves the system open to corruption and favouratism.

Presiding the Tribal Court

Chief Bhengu regards this dispute resolution service as more of a reconciliatory exercise rather than the punishment and rigid maintenance of social order. It has become prevalent that people with serious issues like crime and major disputes go to the police and modern courts and just come to the chief to report and not expecting any action from him. However there are still issues that a better handled at tribal courts. Headmen present most of them because that is where they are first reported. The chief with the help of the tribal council therefore makes a ruling on the cases presented to him.

It has also become the responsibility of both or one of the disputing parties to report the case to the tribal structures, unlike in the past where the Tribal Authority could call the parties after sensing a dispute with or without any of them having reported the case.

Land Allocation and Control
The existence of chieftainship in KwaZulu-Natal has been understood as linked to the current, conservative land management system. It has become common to ask about the future of Tribal Authorities and power of amakhosi whenever drastic changes in land management and tenure are proposed as if the two are inseparable. Dr Fourie, a land tenure specialist, and councilors from the Tribal Authority that were interviewed are opposed to this notion and they feel that it shows little understanding of traditional systems. Dr Fourie (Interview) on the other hand describes the whole traditional institution as flexible and able to adapt to changes, but "if those changes are done without ulterior political motives and under clear balance of power". This dissertation will show in chapter six that there is a strong link between the rural land use pattern and the effectiveness of the traditional institution.

Chiefs are the only natural custodians over land and they hold it exclusively in trust for the community interests. It is therefore one of the chief's prime functions to allocate land. A person allocated land is granted only the right of occupation, when he leaves he can not legally sell that land. Three processes of accessing land were found in the area. Some people use land after inheriting the rights that were given to their parents or relatives. In most cases the chief is not even informed about this.

The second process is the one where negotiations between the previous user and the applicant take place and settle after certain transactions. The role of the T A structures in this process is not very clear. The third procedure is when a person in need of land goes to the headman in whose locality he wants to stay and the headman after consulting people living in the vicinity of that site, takes the case to the chief who will then approve or refuse the allocation. The chief, in most cases decides according to the wishes of the people who live next to the applicant's proposed site. It is also the chief's prerogative to reserve land for other developments such as gardens schools etc.

<u>Other Functions of Inkosi</u>

The chief is an ex-officio member of the Ilembe Regional Council and he also sits in the Ndwedwe Transportation Forum that is chaired by Mr. Ninela. He is therefore involved in decision-making structures that include not only his area of jurisdiction. Mzimela T (Interview) described Inkosi Bhengu as highly reputable for his direct involvement in the development of this area. In an interview with the chief he said:

> "I am a hands on person, it is my duty to serve my father's nation. My solo efforts in development of this area are far above anybody else's. The few you may observe are, the construction of the Ngcolosi Pass, community hall, Khanyakhwezi school, and vegetable gardens".

5.6.2 Ngcolosi Development Committee

The study area has a Tribal Development Committee that is formed by a number of sub-committees including water, electricity roads, and gardens committee (see fig 5.1). In principle service providers contact the communities through the respective chairpersons of the sub-committees. The community contact person for uMgeni water for example, is a person from water sub-committee. Durban electricity and some line departments have that gateway to access the community. Initial visits, however start at the chief's office. Even during this research all the local key persons I interviewed including those I met outside the tribal area, asked if I had spoken to the Inkosi about the study.

The sub-committees with the help of the community members identify needs and present them to the Tribal Development Committee. The executive of the Ngcolosi Development Committee then communicates that need to the Inkosi, after that an application is launched to the Regional Council or to the line department depending on the nature of the need. It is noted that the Development Committee does not make significant use of the Regional Council councilors that are within the tribal area.

5.6.3 Ngcolosi Civic Association

This structure has a significant number of elected councilors. Efforts to find out what it does and how it is formulated were all in vein. What was captured is that the Civic Association has bought a tractor and plan to lend it to the community for hire. The money that will be generated by the tractor will be used for community development including the running of crèches and small gardens. One source that did not want to be named said that people who were opposed to the Inkosi and his allegiance to a certain political party formed the Ngcolosi Civic Association in the late 1980s or early 1990s. The source further said:

> " ... this [relationship with the customary administration] made the civic association loose its civic status and became a mouth-piece of a political party. Even today there is still that stigma attached to the membership of the civic association."

5.6.4 The Proposed Ngcolosi Development Forum

It appears that Ngcolosi area has three streams that propel development in the area. There is a traditional structure that is a customary institution but taking some administrative and development functions. There is a civic association that is enriched with resourceful people such as elected councilors but perceived as highly politicised by some members of the community. There is also a tribal Development Committee that is somehow in the middle between the other two structures and claiming representing community interests regardless of political affiliation and otherwise. The three structures according to Mr. Ninela need each other. The forum that will consist of representatives from all structures is therefore suggested, but there are people who fear that they will loose some power by participating in the forum. This is another manifestation of the forces of fission and integration operating within the local management and development structures.

5.7 SERVICE PROVISION

Line departments, parastatals and major corporations like Durban metro, provide services in the area. This Tribal Authority, like most rural areas has neither solid waste collection nor formal sanitary system. Water is provided

by uMgeni Water in the form of standpipes as well as on-site connections. Part of the area has access to both raw and potable water. Raw water is accessible from the pipeline that delivers water from Nagle dam to Durban reservoirs for treatment. The communities use this water for irrigation and other like purposes. Services of the Durban electricity, Telkom and the post offices are also noticeable in the area.

Ngcolosi Tribal Authority is served by an NGO called The Valley Trust. The NGO started in the late 1960s to operate in the area when it was helping people to fence and to start vegetable gardens. It extended its scope and in the late 1980s and 1990s it was offering a number of services to the communities. The advent of new political dispensation resulted to changes in the functioning of trusts as well as the way they get funds. This affected the Valley Trust and is now committed in capacity building projects to community leaders including elected councilors.

5.8 CONCLUSION

Organisational arrangement that was discussed in this chapter is part of the framework that this study evaluates. The focal point is its relevance and capacity to manage and develop Transitional Rural Settlements. This brief outline of the Ngcolosi Tribal Area has unearthed some dialectics operating within the area. It has been observed that the way the Ngcolosi Tribal Authority system works is highly influenced by its past socio-economic context in conjunction with contemporary realities be they physical, political and economic in nature. There are pronounced marks that were made by political confrontations of the past and they heavily influence the current local development and management framework.

It has also been captured that the functioning of the Tribal Authority, particularly the chief of the area, is somehow different to the general image of KwaZulu-Natal chiefs as outlined by media and other documentation. The way he handles his day to day duties and his management style challenges the hypothesis of this study. This is one Tribal Authority that is doing all it can to be responsive to its constituency and "noted as having some capacity to deliver and to raise funds" (McIntosh, 1993). This section, as mentioned earlier, was just to provide the setting upon which the two settlements operate.

CHAPTER SIX
RESEARCH FINDINGS AND ANALYSIS

6.1 INTRODUCTION

This chapter contains the findings of the research methods as outlined in chapter four. It should be noted that there are two elements within the hypothesis of this dissertation. The first element is that the two settlements are different in a number of areas. The second element is that the existing management and development framework that entails customary administration and other supporting structures is unable to respond to the needs of the Transitional Rural Ward of the Tribal Authority. This chapter will start by showing findings that affect the first part of the hypothesis and then attend the way management and development structures deal with Nqetho settlement.

6.2 PHYSICAL CHARACTERISTICS OF THE TWO SETTLEMENTS

Nqetho settlement is located at the edge of Ngcolosi Tribal Authority boundary just above the escarpment that mark the South end of the tribal area. The slope is very steep and this causes concentration of homesteads over the ridge. There is therefore, a huge undevelopable space between the Nqetho area and the rest of the Tribal Authority territory. Hushwini settlement on the other hand is situated on the plateau below the escarpment. The area has a relatively gentle slope rising from Inanda dam water level. Hushwini is one of the core settlements of the Tribal Authority.

Before the construction of the Ngcolosi pass in the 1980s, the two settlements were hardly connected to each other because different transport routes were used to reach areas such as Pinetown and Durban. This meant that a person from one settlement had to go via Pinetown in order to reach the other settlement of the same Tribal Authority. It is this inaccessibility of Hushwini settlement, which enabled it to resist the tides of in-migrants that densified Nqetho settlement. As of now both settlements are accessible according to their varying densities, the difference is just that Hushwini settlement is further inland and this costs commuters extra R2.50 to go to Pinetown than they would if they were staying in Nqetho.

CRESTVIEW

Figure 6.1
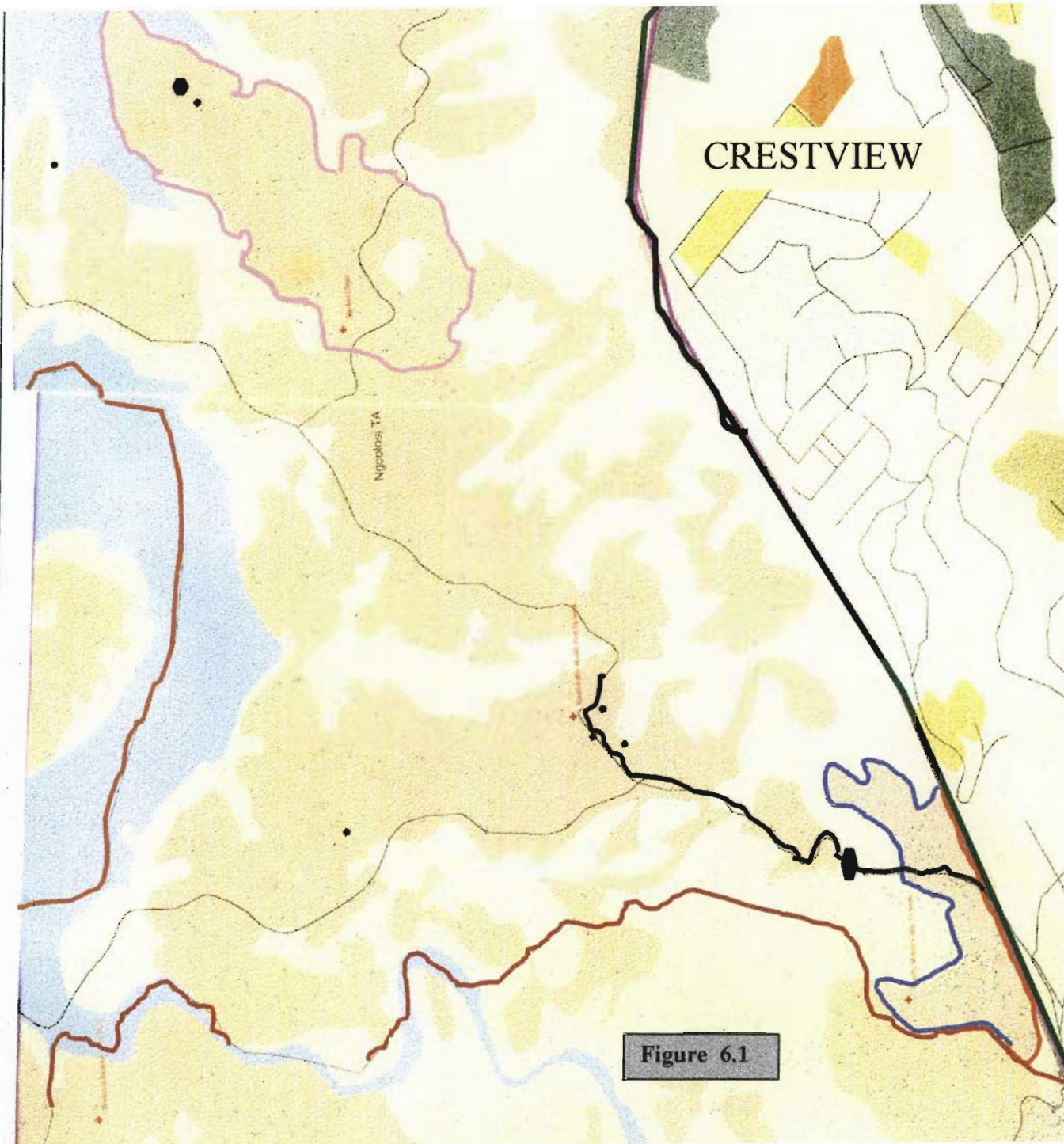
NGCOLOSI TRIBAL AUTHORITY

LEGEND:

—————— URBAN AREA BOUNDARY

☐ TRIBAL BOUNDARY

☐ STUDY SETTLEMENT A

☐ STUDY SETTLEMENT B

—————— TAR ROAD

——— OTHER MAIN ROADS

☐ INANDA DAM

☐ UNDEVELOPED TRIBAL LAND

⬢ SCHOOLS

✚ CLINICS

N

BHENGU T   1998

These topographical features warranted the two settlements to develop separate social identities.

Households in Nqetho settlement construct rectangular houses with corrugated iron roofing. Timber poles and sand/mud is usually used for the walls. Houses are very close to each other to ensure lucrative use of the premises. Some of the structures found in Nqetho are not different to those found in urban areas such as Inanda and Claremont. Plate 6.1 is an illustration of this similarity.

Plate 6.1 High density at Nqetho settlement

Although houses in Hushwini settlement are dominated by corrugated iron roof they are not too close to each other like in Nqetho. Another distinguished feature of the Hushwini houses in the existence of rondavels almost in every homestead whilst they are very few in Nqetho settlement. The positioning of houses in homesteads of Hushwini settlement takes cognisance of other features like gardens and kraal and therefore follows the traditional pattern of umuzi. Positioning of houses in Nqetho settlement is highly based on the lucrative use of the premises.

Densities in the two settlements are different given the nature of land use involved. The estimated average density of Hushwini is at 0.5-2 du/ha excluding the spaces use for crop plantations, but including small gardens that are within immediate household premises. Nqetho settlement, as mentioned earlier, is very steep and residents put pressure on the little developable space that is available. The density on this settlement is estimated to be between 10 and 15du/ha excluding the steep portions of the settlement that are undevelopable. These estimations were done using the aerial photograph and a grid with squares showing 100 metres apart lines. Concentration like the one seen in plate 6.1 were not easily captured on the aerial photos which means the average densities of Nqetho might be above the given estimates.

These differences in topography and location could be interpreted differently by the theories mentioned earlier. Theories that consider proximity to the core would argue that the way those two settlements are situated locate them in different economic zones and it would be unwise to argue that this difference in location means that the two settlements are not vulnerable to similar influences of backwash. Comaroff's model would interpret this situation as two settlements that share different context and in response to that they develop different systems. When one attends the management and development framework of the two settlements he cannot assume that they share similar dialectics.

6.3 COMPARING THE DEMOGRAPHIC PROFILE OF THE TWO SETTLEMENTS

The structure of Nqetho settlement conforms with the ideal characteristics of urban and urbanising settlements. One of such characteristics is the dominance of migrant workers in the area. About half (47%) of this settlement's surveyed homesteads admitted that they were not planning to stay in the area permanently and only stay there for employment purposes. Furthermore, forty percent of the surveyed households have another place to stay. Ten percent of the surveyed population originates from within the area and 63 % comes from rural areas. This outline of Nqetho demography shows that the area experiences massive in migration from rural areas.

The alternative of classifying settlements suggested by Hoggart (1988) was discussed in chapter two of this dissertation and the classifications it offers are that of 'pressured' and 'peripheral' areas. This classification regards pressured settlements as the settlements found within the commuting threshold of the city. Table 5 of appendix 4 shows that Nqetho settlement has more daily commuters than Hushwini and this makes it more pressured by in-migrants. It has been mentioned that the fare to a Pinetown from settlement A is less than half of what the people of Hushwini pay. This has resulted in some people from the peripheral areas including settlements of this Tribal Authority renting rooms in Nqetho settlement. Seventy percent of the surveyed homesteads of Hushwini have working people who do not travel daily between home and work but staying in areas like Nqetho and other urban settlements.

On the other hand the peripheral settlement of Hushwini had more stable citizens since 93% of the respondents said they were prepared to stay within the tribal area permanently. Ninety percent of the households also said they have no alternative residence. This permanence of study by the people of Hushwini commits them to their administration and their land since they have no alternative residence. Furthermore 47% of the settlement's households originates from within the area unlike in Nqetho settlement where only 10% claimed to be the original citizens. It is therefore argued that Hushwini settlement does not attract the migrants the way Nqetho settlement does and this warrants treating them as different settlement categories.

Due to the escalation of modern economic demands and change of social system, there has been an introduction of women to economic circles. The understanding carried by this dissertation is that women in urbanised and urbanising settlements are more involved into paid jobs compared to women in peripheral rural areas. The findings of the study with this regard show that 40% of the households in Hushwini settlement have women in paid jobs. In contrary, 60% of the women of Nqetho settlement are involved in various forms of employment. The figure for Nqetho is affected by the fact that some of the surveyed households have no female occupancy which means that the actual range between scores of the two settlements is above 20%. The distribution of women in different employment types is outlined by table 6.1

Table 6.1

Female employment				
Households : With females	Settlement A		Settlement B	
Employed in	No.	%	No.	%
1 Formal jobs	6	20	3	10
2 Informal jobs	6	30	4	13
3 Self Employed	1	3	2	7
4 Unemployed females	12	40	18	60
5 Mixed	2	7	3	10
Total	30	100	30	100

This dissertation adds to the fact that Africans tend to live in extended families far more than the European originates of South Africa. This statement is further extended that similar differences occur between urban Africans and their rural counterparts. This variable was then used to test the similarity of the two settlements in question. It was found that (*see table 6.2*) Hushwini settlement has a margin of 6% between the extended and the nuclear families, with the extended families being the majority. Nqetho settlement on the other hand, is characterized by sharp differences between its content of nuclear and extended families and the nuclear families claim an outstanding majority of 77%.
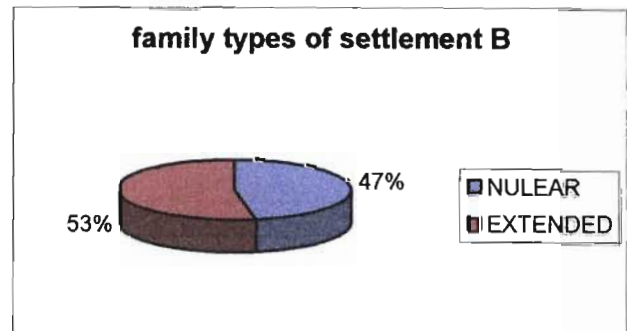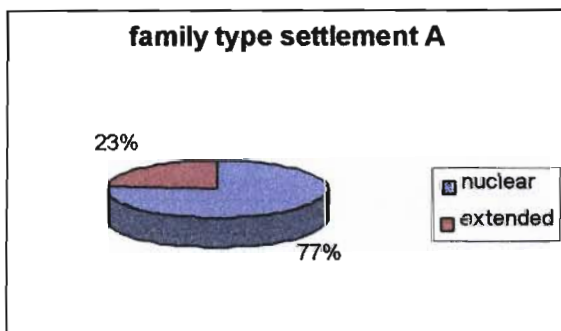
Table 6.2 comparison of family types

It was envisaged that Nqetho settlement will show a lower content of aged people than Hushwini given that the majority of KwaZulu-Natal migrants are involved in circular migration, which means they go back to their original peripheral places when they retire. In the absence of the precise census data that could show age distribution of the population in the two settlements, a variable of the pension earner percentage was used.

It was thus found that Nqetho settlement had about 3% of households with old age pensioners whilst the figure was 13% at Hushwini. These findings therefore show that Transitional Rural Settlements have a lower percentage of aged people than the peripheral settlements. It should be noted that these findings are subject to correction because of the way the question in the questionnaire was phrased. (See appendix 1). The question needed a single anchor source of income per household. There could be other pensioners in the families who are not necessarily the breadwinners as the question asked. It is however speculated that a correctly phrased question would not yield findings that are significantly different to those given.

The use of social variables to determine the category of a settlement, as mentioned in chapter two, is strongly opposed by Hoggart (1988). Hoggart is however basing his argument on western value system and social networks. It has also been mentioned that European and African communities are neither identical nor share similar social processes to a great extent. The socio-economic history that impacted local systems of the continents is also not the same. In KwaZulu-Natal particularly, there are social variables that indicate the level of urbanisation attained by African communities. In this study, the duration of stay within each settlement was used as a variable. This was premised on the notion that peripheral communities tend to be more stationary than communities in urban and urbanising settlements.

Factors influencing the duration of stay in urban areas include the availability of job opportunities and living expenses that match the households' income level. These factors are not stable over a long period of time and they force individuals to change locations. Rural areas on the other hand are affected by the traditional factors such as a strong connection between the premises, the family members and the ancestral spirits. There are common factors such as the existence of relative peace and stability affecting duration of stay in areas almost in the same way.

Findings of the study show that 42% of settlement A (Nqetho) and 57% of settlement B (Hushwini) households have stayed more than ten years in their respective settlements.

These scores, although suggesting that Hushwini area has more people that have stayed the longest duration than Nqetho, are not significantly different and therefore do not warrant any conclusion unless compared with the percentage of people that have just arrived in the area. Nqetho settlement has 23% of its household with a duration of 0-2 staying in the area whilst Hushwini has 10% of the same category. Table 6.3 therefore, proves that the TRS's have more people coming in but not staying too long in the area. Unlike in peripheral settlements where there is a low intake but longer duration of stay.

Table 6. 3

Duration of stay in kwaNgcolosi Tribal Authority				
Number of Years		Settlement A		Settlement B	
		No.	%	No.	%
1	0-2	7	23	3	10
2	3-5	5	17	5	17
3	6-10	4	13	5	17
4	Above 10	14	47	17	57
	TOTAL	30	100	30	100

The number of senior household members locally born as well as the existence of family relatives in the area further showed the condition of social and relative duration of stay in the locality. The findings show that 53% of the Nqetho households have neither the parents nor a sibling breadwinner who was born in the area. Furthermore, only 53% of the households have close family ties within the Tribal Authority. In contrary, Hushwini settlement has 77% of its families with strong family ties inside the area and 73% of this settlement's households have either one or both parents born in the area. The variable outlined here also shows which of the two settlements has strong internal links, and probably able to functions as a unit better than the other.

Other social characteristics that marked the settlements were not captured by the use of questionnaire but through mere observation. Due to the concentration of dwellings, Nqetho settlement was observed to have the following striking features, which distinguish it from the rest of the Tribal Authority area:

♦ Fast and active public transportation system: On weekdays, public transport to Hushwini declines immediately after the morning rush hour. During data collection stages of this study it was not unusual to sit at the taxi rank at 8:45 and leave around 11: 30. Taxis (16 seater) only depart when they are full and low threshold therefore prolongs time spent at terminals. Trips to Nqetho settlement on the other hand, did not take more than 25 minutes stay at the taxi rank regardless of the time of the day.

♦ Nqetho settlement was also observed to have attracted more local commercial transactions than Hushwini. Along the streets of Nqetho there are hawkers selling things like snacks, fruits, sugarcane sticks, etc. There has also been an outbreak of spaza shops that trouble the once dominant local shops such as Gcwensa Brothers General Dealer. These spaza shops found a fertile ground since they correlate with the construction and escalation of cottages. Taverns and beer halls also follow the pattern of spaza shops and some spaza shops sell liquor as well. Liquor outlets in Nqetho settlement could be categorised into three forms.
There are (1)take-aways, (2)*spotties* where people can sit, play music and sometimes watch TV whilst drinking, the third category is outlets where people sit and drink but specialising in home-made brews.

♦ The settlements show different patterns in terms of the involvement of women as customers in liquor outlets. Urban women are more involved because they are sometimes employed and therefore have money to buy liquor. Unemployed urban women are also not often occupied by dawn to dusk routines that occupy women in peripheral settlements. The value system and general social ethics governing rural and urban African women are also not the same. For a woman to sit at the beer hall singing with a group of men is extra-ordinary unusual in peripheral settlements than in urban settlements. Such differences in values systems also apply to other factors like dress code, language and general code of conduct. It is thus concluded that women in Nqetho settlement are more inclined towards urban extreme than their counterparts at Hushwini.

Another difference between the two settlements was noted in way households react to the researcher. This behaviour was interpreted as the degree of hospitality and general attitude towards strangers. Some of the residents of Hushwini extended the introduction by further asking the researcher's residence. The fact that I came from the University of Natal was not enough; they wanted to know where my home is. Others mentioned the person or the place they know that is in the vicinity of my home. Since I share a surname with the local dominant group, others even asked my great grand parent's name and tried to locate him somewhere in the family tree. Residents of Nqetho settlements on the other hand, showed exposure to the dynamics of the cosmopolitan modern societies and did not even ask questions similar to those asked at Hushwini. Interestingly residents of Nqetho tended to be more suspicious and did all they could before accepting the researcher's request for an interview opportunity. Companionship of a local person helped to pre-empt those suspicions by some residents.

6.4 SURVIVAL STRATEGIES

This dissertation carried the assumption that peripheral and urbanised communities differ in the survival strategies they use to a certain degree. This study therefore, applied the following variables to see if there was any significant difference between the two settlements.
- The use of land for cultivation and grazing
- The distribution of households across different forms of employment
- The role of women in survival strategies

It was found that almost every homestead at Hushwini has a portion of land reserved for cultivation. Others even have small gardens away from their homesteads close to the dam. These gardens are communal in a sense that if a person leaves the locality he looses the right to use them. During data collection stages of this study one of the councilors was involved in clearing bushes in one field in order to make more space available for crop plantation. The aerial photographs that show small patches of gardens close to every homestead further confirmed this character of Hushwini. Table 10 of appendix 4 shows that all the surveyed homesteads said that they had land for cultivation within the Tribal Authority.

What was not captured is the average sizes of those portions and whether households make efficient use of them. Hushwini settlement was also found to have only 20% of its households that have no stock particularly goats and cattle. Two thirds of the settlement households have more than five animals. This stock is used for a number of purposes including traditional sacrifices and selling for cash.

Plate 6.2 Extensive land use at Hushwini

Nqetho settlement on the other hand does not have large land that could be used for cultivation. The little flat space that exists is often crowded with cottages since they are believed to yield better returns than crops. The findings of the survey show that 73% of the households do not have space where they can grow crops. Reasons being topography of the settlement and the status of citizenship since the tenants can only speak to their landlords about making some space available for cultivation. They formally have no claim on communal land. The findings also show that 87% of Nqetho households have neither goats nor cattle and only three percent have more than five animals. It was found that the few local stockowners need full day surveillance of their stock due to the frequency of stock theft cases. Nearby commercial small scale farmers of Crestview that keep stock have electrified wires to avoid shrinkage but there are still occasional incidents of stock theft.

Two elements in the distribution of households to various employment forms showed sharp differences between the two settlements. It was first noted that Nqetho settlement has more households surviving by informal employment than the peripheral settlement of Hushwini. This is partly due to the geographic location of Nqetho settlement relative to the metropolitan boundary and therefore exposes the settlement to places like Hillcrest, Waterfall and the new industrial parks of Crestview. Citizens get informal jobs in construction, gardening and general labour at walkable distance. Nqetho settlement also showed a significant percentage of households surviving by self-employment. This form of employment is encouraged by the existing threshold standards, which allow a large number of people to sell food and clothes, and to sub-let part of their land space.

The involvement of women in household survival strategies was discussed in section 6.3 of this chapter where the percentage of women in paid jobs was discussed. The other point to add is that the huge cliff between Hushwini settlement and the suburbs put Hushwini women to disadvantage compared to Nqetho settlement women who also get domestic work opportunities in the proximal suburbs of Durban metro area. 'Unemployed' women of Hushwini settlement are however; actively involved in community gardens and these gardens make significant contributions to some households.

6.5 LAND TENURE SYSTEM AND DEVELOPMENT

Chapter three has clarified policy and legal matters affecting land ownership on tribal land. The point to re-emphasise is that ownership of land in tribal areas was given over from the state to the Zulu King under the Ingonyama Trust Act. This discussion therefore premised on the understanding that settlements under the jurisdiction of KwaZulu-Natal amakhosi including the case study area will show full compliance with relevant policies. Three ways in which people access rights to use land in NTA have been discussed in chapter five under functions of the chief. This section, therefore emanates from that background and aims at analysing any deviation from the given tenure system as well as identifying factors that drive it. Findings from the two settlements were then compared in order to see if there were any significant differences both in tenure form and land acquisition process.

The findings show that 40% of the Nqetho ward households are tenants and their landlords are fellow citizens of this ward. When speaking to the chief about this it appeared that the Tribal Authority structures do not necessarily relate with the tenants. The Tribal Authority interacts with the landlords who are then responsible for their tenants. These findings in other words, mean that 40% of the households in Nqetho settlement have no direct contact with the legitimate and the dominant administrative structure of the area. This fact questions the commitment of the Tribal Authority to this ward. Hushwini settlement on the other hand, has only seven percent of its households being tenants.

This difference between the two settlements was further manifested by the way non-tenant households utilise land for income generation purposes. Table 14 of appendix 4 shows that 93% of the households in Hushwini do not sub-let part of their allocations meaning that they have no tenants whilst the difference between Nqetho households that have and those with no tenants is very marginal. The two settlements are therefore not the same in their local status of citizenship as well as in the way they have assimilated urban standards of living.

Table 6.4

Land acquisition				
Types		Settlement A		Settlement B	
		No.	%	No.	%
1	Inheritance	8	27	17	56.6
2	Traditional style	9	30	11	36.6
3	Info. Market style	13	43	2	7
Total		30	100	30	100

Deviation from the traditional land acquisition process used in communal land tenure systems was captured through the households amount that were involved in informal land transactions in order to gain the occupancy rights. It was found that 43% of the Nqetho ward households acquired land tenure rights without following the traditional procedures although it was not an inheritance. This condition of Nqetho settlement is completely different to what is happening at Hushwini where only 7% of the ward's households claimed to have bought the land from the previous user. Table 6.4 shows that the majority of Hushwini settlement inherited the rights to land whilst 36.6% followed conventional procedures.

Cross C (interview) suggested that informal land transactions should be legalised in order to avoid corruption associated with it. The question remains as to how one can go about legalising the land transactions without improving or changing the given tenure system.

There are different opinions about the desired system of land tenure in Tribal Authorities generally and within this study area. The Department of Land Affairs has not finalised its policies for an appropriate rural land tenure form. The department's land reform policy however, insists that individual beneficiaries should be identified and that those beneficiaries should have secured tenure where they are free to develop the land and benefit from its use. This suggestion by the land reform policy is in favour of free holds.

Cross C (interview) argued that the upgrading of the current tenure system into full title deed is likely to put the majority of rural communities particularly the poorest groups social at a disadvantage when it comes to things like transfers where one has to pay for conveyencers. In the submission she made to Business Day she posited that:
> "Private tenure is not the answer. It does not work well in low-income rural communities. Poor families are forced by emergencies to sell their land and become tenants….But communal tenure is unlikely to change until the community has moved out of the poverty bracket." (Business Day 3-10-97)

Fourie C (interview) also shared the same opinion with Cross and further argued that that drastic changing of the current system of land tenure is directly changing the customary law of the rural people. She stated that there are many land tenure alternatives beside full title deed that could be used including the upgrading of PTO's. Kerry Philip and Peter Sapsford (1997) also express the view that PTOs could be used to a potential far beyond the current level of use. They even suggested that there should be a way that financial institutions beside KFC recognise PTOs as a sound form of tenure.

Within the Ngcolosi Tribal Area, the chief suggested a system that is more like a sectional title where the entire tribal land is registered under one title deed entrusted to the Tribal Council. Individual households then get rights to use the subdivisions allocated to them. Those rights according to the chief should have a monetary value and transferable to the extent that they are even recognised by the financial institutions.

All such transactions however will be done in consultation with the Tribal Council since it will be the recognised titleholder. He further said:

> "Ngcolosi land is the birth right and wealth of the whole tribe. Our great grand parents passed it to us and we have a responsibility of passing it to next generations. If we can not improve it we better keep it as it is for our future generations. If you were to give that a monetary value how much will it be? By commercialising land that has been further enriched with such a beautiful dam you are attracting all the major financial institutions to remove us from this area. Then tell me, in whose hands will this land be ten years down the line? The status of original people of this area will be reduced to trespassers." (Interview)

Mzimela T (interview) opposed this view on the grounds that rural people like all citizens of the country should have a claim over the land they use and get full title deeds. He further contended that the fact that chiefs now want a single title deed for entire tribal land suggests that they acknowledge that the land has not been officially theirs all along. The two councilors also suggested the full title deed alternative. Their argument is that if one put value on land, people are going to be creative and use it more lucratively.

Phungula F, Dladla M, and Ninela (interviews) favoured the current system of communal tenure on the grounds that it facilitates development. Ninela further argued that the communal system of land tenure allows people to practice the principles of Ubuntu without being bogged down by legal constraints:

> " ... if you want to widen a road all you need is one step and it is talking to the affected households to remove their fence a little bit. Compensation is not compulsory and it is based on the availability of a spare portion somewhere. You don't have to go to the register of deeds in Pietermaritzburg to change the extent of the allocations affected."

Phungula made a suggestion of constructing a new hall within the community. He said that:

> ". . . land is free, if the regional council gives a budget of R100 000 for the construction of that structure , all the money goes to actual construction since there is no money paid to buy the site and paying for land transfers as it happens in title deed areas."

Cross argues that one can not say that rural land is free whilst there are so many gifts and unofficial payments done to authorities before they allow development to go ahead. It is contested that such payments could not be equated to market related payments done if rural land had monetary value. In cases of complete removal there is general agreement that there should be consideration of the expenses the affected individual incurred through building houses, fertilising soil and so on, but those allowances are even possible within the communal system of tenure.

In spite of the sharp differences stated in the previous two paragraphs, it was sensed that households from both settlements are aware of the conditions of communal land tenure system. The tenants, non-tenants, inheritors, and those claiming to have bought the land are quite aware of the limitations of their tenure rights, particularly, with regard to the power of the Inkosi as the ultimate trustee of the entire tribal land. Very little awareness was found about the Zulu king and Ingonyama trust factor to the land people of both settlements use. This fact, however needs further research because in this study, such connotations were sensed in passing when respondents were talking about how they understood and gained the land tenure form they have.

Communal land tenure upon which the two settlements operate could be defined as being characterised by three different levels of effect. These levels correlate with the degree of privacy/individualisation and therefore inform how much deviation is possible and where such deviation is likely to occur. I derived the formulation of the levels of effect from the principles governing private versus public space concept. The tenure implications applying at the first level of public spaces such as grazing land do not allow any household special practices that are incongruent with the communal principles about that piece of land. At this level there is no individualisation at all.

The second level of effect is in semi-public spaces such as communal gardens. At this level, the land is communal but there are identifiable users e.g. members of the garden club, that have a prerogative with regard to decisions affecting that portion of land. Individual households may have a certain degree of autonomy in areas such as type of crops to plant, planting for subsistence or to sell, and they may even 'sell' of 'lease' the right

to use the garden but within the conditions applicable to all garden club members.

The third level of effect is the household's immediate premises. At this level the households have the greatest level of individualisation and autonomy attainable in tribal areas. They individually decide on a number of issues including the structures they build, building material they use, how they use the rest of the allocated land, and to a certain extent, who do they want to live with (tenants of no tenants). Plate 6.3 illustrates one of the options available to non-tenant households at third level effect.

Plate 6.3 Dominant land use at Nqetho ward

It is therefore concluded that the relative dominance of any of the three levels of effect in a particular locality's surface area reflects the degree of privacy, individualisation, and autonomy households enjoy. In this case for example, the developable surface area of Nqetho settlement is dominated by sub-divisions made to individual households unlike at Hushwini where there is an unequal but fair distribution of the surface areas among all levels of effect.

6.6 EFFECTIVENESS OF TRADITIONAL ADMINISTRATIVE AND OTHER STRUCTURES IN THE TWO LOCALITIES

Another implication made by the levels of effect discussed in the previous section is that they inform the effectiveness shown by the Traditional Authority structures in the settlements. Settlements in the third level effect are dominated by individualisation and often compartmentalise most of their concerns and use the fact that they have no dominance of common space to repudiate the common problems, objectives as well as the common administrative structures. The administrative structure in return is unlikely to concentrate most of its efforts to localities where it does not enjoy the greatest possible degree of authority almost to all levels of effect. There is therefore an inverse relationship between the level of autonomy enjoyed by the locality and the commitment of the traditional authority in that locality.
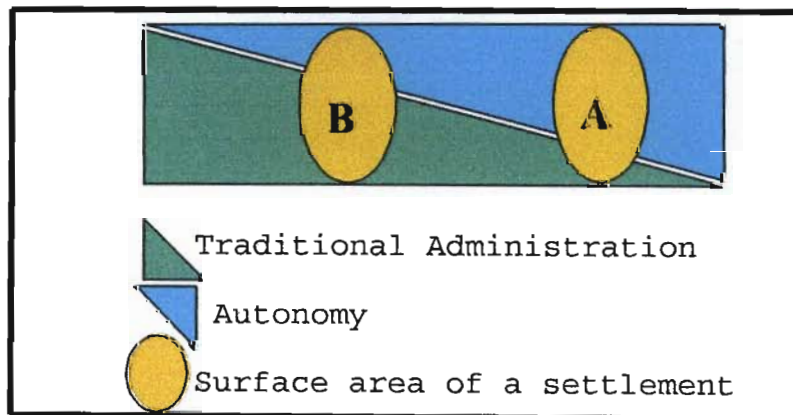
FIG. 6.2 Inverse relationship between levels of autonomy and degree of effectiveness enjoyed by traditional administrative structures.

The functions of inkosi, the Traditional Council and other development structures were presented in chapter five. That presentation was mainly the officers' version of the story and questionnaire was used to get the inputs from the households. Before speaking to local leaders an assessment was made with regard to how people of the two settlements make use of the Tribal Authority structures. Findings showed that 77% of the households from Nqetho area never consulted the Inkosi or an Induna about any of the areas these structures claim to provide service for.

Hushwini however, shows a different case because households use the structures for a number of services as shown in table 6.5. This was further shown by the difference between respondents who attend general meetings at the tribal court. The findings show that 60% of the Nqetho settlement never attended a general tribal meeting even once and 36% of this settlement's households have not met the Inkosi at all. These findings however show households' individual consultation and could only be used to interpret the settlements' general contact with the traditional officers to a limited extent.

Table. 6.5

Use of the tribal authority's judicial functions				
Households that consulted the inkosi or induna about anything.	Settlement A		Settlement B	
Households that reported:	No.	%	No.	%
1 A dispute	3	10	5	17
2 A ceremonial function	3	10	10	33
3 Land related issue	-	-	1	3
4 A series of issues	1	3	8	27
5 Never consulted	23	77	6	20
Total	30	100	30	100

The Inkosi said that there is no administrative problem with regard to people of any settlement within his area. He even made an example that a ward that may be perceived as different like Nqetho is often the greatest contributor during the collection of tribal dues: "People in those settlements understand the obligations for living in rural areas and they are co-operative" Said the chief. It should however be noted that the co-operation perceived by the chief might have been successful only because of the collection procedures used.

Most of the times the Tribal Authority shows its assertiveness to the landlords and it is the landlords who communicate with their tenants. One speculation could be that tenants co-operate because of fear and as means to secure residence or the landlords just pay of behalf of the resisting tenants.

The reason this aspect of co-operation is exhausted to this degree is because findings hint at the fact that the majority of Nqetho households might be unhappy with the situation. Thirty three percent of the households did not want to comment at a question that touches their respect to the traditional structures. Furthermore 67% of the Nqetho households said they were generally dissatisfied with overall management and development of the Tribal Authority. Fifty percent of the Nqetho households however said the level of respect to traditional structures is high whilst 63% of Hushwini respondents gave the same response.
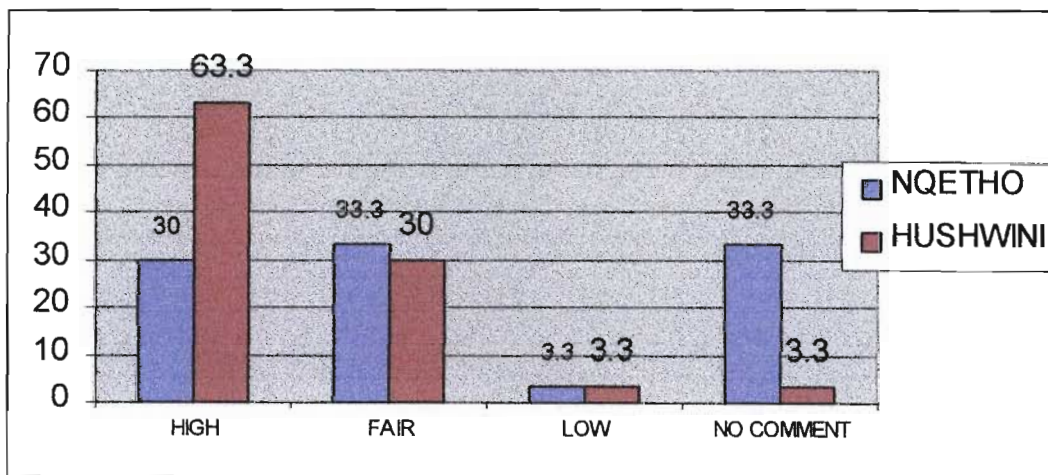
Table 6.6 Households' rating of respect shown to the traditional officers

The traditional administration is, however, still perceived by the majority of households in both settlements as the structure that leads development of the area. This confirms Mzimela's remark about the chief's management style and commitment to development. Households that said they know no other structure involved in development except traditional leadership reached 67% in Nqetho area and 50% at Hushwini.

Nqetho settlement had 30% of the respondents mentioning individuals as the local development leaders beside traditional structures. Only 10% of Hushwini residents mentioned individuals and nobody mentioned the civic association.

Table. 6.7

Households' knowledge of other people involved in community development besides traditional structures		Settlement A		Settlement B	
		No.	%	No.	%
1	No one	20	67	15	50
2	Development committee	1	3	5	17
3	Individuals	9	30	3	10
4	Elected Councilors	-	-	7	23
Total		30	100	30	100

Findings show that there is a tendency to concentrate more activities and focus to the inland wards than to Nqetho. This was observed from the way elected councilors are distributed within the Tribal Authority. There are eight elected councilors in the area but none of them resides in Nqetho ward. As a result of this, no household in Nqetho settlement mentioned elected councilors as the community development leaders and only 23% of the Hushwini households showed any knowledge of them. To further extract the level of communities' awareness about councilors a question asking the number of councilors representing the area was put in the questionnaire survey (*see appendix 1: question 19*). The respondents who said they do not know or gave a wrong answer reached 77% at Hushwini and 83% at Nqetho.

The chief attributed the fact that councilors are generally unknown by the public to the way they were elected. His concern is that proportional representation, that was used in the last local government elections does not allow active community members who are not politicians to participate. He further stated that the parties themselves arranged the lists of councilors representing each party and it is possible that the party may pick up people who are not necessarily popular in the community.

The two councilors that were interviewed also shared a similar view with the chief. They made an example of their case where all councilors reside in the inland wards and there is not even a single councilor coming from Nqetho. They believed that if a system similar to the one used in urban areas, where councilors are elected per ward was used, all areas of the Tribal Authority would be represented. Having realised that polarisation, they still have not deployed one of their colleagues to Nqetho in terms of specifically servicing that area.

In the interview with councilors, they also said that they have neither divided responsibilities nor wards among themselves. Anybody does anything he/she feels comfortable with and operates anywhere within the Tribal Authority.

Although the chief and the elected councilors share a similar opinion about proportional representation and how it made the councilors not known by the public, they also vary in other reasons. The inkosi said that despite the problem of proportional representation, councilors literally did not campaign and this, he believes, was going to make them known by the general public. Councilors on the other hand, said that after they had won seats in the Regional Council, the chief did not introduce them to all citizens of the Tribal Authority to ensure that they are welcome, known and there to serve all members of the Tribal Authority. People only heard through rumours and from their political parties that certain people were the officially elected councilors.

6.7 ACCESS TO SOCIAL SERVICES

The dialect of articulation of NTA puts the area to a relative advantage in terms of accessing bulk services. This dialectic comprises of the two elements that are the geographic location that is close to water resources and major suppliers of other bulk services. The second element is time when the political climate and general attitude between urban and nearby rural settlements has changed. The area is thus relatively well provided with basic services compared to other rural areas of KwaZulu-Natal. A comparative analysis, however shows that that Nqetho settlement has lower percentage of households with all the services than Hushwini. Table 6.8 further shows that Nqetho settlement has a higher percentage of households with none of the mentioned services than Hushwini. This situation is contrary to the nature and the hygiene demands suggested by the two settlements.

Table. 6.8

Bulk services available in the property					
Piped water (W), Electricity (E), Immobile phone(T)		Nqetho		Hushwini	
		No.	%	No.	%
1	All (W,E,T)	4	13	5	17
2	Only water (W)	2	7	-	-
3	Only elec (E)	5	17	10	33
4	Only phone(T)	-	-	-	-
5	W and E	15	50	12	40
6	W and T	-	-	-	-
7	E and T	-	-	-	-
8	None of the above	4	13	3	10
Total		30	100	30	100

The difference in the supply of services was found in the way local development structures take cognisance of the unique characteristics of the wards. Water, electricity, and telecommunications are common services of all wards but things like irrigation facilities, fencing of gardens and solid waste management are specific to particular localities. It was observed that ward specific needs are attended differently and Nqetho ward is at most disadvantaged because some of its needs are not shared with the rest of the Tribal Authority. For instance, waste management, is not necessarily a problem to other wards of the Tribal Authority whilst it is one of the prime problems of Nqetho and poses a serious health hazard. This is partly due to the polarisation of focus by local administrative structures to heartland wards than those at the rural urban interface.

General access to other social facilities was found to follow the tune of the above-mentioned supply of bulk services. Findings from the orthophoto map show that there is only one primary school and no imobile clinic in Nqetho settlement. The area is however close to the servicing police station that is located at Riverview. The hall that is within the ward could not be regarded as a community hall due to the way is was built, its location and management, and the limited access general community has to it.

In order to avoid my subjective judgements and to do a comparative analysis a question where households had to state a distance between their homesteads and the facilities was included in the questionnaire (see appendix 1). The findings show that a 'too far' choice got 107 ticks and 67% of those ticks were from Nqetho settlement.

A 'walking distance', that was the most proximal choice got 97 ticks and only 37% of those ticks were from Nqetho settlement. These findings simply prove that Nqetho ward has more households that are the furthest from a number of social facilities than Hushwini. Hushwini also has more households that are distant and within walking distance range from most facilities. These differences could not only be attributed to the inefficiency and the inward looking management and development structures alone because topography particularly steep slopes and dominance of third level surface areas in Nqetho ward put the areas to a disadvantage in terms of potential sites for location of public facilities.

Plate 6.3 local clinic
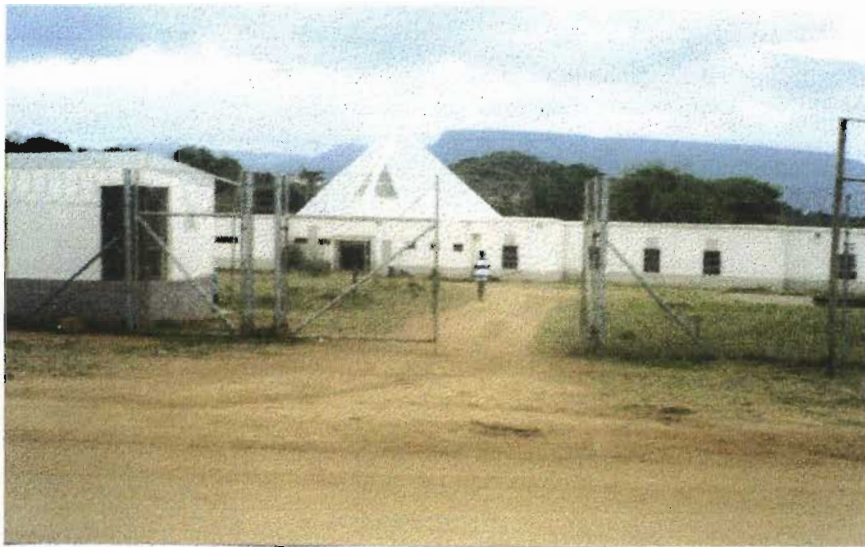
Table 6.9

HOUEHOLDS' ACCESS TO SOCIAL SERVICES					
	Settlement A			Settlement A		
Facility	Walking distance	Distant	Too far	Walking distance	Distant	Too far
	No	No	No	No	No	No
Prim. School	12	14	4	14	15	1
High School	1	11	18	18	9	3
Comm. Hall	-	7	23	15	14	1
Clinic	2	2	26	14	16	-
Pol. Station	21	8	1	-	-	30
TOTAL	36	42	72	61	54	35

CHAPTER SEVEN
CONCLUSIONS AND RECOMMENDATIONS

7.1 BINDING THEORETICAL THREADS WITH TRIBAL REALITIES

This sub-section further consolidates what was discussed in chapter 2,3,5 and previous sub-sections of chapter six. The intention is to summarise and mesh the findings with the theoretical base so as to create a balanced surface for conclusions and recommendations. This sub-section draws its approach from Comaroff's dialectics.

The relative location of the Tribal Authority within the DFR influences internal system to a great extent. The performance of the region in terms of economic growth, employment opportunities it creates, standard of living it sets, and socio-political climate it has, affects the local systems of the Tribal Authority. This location does not have the same impact over the whole Tribal Authority in the same way and the levels of resistance and acceptance also differ among wards.

KwaNgcolosi Tribal Authority experiences the external forces from a number of sources. This brief discussion is particularly going to outline few forces that affect the local administration, development and settlement patterns. These external forces are political economic and social in nature. It should be noted that what Ngcolosi Tribal Authority is, is not only how the mentioned forces influence it, but also how it reacts to those influences.

Some of the political forces that shape the area entail the following realities. The fact that no independent councilors were allowed to stand for local government elections meant that only members of the political parties could represent the interest of the community. The essence of this arrangement is that local councilors are taking orders from their respective parties, and this is a disadvantage to members of the community that have no political affiliation since they are not represented in the Regional Council. The marginality theorists explain this as a political circumstance, which places most residents to a disadvantage in trying to fulfil their own goals and aspirations.

The elected councilors are also accountable to their parties not directly to the community they are expected to serve. Furthermore, the form of national relationship that exists between political parties also dictates the level of co-operation between councilors of different parties at local level.

Another external factor that has a political source and influences administration and development of the locality is the nature of the Regional Council itself. In an interview with George Lourens it appeared that the Regional Councils are under-resourced and therefore unable to pursue their functions effectively. The area is impacted by the fact that is it served by a not well established Regional Council and this is manifested by the way some councilors contribute to community development. Four of the people that were interviewed including councilors admitted that, neither Inkosi nor the Regional Council monitors the participation of councilors in community development. As a result of that one paid councilor is working in another town that is more that 90km away from the area and only comes home once a month. Furthermore the Regional Council was not designed to function as a primary tier of Local Government.

Major forces of fission and integration that characterise the province also manifest themselves within the study area. The 'pro and anti- amakhosi' attitudes that have recently, been shown by political parties created tensions between the traditional institution and those who were opposed to it. The tension somehow influenced the demarcation of metropolitan boundaries and the anti-amakhosi elements that were left outside metropolitan areas felt marginalised since they were not used to the traditional institution and therefore could not harmoniously liase with it on day to day development tasks. Some silent conflicts and accusations that are found in the area are linked to this 'us and them' problem. One councilor who did not want to be named complained about accusations he gets from his own colleagues for visiting and speaking to the chief too often.

The issue of land management and tenure is something that
the community at Tribal Authority level can not do much
about. If political decisions made at the provincial and
national parliaments approve the status quo, meaning
maintaining the chief's prerogative to decide about local
land management and development. Local communities will
take that. Some of the land acts that have a bearing at
Tribal Authority level are the Ingonyama Trust Act, the
Establishment of Tenure Act (ESTA), and the new land
tenure bill.

The chief is presumably a member of the Council of
Traditional Leaders. That structure like all
organisations has its own goals and objectives. There is
a view that the structure was formed in response to the
radical perspective that wanted to do away with
chieftainship. Another view is that it was formed to
protect the tribal culture and value systems that were
threatened by the new political dispensation principles.
The stand of this dissertation is that it does not matter
which of the two views is plausible, but the fact of the
matter is that some of the goals of the council of
Traditional Leaders may not necessarily match the
interests of the tribal community at large. The concern
that local councillors are getting orders from their
political parties also applies to the chief in this case.

The dependency theorists' view that differences in
settlement types within the Tribal Authority area were
caused by in-migration and influx control laws has
already been discussed and it is one of the external
forces that shaped the settlement pattern of the area.
The chief, in an interview with him, stated that
settlement A is not densely populated solely because of
people from far away places. He said that there are
movement patterns even within the Tribal Authority and
some of the people from peripheral areas of Ngcolosi
moved to settlement A in order to access jobs and better
resources.

Nqetho settlement is dominated by migrants far more than
other wards of the Tribal Authority. This in itself
created the 'us and them' situation and when political
violence in the mid 1980s erupted, this ward was
dominated by a political organisation that was not
popular in other wards of the Tribal Authority. Enmity
between this ward and others was prevalent. Violence is
over and communities are no longer active in violent
politics but the forces of fission and integration that
dominated the era of violence have not allowed complete
reintegration of the settlement as part of the Tribal

Authority like other wards. The loose internal links that existed before violence got worse and they have still not improved to great extent. This was further observed during metropolitan area demarcations when some of the people of this ward wanted to escape the tribal officialdom by joining Durban metropolitan area.

Current internal dialectics operating within the area are related to the functioning, organisation, and co-operation of management and development structures of the area. All other structures are overshadowed by the hyperactivity of the Tribal Authority. This is partly caused by the lack of balanced division of labour among these structures and they end up competing for dominance. The Tribal Authority had an opportunity to compose itself earlier than others and it has not started to delegate some of the responsibilities to other local structures. The contradiction between autocracy and development also manifests itself in a number of local systems adding to the age-old regional problem of compatibility between chieftainship and democracy.

7.2 FEATURES OF TRANSITIONAL RURAL SETTLEMENTS

This study has proved that this category of settlements is there and some of its properties were identified. It is now clear that of the three approaches discussed in section 2.8.1; this study adopted the positive approach as outlined by Wibberely in determining rurality. Certain variables were picked up as capable of determining the level of rurality attained by a settlement. Through the manipulation of those variables in a comparative analysis, a list of characteristics associated with what this study calls the TRS emerged. According to this study, this category of settlement types has the following traits:

◆ The basic design of homesteads is different to the way peripheral areas position each house in a homestead partly because of building material and profit-oriented optimal use of space.
◆ Even the term homestead might not be appropriate given the nature and design of dwelling structures used.
◆ Although situated outside urban boundary it has stronger links with the urban core than other rural areas. Geographical location reinforces this link.
◆ Social internal systems are not enforced by strong family ties as it happens in the peripheral settlements of the region.

♦ It is occupied by people who stay there in order to access opportunities of the urban core.

♦ Migrants who stay on temporary basis and have another place of residence are significant if not the majority of the settlement population.

♦ The level of internal commercial circulation is far greater than in peripheral areas. This circulation is supported by concentration of spaza shops, sheerness, and hawkers. The areas have high level of entrepreneurialism and low prevalence of subsistence economy.

♦ Density in average dwelling units per hectare is higher than in peripheral settlements and may equate informal settlement areas found in proper urban areas.

♦ It has more women enjoying higher degree of independence due to relative availability of paid jobs.

♦ Although the system of land tenure is still communal there is a great deal of deviation manifested through, among other things, the dominance of informal land transactions and insignificance of common territory within the locality.

7.3 THE RESEARCH HYPOTHESIS

7.3.1 Difference Between Settlements
The unique characteristics of TRS's were discovered whilst attending the first leg of the hypothesis i.e. the dissimilarity of the two settlements compared. The analysis of the research findings show that the dominance level of the above mentioned characteristics in the two settlements is not the same. This discrepancy therefore, allowed the study to reach a conclusion that the two settlements are different in a number of areas as outlined in the characteristics typifying Transitional Rural Settlements. Difference between the two settlements was also found in the land use pattern as well as the level of deviation from traditional procedures of communal land tenure. This difference affected the relevance of the local administrative and development framework to Nqetho settlement that will be discussed below. This study therefore, fully supports the first leg of the research hypothesis.

7.3.2 Appropriateness of the Current Management and Development Framework

The second implication of the hypothesis as mentioned in section 1.6 is linked to the ability of the local administrative and development framework to accommodate the Transitional Rural Settlements. Chapter five and part of chapter six have shown that the area has a very active Tribal Authority, particularly the chief. It has also appeared that there are other structures like the Tribal Development Committee and the Civic Association and NGOs operating in the area.

The local structures, however, have not reached the level of optimal co-operation among themselves. All the local people interviewed admitted that the three structures have neither started working as a unit nor involved in a healthy competition. There are serious problems of power struggle within the structures as it happens between councilors. The structures show a great deal of competition among themselves as happens between the Civic Association and the Customary Administration. There are also individuals who are working as fully independents or very loosely connected to one of the three structures. The three structures are the kernel of the local administrative and management framework and their failure to operate, as a unit is a hazard to fragile areas like Transitional Rural Settlements. Beside inefficiency caused by the organisation of these structures this study concludes that a Transitional Rural Settlement of Nqetho experiences high marginalisation by this framework as outlined below.

<u>Traditional Authority</u>
Judge Mokgoro (1994) and Sapsford(1996) outline the divide between the functioning of *amakhosi* as a local government, fully involved in the political arena, and functioning as a symbol to bring about tribal unity and building consensus between political players. Findings have shown that in the case of Ngcolosi, the chief is taking a low profile in party politics but is leading and dominating community development and therefore holds the powers as primary local government. Other role players such as councilors have still not got their act together.

Without denying the endevours the customary administration alone has achieved within the area, the question of the appropriateness of those endevours to areas like Nqetho still remains. The argument posed by this study is that development attained by Nqetho settlement through solo efforts initiated by Inkosi, is likely to be top-down given the findings that the majority of local residents due to their citizenship status have no direct contact with the chief (see chapter 6). It is therefore concluded that Nqetho ward needs a people centred-approach that is currently not well accommodated within the programmes of customary administration.

Daphne P (1982) disagrees even with the genuine hyper-activity of Customary Administration in tackling community development. The argument he posits is that the over-involvement of Tribal Athority does not do well to any settlement, be it peripheral or transitional. This is the idea he puts:

> "The desire to keep members of the tribal hierarchy out of rural organisations is not based on the assumption that these individuals are all power-hungry despots. It is rooted in the belief that the most essential component of rural development is the promotion of the feeling, among the broad base of people, of control over their own efforts. A benevolent autocracy in the form of chiefs and indunas, who genuinely have interest of their people at heart, is still an autocracy and stifle development of the feeling of self-reliance. A person who takes all the decisions, even in the interest of others, is depriving people full participation in what could be viewed as an educational process." (Daphne P, 1992: 13)

Daphne's concern is not different to what this study defined as marginalisation in chapter two. A conclusion that is informed by this view would be that customary administration's involvement in community development, as active as it may be, is not only inappropriate to Transitional Rural Settlements but to all settlements. This radical approach by Daphne seems to be taking the issue too far too early. Rather than complete withdrawal of active participation of amakhosi in community development. There should be a fair distribution of control where communities together with their chief are equally involved.

Elected Councilors

Beside the fact that proportional representation made councilors neither accountable to communities they serve nor to the chief of the Tribal Authority, there is also no councilor specifically assigned to Nqetho settlement. The nature of Nqetho settlement deserves direct representation due to the unique needs it has. The mere fact that councilors are not allocated to wards nor divided according to specific duties, adding to the absence of the monitoring process suffice the conclusion that they are inappropriate to cater for demands of a dynamic and urbanising settlement like Nqetho.

Other Role Players

Another vehicle that could have successfully been used by the settlement is the tribal Development Committee if it was not for the inward focus nature of the structure that puts edge settlements like Nqetho to a disadvantage. It is thus argued that customary administration and few individuals service Nqetho area. Limitations of the customary administration's involvement have been discussed and the problem with individuals is that they:
-Lack resources, incentives and power
-Are not fully accountable to the community
-Start and stop community development work whenever they like and choose things they want to do for communities

The role played by outside stakeholders like NGOs is heavily dependent of the type and level of internal organisation.

These circumstances about local administrative and development framework did not only outline the level of marginalisation experienced by Nqetho settlement it also proved that the difference between the compared settlements has reached an extent where an alternative management and development approach is deemed as necessary for TRS's. It is concluded that the second leg of the research hypothesis is also supported by the findings of this dissertation.

7.4 ORGANISING AN APPROPRIATE MANAGEMENT AND DEVELOPMENT FRAMEWORK FOR TRANSITIONAL RURAL SETTLEMENTS

This study has clearly proved that Transitional Rural Settlements are a distinct type of settlements that need not to be confused with dispersed peripheral settlements. Although this study has successfully managed to define the Transitional Rural Settlements, it still needs further research to produce a complete package for appropriate management and development for these settlements. The following, therefore, are recommendations for fundamental precepts of an appropriate management and development structure.

Before any approach is suggested as appropriate management and development of Transitional Rural Settlements, the first move should be an acceptance by all stakeholders involved in rural development including government and other service providers that this type of settlements is there. Recognition alone elicits further contemplation about this settlement type which could lead to the documentation of the subject and thus unraveling other characteristics. Development initiatives by the state and others will then be compelled to take cognisance of the dynamics associated with this type of settlements. This has not been the case in the past, since Tribal Authorities have been assumed as homogenous.

Adding to the move recommended above, is the acknowledgement that Transitional Rural Settlements have suffered due to lack of recognition and being confined within the broad category of tribal areas as if tribal areas are uniform and do not vary over space and time. This opinion does not dispute the fact that TRS's are also found on tribal land but it posits that tribal land should not be treated as a single category of settlements. The acknowledgement by higher political and other decision making institutions that the settlements suffered will open a way for affirmative development principles and policies upon which an appropriate management and development framework will emanate.

Internal dialectics have shown that there are people inside and outside tribal areas who benefit from the way things are in transitional settlements. Endevours towards betterment of livelihoods in these settlements are vulnerable to massive resistance because of those people who fear that drastic changes will make them loose the interests they have to the status quo. This condition therefore suggests that there is a great need for actuation. Actuation, as defined by Kodua-Agyekum (1997:224), denotes the art of influencing the behavioural patterns of functionaries and beneficiaries in order to accomplish the objectives of rural development. One of the fundamental steps towards organising an appropriate management and development framework is a great deal of capacity building, consultation, participation, civic education and democracy.

It is recommended that the issue of rural urban demarcations should not be overlooked when contemplating about how Transitional Rural Settlements should be managed and developed. One solution that is not preferred is mere extension of urban boundaries in order to incorporate those urbanised settlements which happened to be left out. The reason for not recommending this solution is that it would face a strong resistance from Tribal Authorities that are not prepared to loose a portion of their areas of jurisdiction. Reduction of territory is thereby understood by some Tribal Authorities as the reduction of power base since the size of the area, which the tribe controls implicitly, reflects the power of the tribe and its authority structure.

The second reason is that some people have deliberately decided to live in these settlements for a number of reasons and incorporation to urban areas is likely to affect the advantages the settlement has. Cross C (Interview) also emphasised that one should not ignore the fact that some people in Transitional Rural Settlements do not want to be incorporated to urban areas. This study therefore recommends that territorial boundaries should not be changed for the sake of TRS's because that is likely to cause conflict within communities and their tribal authorities.

Rather than incorporation, this study recommends that joint ventures between existing rural structures and nearby urban municipalities should be encouraged. Fourie C (Interview), stated that successful cooperation between urban and rural local governments is possible if every thing is done under fair balance of power. Adding to balance of power would be clear specification of roles among different stakeholders. Development of rural areas including Transitional Rural Settlements needs institutional arrangement which combines the natural capacities of both traditional and elected local government.

A situation is envisaged, where the tribal authority exercises customary and judicial functions and allow residents of Transitional Rural Settlements regardless of citizenship status, with the support of nearby urban structures to direct and promote their own feeling of development. From the options proposed by the White Paper on Local Government (1998), the chief and other local stakeholders, favoured the amalgamated Urban-Rural municipality. This form of municipality has not been fully defined yet, but the chief's attitude about it shows the willingness on his part to engage in co-operative management with the nearby urban structures.

Transitional Rural Settlements need management by a structure that is active like the chief of the case study area but more accountable and able to take cognisance of the nature of these settlements in terms of their population content and associated needs. The system of political representation in democratically constituted institutions used in rural areas does not respond to the needs of TRS's. The recommendation brought forward is that proportional representation should be discarded and transitional settlements should have direct representation like in urban areas if the Regional Council adopts the function of a primary government. Whether those councilors will sit in the district councils or urban councils will be determined by the conditions of cooperative governance between tribal Authorities and nearest urban structures.

The establishment of sub-regionally based committees that focus on particular sub-regions ineffectually addresses the problems regarding proportional representation and general functioning of regional councils. Sub-regions are not under homogeneous administration as they consists of a number of magisterial districts, Tribal Authorities and commercial farms. It is argued that the idea of forming committees still overlooks the unique nature of TRS's and

what it does is to model the Regional Council at a micro
level, since these sub-regional committees are not the
primary local government for rural areas.

The capacity of institutions responsible for the
provision of services in rural areas needs to be reviewed
against the demands of Transitional Rural Settlements.
The reason this study recommends the intensification of
co-operative governance between tribal and nearby urban
structures is to ensure that Transitional Rural
Settlements are able to get some services that relevant
rural local government can not provide. This study argues
that residents in TRS's have the ability to secure a
balance between payment of services they get from urban
municipalities and still enjoy other advantages of
residing in a settlement that is officially outside urban
areas.

The case study area's relationship with service providers
like Durban electricity shows that such a balance is
possible. There is therefore no need not to contemplate
in other services like sewerage, solid waste collection
etc. This recommendation is additional to the proposal by
the White Paper on Local Government, which suggests that
service delivery by line departments and others should be
co-ordinated at local government level in order to avoid
wasteful duplication and confusion.

This study has found that whilst Transitional Rural
Settlements are not yet ready for freehold system of land
tenure the existing system needs to be improved. The idea
of a single title deed entrusted to the Tribal Authority
is not recommended due to the poor connections between
residents of transitional rural settlements and the
Tribal Authority. Such a move would be unconstitutional,
rather than transfer of land directly to the Tribal
Authorities, the state should establish traditional
commonage where groups could apply for protected rights
(through trust or CPA) for the portion of land they use.
The advantage of this tenure form is that the state still
has power to withdraw rights from commonage land if users
do not comply with leasehold conditions. The introduction
of commonage land rights would mean a progress from the
old system of land administration to a system of land
rights management.

This study also recommends that the informal land transactions should be legalised without putting poor social groups into any disadvantage. Adding to formulation of land transactions is the establishment of streamelined procedures regarding acquisition of land and general conduct between tenants an landlords in Transitional Rural Settlements. Tenure reform alone is however, not an answer to the development problem of TRS's, but it could be used by residents to expand their livelihood options (Sapsford, 1996).

The system of land management recommended is that groups should appoint their own person to undertake day to day administrative responsibilities. It is very imperative that communities are allowed to voluntarily appoint anybody including a local chief to take this land management position. There is however a need for further research about the smallest unit of commonage in order to maximise options even at a single Tribal Authority level. The system may be ineffectual if rural communities under one Tribal Authority will be assumed to be a single unit that has common aspirations. Traditional commonage and local land administrator would not mean a successful system of land management it there is no support from the appropriate departments such as the DLA in terms of resources and enabling regulations.

The problem of neglecting Transitional Rural Settlements needs to be addressed not only at Tribal Authority level because these settlements are a creature of intergovernmental and broader socio-economic systems. Underdevelopment of Transitional Rural Settlements also has far reaching ramifications affecting other spheres of government. This study therefore, addressed a development problem as opposed to a tribal/rural problem.

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INTERVIEWS

PERSON	POSITION	DATE
Bhengu B	Local Inkosi	21-07-98 13-10-98
Cross C	Head of Rural Urban Studies Programme at University of Natal- Durban	13-10-98
Mr Councilor	A councilor for Ilembe regional council from Ngcolosi area	03-11-98
Mrs Councior	A councilor for Ilembe regional council from Ngcolosi area	03-11-98
Mr Duma	The headman from Nqetho ward and senior headman of Inkosi	22-07-98
Mrs Dladla	A community development leader from Nqetho	03-11-98
Fourie C	Land tenure expert and academic	15-10-98
Laurens G	Town and Regional planner for the department of local government and housing specialising in rural development	10-10-98
Luckett D	The HOD for the School of Rural Resource Development University of Natal (PMB)	29-05-98
Mzimela T	A researcher who studied developmental institutions operating in Ndwedwe Magisterial District	22-10-98
Mr Ninela	The chairperson of Ngcolosi development committee, Ndwedwe transportation forum, and member of the executive for the Valley Trust.	03-11-98
Phungula F	A rural school principal and councilor for Indlovu Regional Council	06-08-98

APPENDIX 1
QUESTIONNAIRE

UNIVERSITY OF NATAL,
DEPARTMENT OF TOWN AND REGIONAL PLANNING

Questionnaire
You are asked to assist in responding to this questionnaire, the latter is part of the research project related to the management and development of transitional rural settlements. You are expected to fill in **X** in each question with a box provided and put a circle around yes or no questions. Please be free to write where there is a fill-in space.

Demographic issues

1. How long have you lived in this tribal authority ?

No. of years	X
0-2	
3-5	
6-10	
above 10 yrs	

2. Where did you live before you came to KwaNgcolosi ?
   1. Rural areas   3. Township
   2. Informal settlement   4. Elsewhere, specify.........................

3. Do you have another place to live ?
   1. Yes   2. No

3a. If Yes is it an 1. Urban or 2. Rural area ?
   ....

4. How long are you prepared to stay in KwaNgcolosi ?
   1. Permanently   2. Temporary

5. Are there employed members of your family who do not travel daily to and from work ?
   1. Yes   2. No

6. Do you live in a 1. nuclear or 2. extended family ?
   ....

7. Who was born in this area ?

Key Person	X
One Parent	
Both Parents	
Relative Breadwinner	
No one	

8. Are there working females in your household ?
       1. Yes   2. No

8a. If Yes are they doing 1. Formal or 2. Informal jobs ?
      ....

9. Do you have close blood relatives in this area?
       1. Yes   2. No

10. Do you have land reserved for crops ?
       1. Yes   2. No

11. How much stock (cattle and goats) do you own ?

No. of stock	X
0	
1-5	
Above 5	

12. What is your household's main source of income?
      1. Formally employed
      2. Informally employed
      3. Pension
      4. Other ,specify ....

13. Do you 1. rent or 2. own a house ?
      ....

13a. If owning property, do you have tenants ?
      1. Yes   2. No

14. How did you acquire this property ?
....
....
....
....

15. How often have you met Inkosi ?

Occurrence	X
Not at all	
Seldom	
Usually	

15a. When did you last meet Inkosi ?

Occurrence	X
last three months	
last twelve months	
more than one year	
more than four years	

16. Is there any issue that you informed the chief about ?
    1. Yes   2. No

16a. If yes, was it a   1. dispute or
                          2. a ceremonial function or
    .   3. something else , specify...

17. Do you attend community meetings at the tribal court ?
    1. Yes   2. No

18. Who else is responsible for community development beside traditional structures ?
    ....

19. How many councillors represent this Tribal Authority at Ilembe Regional Council ?

Answer	X
Correct	
Incorrect	
No answer	

20. Rate the level of respect shown by your community to the chief and headmen?

Rating	X
1. High	
2. Fair	
3. Low	
4. Can not say	

21. Do you see any advantage of living at this locality (proximity to metro boundary)?
    1. Yes   2. No

21a. If yes, which one ?

....

....

....

22. Tick services you have at your property ?

Service	X
1. Piped water	
2. Electricity	
3. Telephone	

23. Do you see solid waste collection as a necessary service in this area ?
        1. Yes   2. No

24. How is the level of accessibility of social services ?

Indicators	Working distance	Distant	Too far
Primary School			
High School			
Community Hall			
Immobile Clinic			
Police Station			

25. Are you satisfied with general management and development framework of this area ?
        1. Yes   2. No

Substantiate?...

....

....

....

....

....

....

....

....

....

APPENDIX 2

COMPARISON OF CHARACTERISTICS USED IN DEFININING RURALITY

Kodua-Agyekum	Cloke
Premise:" It is more meaningful to define a rural area as an area characterised by the criteria listed below"	**Premise**: "The selection of variables was dictated by the expectation that each one chosen would vary appreciably with changing rurality, some increasing and some decreasing"
Indicators	Variables
*An overwhelming majority of the people are engaged in agriculture and allied occupations	*Occupational structure
*Characterized by extensive land use and large spaces of undeveloped land dominating	*Population structure, density and change
*Per capita income is below national average	*Occupancy and dependency rates
*There are no social amenities such as good quality water, electricity, roads, etc.	*Household amenities
*Characterized by poverty, ignorance, unemployment and out-migration of youth	*In/out migration balance and commuting out pattern *Distance from the nearest urban centres of different level of population size.

KEY CHARACTERISTICS OF THE PROPOSED SETTLEMENT CATEGORIES

SETTLEMENT CATEGORRY	GENERAL DESCRIPTION	NATURE OF SETTLEMENT	ADMINIDTRATIVE RESPONSIBILITY	PROVISION OF INFRASTRUCTURE AND SERVICES
Metropolitan Areas	Comprises a number of large urban settlements that are functionally inter-dependant. Durban is the only existing Metropolitan area in KZN.	Large complex agglomerations	Transitional metropolitan Councils	A wide range of infrastructure and services
Cities & Towns	Comprises self-regulating functioning urban areas with a mixture of land uses and activities associated with urban areas. These urban areas vary markedly in size and degree of sophistication.	Small to large formal urban areas	Transitional Local Councils	All general municipal services
Urbanising Areas	Comprises what are really transition areas and have often been referred to as per-urban areas. These areas are generally poorly defined and unplanned. They are located on the periphery of formal urban areas sometimes in tribal land.	Small to large informal semi-urban areas.	Transitional Local Councils or District of Traditional Councils	Limited municipal services
Villages	These areas are small generally informal agglomerations of settlement found scattered through the rural areas of the province. They are characterised by lack of organisational development, few land uses and rudimentary levels of services	Small rural settlements	Proposed District and Transitional Councils of if absent regional councils	Limited or no municipal services
Countryside	Comprises the dispersed rural settlements of commercial subsistence farm homesteads found across most of the rural areas of KwaZulu-Natal including tribal and farming areas. Typically, the members of these homesteads fend for themselves as families.	Dispersed homesteads	Proposed district councils and Traditional councils or if without Regional Councils	Limited or no municipal services

Adapted From: The Institute Of Natural Resources Report (1995

TABULATED VERSION OF DATA CAPTURED FROM QUESTIONNARES

Table. 1

Duration of stay in kwaNgcolosi Tribal Authority

Number of Years	Settlement A		Settlement B	
	No.	%	No.	%
0-2	7	23	3	10
3-5	5	17	5	17
6-10	4	13	5	17
Above 10	14	47	17	57
TOTAL	30	100	30	100

Table. 2

Previous place of residence

Households who come from:	Settlement A		Settlement B	
	No.	%	No.	%
Rural Areas	19	63	9	30
Informal Settlements	1	3	2	3
Formal Township	3	10	3	10
Urban Core	4	13	3	10
Original	3	10	14	47
TOTAL	30	100	30	100

Table. 3

Residence

Alternative	Settlement A		Settlement B	
	No.	%	No.	%
No other place	18	60	27	90
With another place - Urban	2	7	3	10
- Rural	10	33	-	-
Total	30	100	30	100

Table. 4

Preparedness to stay in KwaNgcolosi

Condition	Settlement A		Settlement B	
	No.	%	No.	%
Permanently	16	53	28	93
Temporarily	14	47	2	7
Total	30	100	30	100

Table. 5

Access to work

Type	Settlement A		Settlement B	
	No.	%	No.	%
Daily commuting	16	53,3	9	70
Stay In	10	33,3	20	70
Both types	4	13,3	1	3
Total	30	100	30	100

Table. 6

Family type

	Settlement A		Settlement B	
	No.	%	No.	%
Nuclear	23	77	14	47
Extended	7	23	16	53
Total	30	100	30	100

Table. 7

Households' key person born in the area

		Settlement A		Settlement B	
		No.	%	No.	%
1	One Parent	7	23	8	26
2	Both Parents	6	20	14	47
3	Relative Breadwinner	1	3	-	-
4	No one	16	53	8	27
Total		30	100	30	100

Table. 8

Female employment

Households : With females	Settlement		Settlement	
Employed in	No.	%	No.	%
1 Formal jobs	6	20	3	10
2 Informal jobs	6	30	4	13
3 Self Employed	1	3	2	7
4 Unemployed females	12	40	18	60
5 Mixed	2	7	3	10
Total	30	100	30	100

Table. 9

Social bonding

Households-------with family ties in the area		Settlement A		Settlement B	
		No.	%	No.	%
1	With	16	53	23	77
2	Without	14	47	7	23
Total		30	100	30	100

Table. 10

Land for crops

		Settlement A		Settlement B	
		No.	%	No.	%
1	Have land	8	27	30	100
2	Have no land	22	73	-	-
Total		30	100	30	100

Table. 11

Stock ownership per household

No. of sock owned		Settlement A		Settlement B	
		No.	%	No.	%
1	0	26	87	6	20
2	1-5	3	10	4	13
3	Above 5	1	3	20	67
Total		30	100	30	100

Table. 12

Households' main source of income		Settlement A		Settlement B	
		No.	%	No.	%
1	Formal employment	13	43	23	76,6
2	Informal employment	11	37	2	7
3	Pension	3	10	3	10
4	Self employment	3	10	2	7
5	Remittances				
Total		30	100	30	100

Table. 13

Home ownership					
Households who		Settlement A		Settlement B	
		No.	%	No.	%
1	Rent a house (rooms)	12	40	2	7
2	'Own' a house	18	60	28	93
Total		30	100	30	100

Table. 14

Property as a source of income (letting)					
Households that		Settlement A		Settlement B	
		No.	%	No.	%
1	Have tenants	10	56	2	7
2	Have no tenants	8	44	26	93
Total		30	100	30	100

Table. 15

Land acquisition					
Types		Settlement A		Settlement B	
		No.	%	No.	%
1	Inheritance	8	27	17	56.6
2	Traditional style	9	30	11	36.6
3	Info. Market style	13	43	2	7
Total		30	100	30	100

Table. 16

Households' meeting with Inkosi					
Occurrence		Settlement A		Settlement B	
		No.	%	No.	%
	Not at all	11	36,6	1	3
	Seldom	18	60	14	47
	Usually	1	3	15	50
Total		30	100	30	100

Table. 17

Households' last meeting with inkosi :					
When		Settlement A		Settlement B	
		No.	%	No.	%
In the last three months		3	16	10	34,5
In the last twelve months		5	26	12	41.4
It has been more than a year		7	37	5	17
It has been more than four years		4	21	2	7
Total		19	100	29	100

Table. 18

Use of the tribal authority's judicial functions					
Households that consulted kosi or induna about ing.		Settlement A		Settlement B	
Households that reported:		No.	%	No.	%
1	A dispute	3	10	5	17
2	A ceremonial function	3	10	10	33
3	Land related issue	-	-	1	3
4	A series of issues	1	3	8	27
5	Never consulted	23	77	6	20
Total		30	100	30	100

Table. 19

Households' attendance of meetings at the tribal court (imbizo)					
Households that ------- attend ngs at eKuphikeni		Settlement A		Settlement B	
		No.	%	No.	%
1	Do	12	40	19	63.3
2	Do not	18	60	11	36.6
Total		30	100	30	100

Table. 20

Households' knowledge of other people involved in community development besides traditional structures		Settlement A		Settlement B	
		No.	%	No.	%
1	No one	20	67	15	50
2	Development committee	1	3	5	17
3	Individuals	9	30	3	10
4	Elected Councilors	-	-	7	23
Total		30	100	30	100

Table. 21

Households' knowledge of the number of counselors representing the area at Ilembe Regional Council		Settlement A		Settlement B	
Those who		No.	%	No.	%
1	Know	5	17	7	13
2	Do not know	25	83	23	77
Total		30	100	30	100

Table. 22

Households' rating of the level of respect shown to the traditional officers						
Rating		Settlement A		Settlement B	
		No.	%	No.	%
1	High	9	30	19	63..3
2	Fair	10	33	9	30
3	Low	1	3	1	3..3
4	No comment	10	33	1	3..3
Total		30	100	30	100

Table. 23

Perceived main advantages for living in the locality						
		Settlement A		Settlement B	
		No.	%	No.	%
1	Close to urban resources	21		3	
2	Better farming area			8	
3	Peaceful and clean			7	
4	No advantages	3		1	
5	Social networks	2		2	
6	Cheap rent	4			
9	Free land/ No rent			4	
Total		30	100	30	100

Table. 24

Bulk services available in the property						
Piped water (W), Electricity (E), bile phone(T)		Settlement A		Settlement B	
		No.	%	No.	%
1	All (W,E,T)	4	13	5	17
2	Only water (W)	2	7	-	-
3	Only elec (E)	5	17	10	33
4	Only phone(T)	-	-		-
5	W and E	15	50	50	40
5	W and T	-	-		
7	E and T	-	-		
3	None of the above	4	13	3	10
Total					

Table. 25

Households' views about waste management						
Regular refuse collection		Settlement A		Settlement B	
		No.	%	No.	%
1	It is necessary	21		2	
2	It is unnecessary	9		28	
Total		30	100	30	100

Table. 27

Households' feeling about management and development framework of KwaNgcolosi tribal Authority						
Satisfaction		Settlement A		Settlement B	
		No.	%	No.	%
1	Generally satisfied	10		18	
2	Generally dissatisfied	20		12	
Total		30	100	30	100