DEMOCRATISATON AND LOCAL GOVERNMENT TRANSFOMATION IN SOUTH AFRICA. A CASE STUDY OF MALUTI DISTRICT, 1995-2005.

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ABSTRACT

Since the dawn of political independence on the African continent, most governments have failed to properly develop systems of local government. In many cases efforts have resulted in mere tokenism, and in most cases failed experiments.

South Africa is an exception. With the assumption of political leadership in 1994, the ANC government committed itself to a programme of restructuring the racially exclusive and compartmentalised local government systems at the time. The emphasis was to be on eradicating the effects of apartheid. Considering the debilitating aspects of the past political landscape, it was understood that democratisation and transformation would be a long process and not achievable overnight.

The ANC government's commitment to restructuring local government was based on a trajectory of transition or developmental theories. The creation of more political space through Civil Society Organisations (CSO) was also promoted. With the introduction of the White Paper on Local Government in March 1998 it was agreed that it would serve as a blueprint for DLG (Developmental Local Government). The latter was also to focus on improving standards of living for previously disadvantaged people. The objectives were to be achieved through decentralisation and the devolution of power. There was to be a shift in approach from 'tier' to 'sphere'.

The writer examines the importance of DLG and its ability to fulfil the demands and needs of local communities. The writer further examines the challenges that face DLG, namely administrative difficulties and unethical practices. Millions of rands are recklessly dissipated and siphoned off through dubious tenders. There have also been some measures of success, and these are noted.

The writer comes to the conclusion that although institutional structures and mechanisms are in place to support service delivery, they are not responding effectively to community needs and demands. Local communities are still casualties in the ongoing processes of democratisation and transformation.

DECLARATION

Except where explicitly indicated to the contrary, this study is the original work of the author. This thesis has not been previously submitted in any form to another University.

SIGNATURE......................................

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DEDICATION

The thesis is dedicated to my Late mother, Maame Abena Semuah, of Nkyeraa in the Brong Ahafo Region; Ghana. She passed suddenly into eternity on the 20 May 2010; before the Degree could be conferred upon me. May her soul be remembered in the new system we are eagerly awaiting for, according to the wish of Almighty Jehovah God.

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INTRODUCTION

Transition politics in Ghana, Nigeria, Zimbabwe, Malawi, as well as South Africa, which purported to ensure viable democratic outcomes have revealed glaring distortions and limitations in form and content. Whilst many political gains have been accomplished in the central administrations, government at the local level has continued to exhibit woeful signs of neglect and has defied the forces of transition operating within the ambit of transformation and the accompanying democratisation processes. The lack of an adequate transition theory which might serve as a tool of analysis and offer critical evaluation and measurement of the transition intended or accomplished at the local level is a major problem. Overviews of the transition that has occurred at the local level have remained impoverished and blurred.

South Africa, however, presents a positive political scenario in contrast to those in the other countries. Its experimentation with democratic transition at the local level has been impressive, compared to the other countries and is widely spoken of as a success story. The local level has been fully incorporated into the orbit of the transition process, despite initial pessimism.

Fear and apprehension concerning South Africa's experimentation with transition politics at the local level seem to have faded, and a more democratic outcome has been achieved as Tribal Authorities and Magisterial Systems have now been replaced by new structures of local administration. By re-mapping its geo-political contours along lines of democratic transition and transformation, South Africa's success story at the local level can be understood within the context of transition politics. The overall indications are that no relapse to earlier patterns of authoritarian local administration, devoid of democratic principles, is likely to occur.

The White Paper on Local Government March 1998, signalled the dawn of a new era in local government administration and provided a policy blueprint for transformation. Its emphasis is on giving local government a sense of direction and purpose in its route from authoritarian policies towards consolidation, local participation, and service delivery.

In the present thesis I intend to examine the application of transition theory as an evaluative tool to assess the developments in local government that have taken place at the local level. I shall use Maluti district as a case study.

RESEARCH PROBLEM

South Africa has experienced a process of political transformation accompanied simultaneously by radical transformation of existing political structures at the local level. It is believed the process has led to the creation of a more just and equitable society, which comprehensively defied the old apartheid system that was in place. Accordingly, local government is considered the vehicle to play a vanguard, or frontline role in the promotion of local democracy and the delivery of services through the process of decentralisation. In this political milieu, local communities had featured as primary agents in the decision-making process, over everyday mundane issues which confronted them, especially through the establishment of 'developmental local government (DLG)'.

The thesis intends interrogating the transformation that has taken place from the tribal authority system of local government which was largely apartheid inspired, to the new democratic local government system. This interrogation is necessary because of the past debilitating local government system, and want to see what changes have been brought about by the new local government dispensation.

Secondly, a change or a paradigm shift of any system generally is bound to encounter myriad of challenges. The thesis therefore intends to interrogate the problems and challenges that have emerged in the new local government dispensation. The new system of local government in Maluti will be used as a case study with the hope that it will inform my readership what may be happening in other municipalities in South Africa. In this respect, Maluti district administration will serve as a microcosm for the sake of studying local government elsewhere in the new democratic South Africa.

METHODOLOGY

PRIMARY SOURCES

A fundamental aim of this fieldwork research programme is to test the validity of what councillors and officials say against empirical experience of service delivery by local community residents. The White Paper on Local Government (1998) defines the goals and methods of local government and serves as a tool of measurement of the successes or failures of local government in the area. At times, what councillors say does not coincide with what local communities perceive to be occurring. The need for field research in this situation is imperative in order to test the numerous perceptions advanced in support of, or against, the degree of success supposedly achieved; whatever has been gained must be assessed in the broader framework of local government aims and objectives.

The aim of my fieldwork, therefore, is also to test the relevance of the Local Government White Paper to the problems which it seeks to address, and to assess the practical demonstration of its aims and objectives at the local level. I shall furthermore consider the views of development which the Paper advances. A close examination of the fieldwork will allow the theories advanced in the Paper, to be assessed. I have made use of both 'open-ended' and 'closed-ended' or 'fixed-choice' questions. The latter brand of questions enabled respondents to make a choice among given options, and enabled the researcher to quantify and classify responses in an expeditious manner, especially when compiling surveys, plotting graphs and drawing tables.

On the other hand 'open-ended' questions give a substantial amount of space and leeway for respondents to compose their own answers to a list of questions. Based on a selection of possible answers supplied, probing questions can be posed to throw further light on issues respondents have previously raised. Thus out of a given statement a further line of argument and elaboration by both interviewer and respondent may develop.

ADOPTING A PEOPLE-CENTRED APPROACH

A people-centred type of research, similar to the one under discussion, demands the employment of several research tools. Questionnaires, interviews, and surveys as quantitative and qualitative research methodologies may be employed. These research tools have assumed critical

importance throughout the study, not only in the collection and gathering of data or information, but as a means to demonstrate that different research tools can be effective in their application to different respondents whose social backgrounds and station in life are different. A set of questions administered to a councillor is likely to differ radically from a set administered to a local community resident. In order to evoke accurate and constructive responses, interviews as research tools may also need to take into consideration the people involved, based on their socio-economic background.

SECONDARY SOURCES

The substantial amount of evidence collected in my fieldwork was supported and enriched by published and unpublished materials: articles in academic journals, newspaper articles (both local and national), and published books. These publications enriched my understanding of local government development in a wider context as well as of transition politics at the local level.

I took advantage of numerous newspaper publications specialising in local news items. Monitoring local newspaper publications became habitual and enabled me to capture media coverage of topical issues which were relevant to my topic. By updating myself regularly on local issues, I found myself in a better position to view local issues from a broader perspective. I subscribed to a number of local newspapers in order to gather information and data through secondary sources.

Few of these publications could be accessed in the Matatiele Municipal Library, so that subscription was the only option. Special mention should be made of the *Kokstad Advertiser*, *The Informer*, *The Big News*, *The Eastern Cape Herald*, *The KwaZulu-Natal Empowerment Report*, and *The KwaZulu-Natal Herald*. Although subscription was costly, these newspapers proved to be invaluable, since I could count on a regular supply of news items.

National newspaper publications were of limited use to me. Whilst they had a broader perspective and enabled me to draw analytical comparisons with local newspaper publications, the latter tended to deal with more specific issues at the local level, especially those relating to local government.

In addition, I opened subscription for such academic journals, like *The Local Government Bulletin,* published by the Community Law Centre of The University of the Western Cape. This journal deals specifically with local government issues and helped me to explore the new legislation regulating Local Government. It also helped me to ascertain those views and opinions expressed on local government which attracted media attention.

Other subscriptions included the *African Insight,* a journal published by the African Institute of South Africa, Pretoria. Most articles published in this journal proved academically stimulating and interesting. A more recent publication to which I subscribed was the *New Agenda: A South African Journal of Social and Economic Policy. New Agenda* has produced enthusiasm in intellectuals, researchers, and students from all walks of life.

The enrichment offered by these publications to my existing body of knowledge has been far-reaching. It has enabled me to distinguish between theories on local government and actual events and practices at local level. These publications proved an immense asset, given the shortcomings of local libraries.

The E. G. Malherbe Library of the University of Natal (later the University of KwaZulu-Natal), Library of the Walter Sisulu University and the local Matatiele Municipal Library all made provision for access to published and unpublished academic materials. I also took advantage of electronically transmitted information on the Internet. Internet cafes allowed me to access information on local government issues. In addition, I could count on the support and generosity of friends who made their internet connections accessible to me.

LIMITATIONS OF THE STUDY

The co-operation I received from my teaching colleagues, education officials, and students helped me to overcome a myriad of problems which might otherwise have been debilitating and damaging, especially in the beginning of my fieldwork.

Among the problems encountered were those that arose from the doubts entertained by some municipal officials and councillors concerning my study. For some reason, attempts to elicit information through normal processes like questionnaires and interviews were in these cases unavailing. Municipal councillors and officials looked upon the study with suspicion. They seemed to fear that the study might expose their weaknesses, as corruption and other unethical practices were already widespread and had filtered through most municipal offices. They believed that the research findings would make them unpopular, and that they might tend to prove the allegations of corruption and other unethical social practices that had attracted media attention.

They also believed that the study would expose corruption and ineptitude, as well as poor service delivery and bloated salaries, unrelated to the volume of work they were supposed to do. Such officials failed to honour appointments. When they did appear, their nonchalant attitude was reflected in the manner they responded to interviews and other research tools used.

As the study progressed some councillors and municipal officials responded generously to the first set of questionnaires and interviews. They displayed an exceptional degree of co-operation. Subsequent questionnaires and interviews, however, attracted less attention and enthusiasm from this category of respondents. In order to overcome this problem, I gave exhaustive coverage on a wide range of issues to the information which I received during the first phase of interviews with the municipal councillors and officials. In most cases municipal councillors objected to the practice of tape-recording facts that were revealed to me during interviews. Since tape-recording is regarded as being the ideal tool in fieldwork, I tried to win councillors over and often succeeded in my efforts.

I also conducted interviews that demanded more time relatively, taking between 1½ to 2 hours, and immediately transcribed what I had collected into my Fieldwork Record Book, a specially designed book for fieldwork research operations. My emphasis was on ensuring that details of facts were accurately recorded. To ensure the safety of recorded tape cassettes, I kept them in a special locked box. Careful storage of interview materials allowed me to draw on a wide range of information, views, and opinions from many municipal councillors and officials. Although the

collection of information through interviews may be considered to be a laborious exercise, given the fact that most councillors lived in remote rural communities, and there were considerable inconveniences caused by poor transport and general inaccessibility, the exercise nevertheless paid dividends.

As a precautionary measure, I tried to omit or play down, in the questionnaires and interviews administered to municipal officials and councillors, sensitive issues like the recent wave of allegations of corruption in municipalities, and its negative impact on service delivery mechanisms. Although I did not wish to underestimate the importance of corruption in municipal administration, I reserved such questions for other types of respondents like local community residents, since they were likely to be major beneficiaries of service delivery. I considered them strategically best placed to offer critical evaluation of the extent to which corruption has damaged municipal administration.

Although some councillors adamantly refused to co-operate in fieldwork, a reasonable number of them entertained different attitudes, as mentioned above. They co-operated in collecting data and information especially on issues dealing with local and participatory democracy. My main objective was fact-finding, rather than fault-finding, and this reinforced their willingness to offer help in the fieldwork exercise.

My failure to enlist the co-operation of some municipal officials and councillors in the fieldwork was compensated in large measure by local community residents. They inspired and encouraged me in all my endeavours to solicit a wide range of views and opinions of local government transformation. The attempt to probe current information on local government transformation proved less contentious than I had envisaged. With the unwavering support of local communities, I used tools of research, employed at various stages in the field, to uncover the sentiments and perceptions about development of local government in South Africa, from the end of apartheid to the democratic dispensation.

Local communities as major recipients of service delivery covered a wide range of issues when they were raised in interviews and questionnaires. It is likely that local communities regarded the

study as a possible communication channel through which they could convey their reactions to certain abuses which they had identified in the municipal administration. They believed that no official would listen to them because communication channels with major local government structures had broken down at the local level. Superimposed on the above notion was the fact that adoption of Proportional Representation (PR) as an electoral system at the local level has created a communication gap between ward councillors and ward residents. Most respondents would tell you that they 'voted for the party, not personality', through the List System (LS).

As the fieldwork intensified, most local community residents developed enthusiasm for the work. They devoted time and energy to the questionnaires and interviews I organised with them. Local community residents were less suspicious about my identity than were some municipal officials and councillors. Among the large number of local community residents with whom I interacted, my presence as local teacher in the township school and also the fact that I was a local resident (having lived and stayed with them for over a decade), contributed much to dissipate suspicion some might have harboured.

The chairpersons of democratic institutions operating at the local level in civil society organisations and associations were happy to co-operate with me. They willingly offered themselves for interviews and questionnaires, and gave me access to their constitutions and other important documents as terms of reference. The 'open-door' policy they adopted and the magnanimity they displayed implied that I could embark on a follow-up exercise anytime I considered it necessary. In this part of the fieldwork, I administered 'open-ended' questions. My emphasis was on evoking a wide range of responses on the formation, operation, aims, objectives, achievements, and problems of the organisations at the local community level.

STRUCTURE OF THE THESIS

Chapter One. An examination is made of the disparity between transition at the local level and what has taken place in the central administration at provincial and national levels respectively. It is pointed out that these transitional processes have never been simultaneous. I shall argue that transition at local level has been neglected by scholars possibly because of the lack of a transition theory to serve as an analytical tool. The modes of understanding transition processes at the local

level have remained impoverished and untested. The need for a transition theory emerges as being crucial to adequately explain transitions that have occurred at local level. In the chapter, the aim is to construct a model which may serve as an analytic tool capable of offering a theoretical and empirical explanation of local government transition in South Africa.

Apart from transition theory other theories like decentralisation theory and transformation theory have been interrogated in the chapter. Their relevance to local government development in the study have been articulated,

Chapter Two. The issues are discussed of transition at the local level, defined and controlled by laws and legislations relating to local government. The implications are that transition arrangements should follow an orderly route towards democracy and away from the authoritarian practices of the past.

In 1995, the Transitional Representative Council (TrepC) was established to meet the challenges of a new kind of local government, as new democratic structures were introduced to tackle issues at the local community level. TrepC has attempted to demarcate the democratic practices of the future and the undemocratic practices of apartheid, epitomised in the tribal authority system. Although TrepC has regulated the transition from the tribal authority (TA) system, I shall argue that striking similarities remain between the TrepC institution, its functions, its personnel, and electoral practices and the TA system. Matters of limited participation, accountability, and responsibility remain contentious, and still confront the TrepC.

The adoption of PR as the electoral mode implies that elected TrepC councillors represent political parties and champion their interests, rather than the electorate. Councillors do not represent a given constituency, and their election is largely dictated by the Party List (PL) system. The interests of the electorate are submerged, as party interests take precedence.

Participatory democracy remains an elusive goal. The changing of representatives by party executives does not in itself constitute a democratic option since elected councillors feature prominently as party functionaries. The attempt to establish democratic institutions and structures at the local level has therefore been severely limited, almost to the same extent as the TA system that they replaced.

Chapter Three. The politics is discussed of Civil Society Organisations (CSOs) in the Maluti district and the developmental role they play in local communities. Their proliferation on the local political landscape is attributed to the new democratic order, underpinned by legislative instruments and local government policy framework.

I argue in the chapter that, although CSOs supplement the present limited participation in governance by affording an opportunity for local communities to express their views, the CSOs are impeded by the fact that they remain committed to their organisational membership and ethos. Their aims rarely transcend the limitations of the organisational domain in which they operate.

CSOs could also be said to display a similar degree of limited participation, despite the fact that they are committed to the notion that participatory democracy should never be confined only to electoral politics.

Chapter Four. Discussed are the various component areas of the electoral system for local government as part of the functioning of participatory democracy. The establishment of ward administration is perceived as a means to promote local democracy. In the chapter it is argued that the demarcation of the district into wards as decentralised participatory organs constitutes a means of ensuring representation, accountability, and responsibility on the part of elected ward councillors, taking cognisance of the fact that they represent a given constituency. However, despite its political merits, demarcation has faced stiff opposition from the conservative elements in rural communities. Tribal leaders have entered on a collision course with demarcation officials. The demarcation process is seen as a continuation of struggle politics, this time not between the apartheid forces and those agitating for democratic change, but between democracy on the one hand, and conservative traditionalists on the other. Tribal leaders conceive themselves as being unjustly oppressed under the democratisation project, and live in fear and uncertainty. Active, but largely non-violent resistance is assumed to be the best option to contain the situation. In the chapter, it is argued that ward demarcation has had a limited effect on the choice

of representatives. Most respondents argue that elected ward councillors were never their choice. They voted in support of a party, and not candidates.

Chapter Five. Party politics at the local level is discussed. The intrusion of two parties, the IFP and the UDM, into the political landscape of the district in addition to the incumbent ANC, tends not only to break down barriers against competitive politics but also to dramatise politics and keep the district politically active. It is argued that electoral politics in the district paves the way for a winning party to prepare itself for the challenges and prospects of ensuring efficient and effective service delivery to local communities. The 1995 local government election has been considered a political landmark for the consolidation of local democracy through the participation of local communities in the elections.

Chapter Six. Examined is the role of Developmental Local Government (DLG) in service delivery to local communities. Among these services are included the provision of good water supplies, health services, roads, sanitation, refuse collection, and electricity supplies. It is argued that despite numerous service delivery projects, the system is replete with corruption as well as other unethical social practices like malingering at work. Disguised unemployment features prominently. Such practices tend to undermine quality service provision in the district.

Further, it is argued that the beneficiaries of service delivery are not local communities, but local politicians and party bosses who carve for themselves a large share of the 'national cake' in the form of contracts and tenders. The system of bidding is a mockery since winners are very often determined before the commencement of the process.

A culture of non-payment of accounts for services is another issue to contend with in local communities as potential consumers or recipient of public good. The issue has had far-reaching consequences. It is argued that the culture of non-payment is not a new phenomenon. Its resurgence, however, has had devastating consequences, discouraging community residents from making payments for basic services. This culture of non-payment has undermined the capacity of DLG to generate income for other social commitments and projects envisaged under the scheme, thereby slowing down the pace of development.

Chapter Seven. The findings of the rest of the study are summarised, recommendations are made where appropriate. The chapter contains discussion of two main components which confront DLG: the development of local democracy, and service delivery imperatives.

CHAPTER ONE
THEORETICAL AND CONCEPTUAL FRAMEWORK

1.0 INTRODUCTION:

A theory, as a set of ideas, explains in detail how a process works.[1] Like a model which is the elaboration and extension of a theory to cover a particular situation, theory serves as an 'analytical tool that enables scholars to dabble in the past, explain the present and speculate on the future. It is regarded as the crystal ball of the social sciences'.[2] The ability of theory to predict future events is its 'predictive power'.[3] It may also have prescriptive power, that is to say, the ability to generate suggestions concerning future action as well as explanatory and analytical power. Theory explains the divergence between the *ideal* and the *actual.[4]* Under such conditions, theory structures a researcher's explanation of the general type of change that is taking place. It could be argued that theories are valuable aids to understanding, explaining, and predicting administrative (and of course political) phenomena.[5]

To explore the frontiers of the topic and other concomitant issues, a number of theories have been used. These theories include transition theory, decentralisation theory, transformation theory and the concept of Local Government. The application of these theories to local government development in South Africa informs most of the analysis in this thesis.

1.1 TRANSITION THEORY

The application of transition theory to democratic political changes taking place at the local level has received insufficient scholarly attention. Transition theory 'provides the student of

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[1] Haralambos, M et Heald, RM (1985)'Sociology: Themes and Perspectives'. Bell and Hyman. London. p9.
[2] Habib, A(1995) 'The Transition to Democracy in South Africa : Developing a Dynamic Model'. *Transformation 27; p53*
[3] According to Barango, Y (1985) 'Political Science in Africa,' the prescriptive power of Theory is its ability to prove correct solutions to problems and to guide researchers in their endeavours to change reality or to perpetuate it. The explanatory and analytic power of Theory connotes the ability of the Theory to identify the fundamental and non-fundamental problems and how this could help our understanding of the nature of such problems. Zed Press, PLC. London, UK.
[4] Hanekom, SX et Thornhill, C (1996)'Public Administration in Contemporary Society: A South African Perspective'. Southern Book Publishers. South Africa. Revised Edition. p52-53
[5] Ibid, p52.

democratisation processes with useful definitions of key terms and concepts which help to structure every analysis'.[6]

Despite the importance attached to transition theory in the social sciences, its application to recent democratic transition at the local level has been received with little enthusiasm. The assumption is that the local level is less attractive to scholars of regime change, or the study of this area has escaped their attention. Presumably the local level does not appear sufficiently important to inspire writers to undertake empirical research programmes. Issues relating to transition theory at the local level have remained essentially hypothetical rather than being based on recent empirical work, as a result of paucity of literature focusing attention on this field. Schmidt[7] makes the following observation: 'On close inspection of the work of leading political scientists in the field of transition theory, the result is surprising: the different transition approaches totally neglect the local or regional level in their theoretical work'.

There is excessive concentration placed on the national level by scholars of regime change and transition politics. This has gone a long way to exclude the local level as another sphere of academic importance. Schmidt alludes to the fact that the political changes that have taken place at the national level within the framework of liberalisation and democratisation have not resulted in corresponding changes at the local level. Where some degree of attention is paid to local issues, 'it is [only] during phases of constitutional engineering, e.g. in South Africa, and in the context of consolidation'.[8] In terms of this analogy, the 'establishment of more participatory structures on the local level is seen as a general precondition for a consolidated democracy'.[9]

Despite strong support for democratisation, good governance, and democratic institutions as solutions for Africa's political and economic woes, the local level has remained less receptive to systems of participatory democracy, and has remained vulnerable to political abuse. Given

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[6] Schmidts, S (1997) 'Is small beautiful ? The Significance of Decentralization and Local Self-Government in the Context of Recent Processes of Decentralization in Africa', in 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa', edts. Wilhelm Hofmeister et Ingo Scholz. *Konrad Adenauer Stuftung p36*
[7] Schmidt, S(1997)p37 op cit.
[8] Schmidt , S(1997) op cit
[9] Schmidt, S(1997) op cit.

these structural weaknesses and limitations, formulation of transition theory appropriate to local level remains blurred and incomprehensible.

In the case of other kinds of regime change, what seems appropriate is extensive coverage, interrogation, and appreciation of the dynamics that have contributed to such changes. Such studies tend to occur as enquires into the changes in a particular country or a broad comparative analysis of a group of selected countries that have made the transition from authoritarian regimes but are uncertain of democratic outcomes.[10] Some Latin American countries, and more recently Eastern European countries that have undergone processes of transition have become a major pre-occupation of writers of regime change, who, however, have paid scant attention to African states in similar processes of change. Schmidt[11] further observes that: 'Democratisation processes in Africa were not envisaged by most Western and African scholars analysing African politics. We therefore know very little about its causes, dynamics and mechanism of power shift, only tentative remarks are in order'.

 Schmidt also claims that 'transition theory concentrates on elites at the national level who craft democracies in negotiations, often behind closed doors. The majority of the population i.e. the masses are only of interest if mobilised and marching on the streets. Sometimes the exclusion of the masses is even viewed as a precondition for a successful transition'.[12] On the whole, most African states that have successfully undergone the process of transition from an authoritarian one-party regime or from military regimes have escaped scrutiny by these writers, who have at best engaged in fact-finding missions at national level to obtain information to articulate transition theories underlying regime changes. South Africa, however, is an exceptional case, and seems capable of providing data for a theoretically formulated tool of analysis.

South Africa is an example of a country that has successfully undergone a profound process of change, from an authoritarian government to some degree of democracy, and which may therefore yield material related to transition theory. The transition that has occurred, however, at

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[10] Diamond, L et al (1990)'Politics in Developing Countries: Comparing Experiences with Democracy'. Lynne Rienner Publishers. Boulder &London. UK See also, Braton, M et de Walle, N(1997)'Democratic Experiments in Africa : Regime Transitions in Comparative Perspective'. Cambridge University Press, UK.
[11] Schmidt, S(1997) p38
[12] Schmidt, S(1997) p37

the national level has not been commensurate with transitions at the local level.[13] The issue of transition at the local level has been contentious, the term *delayed transitio*n has been applied to it, occurring as it did within a broader spectrum of liberalisation and democratisation processes.[14]

I shall argue that local government is crucial to ongoing democratic transformation in South Africa. Donor countries and international institutions, such as the International Monetary Fund (IMF) and the World Bank are also guilty of failing to promote local democracy. External factors have played a crucial role in re-mapping the geo-political contours of Africa. Tjonneland [15] claims that 'foreign aid has frequently been used to influence policies in the recipient country, to promote foreign policy goals and generally to boost the values and the objectives of the donor'. Neglect of the events at the local level suggests misplaced priorities. Although financial aid is a factor in regime change in Africa, as a result of the weaknesses of its economies, the IMF and the World Bank 'seldom try to promote democracy at the local or regional level'.[16] Promotion of local democracy is often left exclusively to the newly installed African democratic regimes whose commitment to local government may be superficial, and lacking any programme aimed at overhauling the machinery of local administration along democratic lines.

My discussion is founded on the assumption that no matter what the intensity, direction, or level of change, whether at the national (central) or local level, the core and peripheral institutions, the factors and tools of analysis used are fundamentally the same. The same transition theory which has been employed to measure political changes at the national level may be employed at the local level. [17]

1.2 LOCAL GOVERNMENT CONCEPT

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[13] Bekker, S; et al (1997)'Local Government Transition in Five Eastern Seaboard South African Towns'. *Politikon Vol. 24 N0 1, June, 1991, p1.*
[14] Bekker, S(1997)
[15] Tjonneland, E(1998)'Aid Development and Politics in Southern Africa : A Critical Look at new Conditionalities in Official Development Assistance'. *Development bank of Southern Africa, Vol.15 No3; Winter 1998 p186.*
[16] Schmidt, S(1997), p38.
[17] Keller, EJ(1995) 'Liberalisation, Democratization and Democracy in Africa : Comparative Perspective'. P224-230. *African Insight, Vol. 25 No4, 1995.*

Local government in its broad contextual framework has evolved a plethora of definitions. Yet a common strand runs through them, giving meaning to local government as a vehicle for basic participation and service delivery. In a broader theoretical definition, local government is perceived as being 'government closest to the people'.[18] Local government is also referred to as the 'democratisation of grass-roots decision-making'.[19] Cloete[20] points out that 'Local Government typically comprises local community management and administration. It denotes the elected political and appointed bureaucratic structures and processes through which community activities are promoted and regulated on a day-to-day basis'.

The academic relevance or importance of the definition supplied by Cloete is its focus on the civic responsibility of local government. Given this fact, local government serves as the meeting place where the ideals of management and administration, where the elected and the appointed, converge for the enterprise of development, and where the local level essentially features as a hub from which political and socio-economic programmes are generated.

Cloete [21] further claims that local government has the potential to be 'democracy in action'. It ensures community participation in the governing processes through its elected representatives. It promotes direct or participatory democracy located at the core of governance. It brings together the cream of qualified men and women to assume civic responsibilities through the voting process and, local government creates opportunities for people to serve as elected representatives on whom communities can count on as being capable of addressing their needs, demands, and expectations. However, a limitation of the above definition is that it significantly excludes the utilitarian responsibility or consideration of local government. This includes the provision of essential services such as water, electricity, refuse collection, sewerage disposal, health services,

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[18] Thornhill, C(1995) 'Local Government : Government Closest to the People'. HSRC, Pretoria. See also works of the following writers ; Totemeyer, G (!988) 'Local Government : Where Politics and Public Administration meet', from 'Government By the People ?'. edts. Heyman et Totemeyer, G . Juta and Co, Ltd. Cape Town. Aryee, JRA (1997) 'The Emergency of Responsible Government at the Grassroots level' in 'The Search for Democracy in Ghana - A Case Study of Political Instability in Africa, edts. Ninsin, K et Drah, K (1987). Asempa Publishers. Accra. Ghana.

[19] Keulder, C (1998)'Traditional Leaders and Local Government'. *HSRC.* Pretoria.

[20] Cloete, F (1998) 'Local Government : Cradle or Death of Democratic Development ?' in 'State of the Nation, 1997/98' edt. Bertrus e Villiers, *HSRC*. Pretoria.

[21] Cloete, F(1998)ibid

abattoirs, housing, and accommodation facilities.[22] A logical outcome of the ongoing debate is that local government exists to accept both civic and utilitarian responsibility.

Cloete [23] considers that local government can appropriately be conceived as the 'first level' of government. In a similar vein, Nong [24] states:

> Local government should in fact be classified as the first tier of government because it is the oldest form of government that affects the populace most directly. Local government has its origin in early tribal villages and primitive communities where this type of government was established long before the concept of a nation state evolved.

An evaluation of the above statement is that local government deserves a special place of prominence in any important discussion and its evolution. The following argument is in direct contrast to the popular classification of local government as 'third-tier or level', of government.[25] Aryee[26] notes that:

> A nation develops and grows from the grass-roots i.e. below, that is nation-building. No one builds a house from the roof, for a house without strong foundation is bound to crumble. So also a nation which fails to build strong and effective local government units and contended rural communities have no hope of survival.

The prosperity of a nation depends on a strong foundation supplied by local government. A strong institutional framework of local government therefore remains a necessity to lay the required foundation for viable and long-lasting democratic government. Local government cannot be imposed unilaterally from above, but must evolve from below through local government structures. The bottom-up process is considered a preferred option.

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[22] Adlem, WLJ(1997) Tutorial Letters, No 102/97. Department of Public Administration, UNISA. Pretoria.
[23] Cloete, F(1998), op cit ; p140.
[24] Nong, E(1999) 'Enhancing Local Government Service Delivery : A Batho Pele(People First) Perspective', in 'Search of Excellence : Local Government and Serve Delivery'. Seminar Report. 28 - 30 April, 1999. Konrad Adenauer Stiftung. Thohoyandou. Venda.
[25] Bayat, S et al(1999) 'Local Government management'. International Thomson Publishing (Southern Africa) Pty. Ltd. Halfway House. South Africa. See also Gavin, M (1999)'The Impact of Local Government on Rural Development in South Africa'. *Transformation(40).*
[26] Aryee, RJA (1987) p128.

1.2.1 Local Government and the Classical concept of Democracy

A variant of democracy described by Aristotle [27] closely parallels its modern adaptation of local government in which participatory or direct democracy remains the norm, rather than the exception.[28]   Etymologically, the term *democracy* is derived from the Greek word *demokratia,* from *demos,* meaning 'people' or 'masses', and *kratos*, meaning 'strength', or 'power'. In essence democracy implies government or rule by the people.[29]

The power of the people is a vital ingredient in democracy. In modern times this is normally realised in the electoral process. As a modern adaptation of democracy, government is viewed as an approximation or equivalence of the classical Athenian system of government which sufficiently promotes participatory or direct democracy, where 'each citizen enjoys the right to participate directly in the political decision-making process and therefore also enjoys direct participation in the policy determination process'.[30] Dunn [31] asserts, 'in a democracy the people (i.e. the *demos*), its human members, decide what is to be done and in so doing they take their destiny into their own hands'. The polis in the Greek city-states became the centre–piece upon which direct democracy, with all its merits, was founded. Abraham Lincoln's famous Gettysburg address of 1863 characterises democracy as 'government of the people, by the people and for the people'. Local government should at least meet the obligations and commitments demanded by this definition.

Ansah-Koi[32] claims that the masses (i.e. the *demos*) invariably constitute the numerical strength in any community or polity. In democracy, the government should be responsible to the *demos,* and political power, based on popular will, should ultimately emanate from them. In the words of

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[27] Aristotle (1962) 'The Politics', Translated with an Introduction by Sinclair, TA. Penguin Books, The Chaucer Press, Ltd. Great Britain.

[28] Cloete, F (1994) 'Local Government Restructuring'. *Politikon, Vol.21 No 1, June, 1994*. See also Aryee, RJA (1987)op cit ; Hanekom, SX(1988) op cit ; Drah, K F(1996) 'The Development and Sustenance of Democratic Governance' in 'Problems of Democratic Governance in Africa'. Proceedings of a symposium organized by the Ghana Academy of Arts and Sciences in collaboration with the Friedrich Ebert Foundation held in Accra from 3-5 June, 1996 ; Ansah-Koi, K(1987) 'A Historical Outline of democracy in Ghana' in 'The Search for Democracy in Ghana - A Case Study of Political Instability in Africa', edts. Ninsin, K et Drah, FK(1987) ; Asempa Publishers, Accra. Ghana.

[29] Thornhill, C (1995)p1-3 op cit ; Drah, FK (1996), p51 op cit ; Ansah-Koi, K (1987) p55 op cit.

[30] Gildenhuys, JHS (1993) 'Public Finance Management'. P51 ; JL Van Shaik (Pty), Hatfield. Pretoria.

[31] Dunn, J (1993) 'Democracy: 'The Unfinished Journey 508BC to AD 1993'. Oxford University Press, 1993.

[32] Ansak-Koi, K (1987) op cit

Pericles, 'we are called a democracy because the administration is in the hands of the many and not of the few'.[33]

The *self-rule* concept is possible only 'under conditions of direct democracy when citizens gather and make decisions in a face to face assembly'.[34] A word of caution must be sounded here: the Athenian interpretation of *citizen* is different from our contemporary usage and its application. Qualification for *citizenship* and *democracy* was never a divine prerogative, i.e. a right, but a privilege, narrowly confined and bestowed upon men of pure Athenian descent, of good social standing. A large number of Athenians, like women, slaves, and resident aliens (*metics*) were denied access to democratic rights. Democracy was the exclusive preserve of a particular group of people in Athenian society. Thus, this *democracy* and the acquisition of *citizenship* ran concurrently, and not everyone enjoyed the benefits accruing from them. Despite the foreseeable shortcomings and limitations in our contemporary assessment and perception, Athenian democracy, as crafted by the Greeks, has been regarded as the best form of direct democracy, since it involves a degree of popular participation. Deriving from this is indirect or representative democracy, which differs from the direct democracy of the Athenians.

1.2.2 Local Government: Direct and Indirect Democracy or Representative Government

Rule by the elected representatives of the people constitutes representative democracy. Representative government[35] has achieved widespread popularity because direct democracy cannot cope with the dynamics and complexities of modern plural societies and demographic intricacies. In view of this inherent weakness, the adoption of direct democracy has often been impossible. The need to solicit or consult a wide range of views and opinions in large geo-political entities has led to the adoption of representative democracy as a viable alternative system. Representative government enables more people through the electoral mechanism to

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[33] Drah, FK (1996) p51. Quoting Pericles one of the Greek statesmen, op cit.

[34] Bratton, M et de Walle, N(1997) p11 op cit.

[35] Representative government and depresentative democracy have been used interchangeably in this part of the thesis to mean one and the same meaning.

participate in public decisions, and means 'having someone act in your place in governmental decision-making'[36] albeit in an indirect manner.

Representative democracy/government which approximates liberal or popular government has also attracted criticisms, because of its mechanism of indirect representation. Popular criticism of the system is that representative democracy displays the tendency to alienate the greater proportion of the masses from mainstream decision-making, despite strong arguments in favour of political accountability and responsibility.[37] Only a small fraction of the *demos* directly participate in decision-making which affects the entire society. The rest of the citizens, who form the bulk of the population, become passive onlookers or observers whose role in public life is limited to voting in elections. This is a departure from democracy as conceived by the ancient Athenians. Representative government seems to have masked the true meaning of democracy.

Representative democracy or government has strayed from its course in that there is too much centralisation of power, often despite strong rhetoric in support of democracy. This does not augur well for practical functioning of democracy in action. Representative democracy exhibits a tendency towards elitism, in which the common citizens are removed from the centre of governmental power with policy decisions increasingly becoming the domain or preserve of a select few.[38]

The growing trend towards elitism fails to promote participatory democracy. The tendency of democracy is often to regress towards 'authoritarian democracy' or 'democratic centralism'. This tends to operate without recourse to constitutional or legal checks on the abuse of power. Once a group of representatives is elected, it becomes difficult for an electorate to exert meaningful control over them, especially in newly constituted African democracies, where illiteracy places severe limitations on political education. Electorates may have difficulty in critically evaluating party policies and programmes, and electioneering promises are more often than not broken.

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[36] Venter , A et Johnston, A (1991) edts. 'Politics : An Introduction for Southern African Students', p153. Oxford University Press. Cape Town.
[37] Gildenhuys, JSH (1993)p52, op cit
[38] Keller, EJ (1995) p224-239 op cit.

In their own defence, African governments do not hesitate to contend that it is unrealistic to expect miracles overnight. Such rhetoric constitutes a breach of promise by elected governments. Electorates are compelled to wait for years before they can again decide the fate of representatives through the ballot box.

The limitations of indirect democracy are exacerbated by the growing popularity of PR as an electoral system, which occurs in conjunction with the PL system currently experimented with in South Africa, and other parts of the world. The rule is that electorates are compelled to vote on party lines, rather than for particular candidates. Political parties thus exert a greater degree of control over the choice and conduct of candidates than do electorates.

Although PR ensures the representation of minority political groupings in government at all levels, the possibility of electorates being alienated from elected representatives is a contentious issue. Adherence by representatives to party grows stronger than commitment to the electorate. Under the cloak of party loyalty, elected representatives have nothing to fear as a result of failure to meet the commitments they pledged to electorates.[39] Electorates and their needs may well become political casualties.

Another problem with indirect representative democracy is that, in countries where majoritarian democracy exists, it is not uncommon for the rights of minority groups to be ignored with impunity. Views of minority parties are often ignored. Hasty and ill-conceived legislation can be passed despite opposition from minority parties. This is not a case of minority parties failing to achieve representation in parliament, but of the problem of their voices not being heeded. Minority groups may be sacrificed, and their views may be submerged or swamped irrespective of their content or political relevance.

The concentration of power in the hands of one party may turn a state into a patronage mechanism that breeds cronyism. It fosters the erroneous belief that the state can solve all

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[39] Good, K (1997) 'Realizing Democracy in Botswana, Namibia and South Africa'. p79. African Institute. Pretoria.

problems.[40] The omnipotence of a single party within a state has posed a major challenge, and records show dismal performances in economic and political areas. With a high concentration of power in the hands of a single group, either through the one-party system or through military juntas, abuse and corruption have become widespread. Lord Acton's well-known dictum 'All power corrupts, and absolute power corrupts absolutely', is borne out in many African regimes.

The need to establish truly democratic institutions of governance and mechanisms of control to reduce the power of the state is evident. This means stripping the state of much of the power it at present holds.[41] It is true that the central government is saddled with many functions that necessitate the creation of sub-systems of institutional governance to promote citizen participation.[42] Supporting alternative institutions of governance has been suggested as a last-ditch solution to the problems of one-party or even democratic states. Since centralisation and concentration of power has led to its abuse, the logic is that creation of alternative institutions of governance to reduce the excess power of the state would enable the state to behave in a more acceptable manner. Local governments have therefore been proposed or established to serve a dual purpose, firstly to reduce the hegemonic power of the state through decentralised local government, and secondly to ensure economic development and service delivery.

Local governments have been established as a means to counter the problems generated by indirect democracy or representative government, by creating opportunities for electorates to be brought into closer working relationships with government and to take active part in the day-to-day affairs of the communities to which they belong.

The paradigm of direct or participatory democracy invented by the Athenians can best be represented by local government, rather than other levels of government, provincial or central. Local government conceived as 'government closest to the people' fulfils this function.[43]

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[40] Ayittey, GBN (1992)'Africa Betrayed'. P306. St Martin's Press. New York
[41] Ayittey, GBN (1992), p307 ibid.
[42] Hanekom, SX (1988) op cit
[43] Asibou, S K (2000)'Decentralization and Capacity-Building in Ghana', *African Insight. p8-15*. See also Thornhill, C (1995) op cit ; Bekker(1988'Devolution and the State's Programme of Reform at local level', in 'Government By the People' edts. Heymans, C et Totemeyer, G(1988) ;Hofmeister,W(1997)'Democracy : Definitions and Concepts in the Context of the Transformation of Political Systems' in'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa' , edts. Hofmeister, W et

1.2.3 Local Government: Role and Functions

One of the recurrent themes in governance has been the role of local government in modern political systems. Luiz [44] highlights the importance of local government in South Africa: 'The absence of an effective local government will render any restructuring superficial, because it will be one way only, namely top down. Benefits will not filter down to the community, because of the break in the chain'.

Local government will not only reverse the top-down (i.e. centralisation tendencies) flow of policies and programmes of the central government, but also recognise the importance of the local community as a component of democratic governance. Local government serves as the conduit between local communities and the central or provincial administration. Barriers to communication between central and local units are removed, thereby ensuring effective transmission and implementation of policies and programmes of the government.

In Hanekom's [45] opinion, local government aims to broaden democracy. The local level is ideally suited for the pursuit of democracy. This is the area where an individual citizen has the opportunity to participate directly in political policy decision-making.[46] Local government supplies the foundation on which to build a viable central democratic government, and offers the best experimental training grounds for the practice of democracy at all levels of government.[47] Hanekom[48] expresses a similar sentiment: 'Local authorities (i.e. local government), are important training grounds for future leaders in government and could also serve to educate voters in the execution of their civic duties'. This notion can be fine-tuned to one of the basic requirements for the practice of democracy, namely, the need for 'democrats' - i.e. leaders

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Scholz, I , *Konrad Adenauer Stiftung* ; Scholz, I (1997)'Promotion of Local Self-Government in Africa as a Task of the Konrad Adenauer Foundation : Experiences and Prospects ', in 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa' edts. Hofmeister et Scholz, I (1997). *Konrad Adenauer Stiftung.*

[44] Luiz, JM (1994)'Constraints facing the Socio-Economic Transformation of South Africa'. *African Affaira, Vol. 24; 1994, p230-242.*

[45] Hanekom, SX (1988), p19; op cit

[46] Hanekom. SX (1988) ibid

[47] Asibou, SK (1993)'Party Politics and Local Government in Ghana during the Nkrumah Regime : Plus or Minus ?'. *African Institute of South Africa. Occasional Papers. No 57.* Pretoria.

[48] Hanekom, SX (1988)p18. op cit

schooled and trained in democracy. Huntington[49] emphasises the crucial role of political leadership in democratic transitions as follows: 'For democracy to come into being, future political elite ... will also need the skills to bring about the transition to democracy'.

Bratton and de Walle's[50] closing remarks on democratic consolidation are as follows: 'Democracy can be installed without democrats but it cannot be consolidated without them'. In short, democratic consolidation can only succeed if leaders are trained and skilled in the school of democracy.

Local governments have been used as laboratories for the experimentation and refinement of political skills and leadership training for the future at all levels of democratic governments, local and central. The argument is that if people in charge lack the necessary skills and technical know-how to drive the engine of local government institutions, the engine eventually staggers to a halt. The Human Factor (HF) is imperative in local government administration. Adjibolosoo [51] has defined the Human Factor (HF) as:

> The spectrum of personality characteristics and other dimensions of human performance, that enable social, economic and political institutions to function and remain functional over time. Such dimensions sustain the workings and application of the rule of law, political harmony, a disciplined labour force, just legal systems, respect for human dignity and the sanctity of life, social welfare and so on. As is often the case, no social, economic or political institutions can function effectively without being upheld by a network of committed persons who stand firmly by them.

According to Adjibolosoo [52] 'until the HF is developed in African countries, their desire to achieve and maintain constitutional democracy will always remain unattainable', and a 'sustainable human-centred development cannot be forthcoming if African countries continue to

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[49] Huntington, S (1991)'Democracy's Third Wave', Journal of Democracy,' 1991. vol. 2 No2. Spring p12-34.
[50] Bratton, M and de Walle, N (1997) p279 ; op cit.
[51] Adjibolosoo, S (1993) 'The human factor in development' , The Scandinavian Journal of development Alternatives, X11(4) p134-149. see also Adjibolosoo, S (1994) 'The Human Factor and the failure of development planning and economic policy in Africa', in F. Ezeala-Harrison and S. Adjibolosoo, (eds.)'Perspectives on Economic development in Africa. Westport. CT Praeger.
[52] Adjibolosoo , S (1998). 'The Human Factor: Foundation fot evelopment and Democracy', in VG Chivaura and CG Maraike, edts. 'The Human Factor Approach to Development in Africa'. Harare, Zimbabwe: University of Zimbabwe Publishers.p11-33.

fail to educate and train their citizens properly for them to acquire the necessary human qualities or characteristics'. HF therefore remains an important ingredient in the social, political and economic spheres of development.

Democracy over the years has remained a failed experiment in Africa because of lack of democrats imbued with commitment to democratic ideals. The practice of democracy at all levels of government should not be left to amateurs who often attempt to dictate the outcome of events. Local government stands to fulfil an essential role by providing training grounds for future democrats to advance the democratic ethos and ideals in provincial and central administration.

Local government also fulfils other basic functions as it is the machinery to channel community agitation and aspiration in politics, thereby determining socio-economic destinies by means of participatory democracy, especially in ethnically heterogeneous communities. No modern state is likely to be ethnically monolithic, and the demand for rational and just solutions to issues has assumed critical importance, in order to avoid ethnicities becoming so sensitive as to constitute a threat to the fabric of the nation-state, which in the long run might bring about catastrophe. The existence of numerous civil wars ravaging the African continent demonstrates the fragility of nation-states. Kasfir[53] acknowledges the 'enormous linguistic, ethnic, and cultural diversities that mark all African countries'.

The development of strong local government institutions is conceived to be a possible solution to Africa's problems of ethnicity. Local government would enable ethnically heterogeneous communities to cluster cohesively, thereby ensuring unity of action and the articulation of community demands and expectations.

Making reference to the work of Sommer, Totemeyer [54] argues that social integration is best achieved through extensive exposure of different types of people to each other. The nearer people of different backgrounds are to one another, the greater the probability that they will

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[53] Kasfir, N (1993)'Designs and Dilemmas of African decentralization' in 'Local Government in the Third World' edt. Mawhood, Philip. p29. African Institute of South Africa. Pretoria.
[54] Totemeyer, G (1998)'Local Government : Where Politics and Public Administration meet' in Heyman, C et Totemeyer, G edts. 'Government By the People ? The Politics of Local Government in South Africa'. P 7-8 . Juta and Co (Ltd). Cape Town.

rationalise their differences and avoid conflict, since conflict becomes physically, economically, and psychologically exhausting. Although Sommer agrees that propinquity is a necessary but not a sufficient condition for social integration, he recognises the need to 'encourage commingling of the hitherto mutually antagonistic groups'.[55] Local government makes adequate provision for commingling by promoting widespread socio-political interaction among ethnically diverse communities.

Participation is an important conditionality in local government. Hanekom [56] has the following to say:

> [by] participation is meant the partaking(sic) of as many as possible of the inhabitants of the municipal area in the making or influencing of policy decisions pertaining to local public needs, in a way which will be conducive to responsible and responsive administration.

The involvement of the greater proportion of local residents in a municipality is crucially important. They are able to influence the decision-making processes and policy formulation with regard to local needs and expectations. Polunic [57] echoes a similar sentiment:

> In South Africa, public participation in local government is not only a means by which individuals may protect their rights as consumers of public goods and services; it is not just the result of right of consultation ; in fact it involves the full concept of people sharing the process of policy-making and service provision. Through public participation, the new South Africa is said to be able to go smoothly through its transitional period.

An aggregate view of the above themes implies that the concepts of 'consumption', 'consultation' and 'sharing', occupy a place of prominence in local administration. These concepts have become popular neologisms, home-brewed in the climate of contemporary local government transition. The ongoing analysis conceives of local communities as a force to be reckoned with not only as agents to drive the transition to its logical conclusion but also as recipients and participatory agents in the decision-making processes. While consultation is

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[55] Totemeyer, G (1988) ibid.
[56] Hanekom, SX (1988)p 8; op cit.
[57] Polunic, J (1999) 'The Transformation of Local Government in KwaZulu-Natal, Thesis submitted in fulfillment of the requirements for the Degree of Doctor of Philosophy in the Department of Politics, University of Natal, Durban, 1999. p 292.

closely identified with the civic responsibility of local communities, through participatory and consultative democracy, consumption implies the utilitarian consideration or responsibility of local communities. Thus, the dual responsibility of local government can be established.

1.3 DECENTRALISATION THEORY

Local government can ensure direct participation by communities in governance. This can be looked at from two main perspectives: centralisation and decentralisation of power and authority. While centralisation ensures limited participation, decentralisation does so in a more democratic manner, thereby promoting large-scale community participation or local democracy. A major initiative/drive of participation is the promotion of democracy.[58]

Decentralisation is ideally suited for local government, not only because it ensures local democracy but also because it serves as a check on authoritarian local government. In South Africa, apartheid local government evoked criticism, especially from liberal quarters because it compromised centralised tendencies which discouraged the growth of participatory democracy.

In addition, what has been suggested as being the key to solving Africa's political problems is decentralisation. Decentralisation is used as a tool to measure the degree of local government, and also as a mechanism to promote economic participation through Integrated Development Programme (IDP) and Local Economic Development (LED) programmes. In this manner, political decentralisation and economic decentralisation have been perceived as being the cornerstones of South Africa's local government restructuring as stipulated in the 1998 White Paper.[59]

Mawhood [60] has applied the phrase 'decentralised government' to designate local government. The phrase demonstrates the importance of decentralisation in local government, and claims that government in ensuring community participation cannot operate effectively in the absence of decentralisation. Decentralisation creates avenues for local participation, either political or economic, in drawing up plans and programmes.

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[58] Hanekom, SX (1988) p14. op cit
[59] The South African Government's White Paper on Local Government issued by the Ministry for Provincial Affairs and Constitutional Development. March, 1998.
[60] Mawhood, P (1993a) 'Decentralization : The Concept and the Practice' in 'Local Government in the Third World'. edt. Mawhood, P . p vii. African Institute of South Africa. Pretoria.

As a corollary of local government, decentralisation encourages participatory local democracy, in which rural communities emerge paramount. Hence, 'local government and decentralisation are euphorically regarded as the *deus ex machina* for the cure of all African illnesses'.[61]

1.3.1 Decentralisation and Local Government Development

One of the recurring themes that have gained widespread currency in contemporary African political and administrative discourses in the implementation of decentralisation has been the theory and application of decentralisation in local administration. Decentralisation enjoys unequivocal support by African governments and scholars of local governments as a solution to some of the continent's problems.

The adoption of the Windhoek Declaration on Africa's Vision on Decentralisation[62] can be seen as step in the right direction. As a major advance in the development of local government, the Declaration, among other things, endeavours to explore the challenges of decentralisation in Africa. Guided by this Declaration, most African countries affected by the recent wave of democratisation have been influenced in their local government systems by the tenets of this Declaration. These are indications of the importance attached to decentralisation. Decentralisation has been embraced for the potential benefit the system is likely to generate.

Following from the Declaration is the intriguing question of Africa's inability to promote self-sustainable development programmes to fulfil election promises. Arguing from this perspective is the fact that 'democracy was not given a chance to grow to full maturity to prove its worth'.[63]

Hampering Africa's democracy by premature curtailment through either the one-party or military regimes has inflicted damage to development plans in Africa.

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[61] Schmidt, S (1997) p31, op cit
[62] See *Local Government Law Bulletin, Vol. 2, June 2000. p13*
[63] Decalo, S (1991)'Back to Square One: The re-democratisation of Africa', *African Insight, Vol. 22 No 3, p153. op cit.*

Since the attainment of independence, African countries have been handicapped by underdevelopment and political instability. It is widely believed that decentralisation, involving the redistribution of power from the centre to peripheral local institutions, might reduce the excessive power of the state. If this substantial reduction of power were to occur, the tendency of African states to behave tyrannically may diminish and subsequently be eliminated, resulting in the creation of political stability. This political stability may lead to economic development, since history has proved that political stability and economic development are inextricably linked or inter-dependent.

1.3.2 Decentralisation in Practice

Mawhood [64] believes that decentralisation involves 'cracking open the blockades of inert central bureaucracy, curing managerial constipation, giving more direct access for the people to the government and the government to the people'. Closely following the lines of Mawhood's[65] statement, I argue that decentralisation serves as the political lifeblood of local government. It enables the *demos* to have direct access to central administration through participation in local government institutions, and allows for basic service delivery, like water supplies, refuse collection, development planning, settlement control, road and street construction, and maintenance of electricity supplies.

Unlike centralisation, which involves the concentration of decision-making, thereby undermining efficient performance of the functions of local administration, 'decentralisation involves the projection of that authority down through various levels of the organisation'.[66] This argument does not imply that decentralisation is the opposite of centralisation. Decentralisation could equally carry the 'defects and deficiencies of centralisation of power'.[67]

As a result of local government, decentralisation takes over effective responsibilities and ensures participation in government at the local level. Such participation involves the ability of

[64] Mawhood, P (1993a) 'Decentralization : the Concept and Practice', p1 op cit. African Institute of South Africa.
[65] Mawhood, P (1993a) ibid.
[66] Hanson, EM (1998) 'Strategies of Educational Decentralization – Key Questions and Core Issues'. *Journal of Educational Administration, Vol.36. No 2, p111-128.*
[67] De Villiers, B (1992) 'Regional Government in the New South Africa'. *Human Sciences Research Council(HSRC).* Pretoria.

disadvantaged groups in society to influence decisions affecting their lives, and is likely to be a step towards their empowerment. It gives 'power to the people and ensures participatory democracy'.[68] By empowering local communities, decentralisation is perceived as being a direct consequence of democratisation.

Hanson [69] supports this argument in the following statement: 'as nations make the transition from autocratic to democratic form of government, an almost natural outcome is an effort to decentralise'. Asibuo [70] also adds to the above conception of decentralisation: 'In Africa, it can be seen as part of the overall thrust towards democratisation because of its potential for empowering the public to govern themselves'.

Progress towards democratisation, (generally through the adoption of liberal policies) sets the stage for decentralisation to build structures and mechanisms for citizenship participation. This assertion is, however, not an indication that whenever democratisation is attempted, decentralisation is the natural outcome. Pre-existing political systems from which democratisation evolves and demands imposed by globalisation could be a major contributive factor in making the adoption of decentralisation as a political and administrative paradigm. Hanson[71] identifies several variables that are likely to 'drive decentralisation initiatives', such as increased economic development through institutional modernisation; increased management efficiency; redistribution of financial responsibility ; democratisation ; and neutralisation of competing centres of power. All these contribute to 'directing the course of decentralisation reform'.[72]

Democratisation could be conceived as a step towards the introduction of decentralisation through local government institutions. Decentralisation is a *sine qua non* for local government initiatives. The relationship between local government and decentralisation might have prompted

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[68] Aryee, RJA (1996) 'The measurement of Decentralization : The Ghanaian Experience, 1988-92'. *African Affairs, 1996, 95 ; p31-50.*
[69] Hanson, EM (1998), p113, op cit
[70] Asibuo , SK (2000) ' Decentralisation and capacity building in Ghana'. *African Insight, Vol.29, No 3 &4. p8-15.*
[71] Hanson, EM (1998) op cit
[72] Hanson, EM (1998) op cit

Mawhood[73] to define local government as 'decentralised government', a phrase that has been widely used throughout his work.

Despite the links between decentralisation and local government, there are exceptional cases which at times force these to operate as mutually exclusive entities. An example is Nigeria under military government in 1983. Despite the fact that democracy was aborted, 'the military deepened the national government's commitment to decentralisation'.[74] This state of affairs presented a sharp contrast to the democratically elected civilian government that preceded the military administration. Efforts at decentralisation then were discouraged. For instance 'the first threat to local autonomy was the unwillingness of state governments (under a democratically elected civilian administration) to tolerate independent authorities'.[75] The 'return to civilian rule in 1993 underlined the continued fragility of decentralisation'.[76]

Undoubtedly, decentralisation fared better under military dictatorship in Nigeria where the system of government in place was inconsistent with democratic principles. Suspicion of decentralised institutions may certainly occur under civilian governments. The democratically elected civilian administrations in 1983 and 1993 paid mere lip-service to decentralisation and politicians reasoned that decentralisation would result in a severe erosion of their power and influence to 'new local elites'.[77]

Military regimes, though empowered by undemocratic means, have at times proved more receptive and favourably disposed than democratic systems to the decentralisation of power to local authorities. Sudan under the military junta of 1971-81 offers another example, where the programme of decentralisation was comprehensively drawn up and implemented to articulate

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[73] Mawhood, (1993a), p vii, op cit.
[74] Kasfir, N (1993)p41 op cit
[75] Ibid.p41
[76] Ibid.p41
[77] Cloete, F (1991) 'Regionalism in South Africa : Constraints and Possibilities'. *African Insight, Vol. 21. No 1, June 1991.*

participatory democracy at the local level.[78] Contrary to popular expectations, decentralisation yielded far-reaching results.

Ghana's experiment in decentralisation presents another case that merits consideration. The military government of the Provincial National Defence Council (PNDC), which usurped power in 1982 after overthrowing the popularly elected government of Dr Hilla Liman, introduced a radical transformation in the political landscape. The government committed itself to decentralisation based on a three-tier system of local administration,[79] which was a departure from the policies of earlier civilian governments since independence in 1957. Previous administrations had paid mere lip-service to decentralisation. The policy, therefore, enjoyed widespread support and continued uninterrupted even after *civilianisation*[80] by the junta in 1992.[81]

It could therefore be deduced that decentralisation has fared better under military regimes than under some popularly elected governments in Africa. Politicians under democratically elected regimes have often reasoned that decentralisation would constitute a loss of power to new local elites, thereby giving local groups the opportunity to strengthen their opposition. Hence they have been hesitant, if not resistant to its adoption either for administrative or political purposes.[82]

A popular belief on the continent is that economic development requires centralised administration to expedite action on economic programmes and projects, rather than the

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[78] Norris, M (1993) 'Sudan : administrative versus political priorities' in 'Local Government in the Third World : Experience of Decentralization in Tropical Africa', edt. Mawhood, P..African Institute of South Africa. Pretoria.

[79] Asibuo, SK (1992) 'Military Regime performance in decentralization and Local Administration for development : A Ghanaian case study'. *African Insight, Vol. 22. No 4.*

[80] A phrase used to describe the administration of JJ Rawlings, after his military government transformed itself into a civilian administration through the ballot box in 1992.

[81] Drah, FK (1996) op cit.

[82] Galvin, M (1999) "The Impact of Local Government on Rural Development in South Africa'. *Transformation 40 (1999), p87-111.* See also Heymans, C(1989) 'Local Government in the Development Process', in 'Development People' edt. Coetzee, JK(New expanded edition); Southern Book Publishers(Pty) Ltd. Cape Town.

slowness, inherent in decentralisation. This belief is reinforced by popular policies, which place emphasis on state-led development initiatives.[83]

Several undemocratic governments have achieved phenomenal successes through the adoption of decentralisation, as have democratically elected civilian governments in Africa (as deduced from the ongoing debate). Decentralisation can in fact operate successfully irrespective of existing regime types. Decentralised governments allow for more than functional efficiency through the administrative decentralisation of central government powers to local bodies, or the 'transfer of decision-making authority responsibility and tasks from higher to lower organisational levels or between organisations'.[84]

Government at the local level entails a 'philosophical commitment to the idea of "home-rule", or democratic participation in the governing processes'.[85] While decentralisation may be a necessary condition, it may not be sufficient to trigger initiatives in local administration. Strong value commitment is considered to be a prerequisite to create an enabling atmosphere conducive to sustaining a meaningful programme of decentralisation.[86] Schmidt[87] alludes to the above thesis in the following:

> To create effective administrative structures on the local level, a true commitment to decentralisation from the central government is necessary. Additionally, several preconditions must be met otherwise local government faces the danger that it can decide anything, but implement nothing.

Cloete,[88] when he quotes Smith(1985) and Rondinelli (1986) claims that 'political considerations are the most important considerations influencing the success or failure of decentralisation'. Commitment to local government through decentralised structures is considered necessary to promote participatory democracy. The perception of local government as being 'democratisation

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[83] Galvin, M (1999) op cit. See also Grindle, M et Thomas, J (1991)'Public Choices and Policy Change : The Political Economy of Reform in Developing Countries'. Baltimore. Johns Hopkins University Press. p52-57.
[84] Hanson, EM (1998), p112, op cit
[85] Aryee, RJA (1987) p114. op cit
[86] Cloete, F (1991) op cit.
[87] Schmidt, S (1997) p48. op cit
[88] Cloete, F (1991) op cit.

of grass-roots decision-making', by Keulder[89] seems apt. It is necessary to ensure the ability to reach all the layers of communities by bringing together disparate elements for collective action in local administration. Furthermore, the absence of complete commitment to local democracy and decentralisation could result in '*quasi-decentralisation*' or '*hybridisation*' of decentralisation in aspects of local administration that will render decentralisation a failed experiment. In the long run, fulfilment of local needs may become impossible.

To avoid such failures, certain provisions outlining the devolution of powers[90] from central to peripheral local units are often entrenched in constitutions and other legislative instruments. Ostensibly, the aim is to guarantee a degree of autonomy to local bodies.

1.4 TRANSFORMATION THEORY

With the assumption of political leadership in 1994, the African National Congress (ANC) government felt the need to restructure racially exclusive and compartmentalised local government systems in the country in an attempt to rescue local government from the quagmire of the years of apartheid rule. Given the past debilitating political systems, the adoption of such a policy by the ANC government was not only a constructive step towards the fulfilment of local needs, but also a long drawn out process of democratisation and transformation. Furthermore, the attempt could be viewed as being a departure from the existing apartheid order which was patently incompatible with the democratic and transformation process. To reaffirm its commitment to local government restructuring, the ANC government introduced the White Paper on Local Government, as a major policy blueprint for developmental local government (DLG) in March 1998.[91] Pycroft[92] aptly defines DLG in the following way:

> Developmental Local Government seeks not only the democratisation of
> local government, but also the transformation of local governance with a
> new focus on improving the standard of living and quality of life of
> previously disadvantaged sectors of the community.

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[89] Keulder, C (1998) op cit
[90] Cloete, F (1998) op cit
[91] The South African Government's White Paper on Local Government(1998), op cit.
[92] Pycroft, C (1998)'Integrated Development Planning or Strategic Paralysis ?. Municipal development during the local government transition and beyond'. *Development Southern Africa. Vol. 15 No 2, Winter 1998. p115.*

At the heart of DLG is integrated development planning, which serves as a 'vehicle for identifying the needs of the poor and setting targets to eliminate poverty'.[93] Integrated development planning (IDP) is perceived as being a mechanism for overcoming the inadequacies of the past and repositioning local government within its new developmental mode.[94] Through integrated development planning, DLG is set within a developmental mode to play a far-reaching role very different from that of apartheid local government systems, whose role was confined to the provision of 'basic municipal services such as water, electricity, internal roads, street lighting, storm-water drainage, and sewerage, and played a minimal developmental or re-distributive role. Where a developmental role exists, through the Regional Services Councils (RSCs) for example, it was undertaken in a non-democratic and non-consultative manner.'[95]

The TA system of local administration bore testimony to the weaknesses inherent in the RSCs and in their attempts to meet the developmental needs of tribal communities. The White Paper[96] marks a significant swing or transformation 'towards municipal empowerment and decentralisation'.[97] Municipally empowered institutions of governance and decentralisation are seen to be the means by which the ANC government can address the socio-economic inequalities of the past.

In addition to the prominent place decentralisation occupies in the White Paper[98] the constitution [99] reinforces the notion of decentralisation as a political and administrative paradigm. Usage of the term 'sphere' instead of 'tier' in governance is acknowledged in the constitution and carries with it far-reaching implications. Local government is afforded the status of a distinct sphere of government, of equal importance in both national and provincial spheres.[100] South Africa has thus deliberately opted for a more autonomous form of local government with distinct powers and functions performed concurrently by different spheres operating as 'equal partners'.[101]

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[93] Fast, H (1998)'The White Paper and the Rural poor'. *Development Southern Africa. Vol. 15 No 2, Winter, 1998 p308-309.*
[94] Pycroft, C (1998) p155 op cit.
[95] Pycroft, C (1998) op cit
[96] The South African Government's White Paper on Local Government (1998). op cit
[97] Pycroft, C (1998) p151, op cit
[98] The South African Government's White paper on Local Government (1998) op cit
[99] The South African Constitution, Amendment Act; 1998; Section 151.
[100] The South African Constitution, 1998 ; Section 151 ibid.
[101] See Galvin, M (1999); also Pycroft, C(1998)

Redistribution of powers from the centre to peripheral subordinate units has made it possible for the three spheres of government to preserve 'relative autonomy from encroachment by the other'.[102]

The South African Constitution states that central government efforts to achieve integrated development have increasingly become focused less on attempts to create centralised bureaucratic structures for control and implementation, and more on creating flexible policies whereby the three different spheres can work together to achieve integrated development .[103] Decentralisation has emerged as the means to achieve integrated development initiatives to their logical conclusion.[104]

The White Paper[105] and the creation of viable municipalities are seen as being radical departures from the ANC's centralised economic policy of the Reconstruction and Development Plan (RDP). By introducing the RDP, the government projected an image not only of the state as *godfather*, but managed to convince other political stakeholders and organisations that it possessed a solution to South Africa's perennial socio-economic problems. No wonder all political organisations, despite their different ideological orientations, gave the RDP their blessing.

However, because of its centralised tendencies, the RDP was short-lived and had to be abandoned half-way through its mission, for the more viable decentralised policy framework of the IDP. The new framework was to be based on aggregate viewpoints, demands, and expectations of communities, ensuring in the process the achievement of participatory/local democracy and decentralised decision-making. Other factors have been listed by Pycroft [106] as being reasons for abandoning the RDP in favour of IDPs.

1.4.1 Transformation in Practice

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[102] Pycroft, C (1998) p153 op cit.
[103] Pycroft, C (1998) op cit
[104] Fast, H (1998) op cit
[105] The South African Government's White Paper on Local Government, 1998. op cit
[106] Pycroft, C (1998) op cit

In its visionary mission, the White Paper[107] challenges newly established municipalities to confront the challenges of and prospects for achieving political and economic transformation at the local level through the adoption of decentralisation and IDPs. Such visions are to be transformed into reality to fulfil local needs and expectations. The White Paper[108] also tends to redress a situation whereby 'local government faces the danger that it can decide anything, but implement nothing'.[109] The White Paper therefore serves as a vehicle through which meaningful transformation in local government can take place. The present study focuses attention primarily at the local level where local municipalities have accepted the need for transformation and democratisation.

The local level features as a focus of attention in the study because 'it is at this level that the apartheid value systems were the most visible and entrenched, in the form of deliberate apartheid policy measures enforced on the South African population over a period of 40 years, resulting in the geographical, emotional and intellectual separation of people on a racial basis'.[110]

The challenge that faces newly established municipalities is immense. Raising municipalities to the level of 'sphere' implies raising community expectations and aspirations of local governance. Municipalities see themselves as departing from the traditional approach to governance which imposes a hierarchy of tiers, with national government playing a pivotal role, and local government operating as a mere agent of the former. Local government in such circumstances is tied to the national government, and unable to take independent action.

While the institutional meaning of 'sphere' connotes radical devolution of powers to local government institutions, de-concentration exists for local government to follow a set of hierarchical arrangement of 'tiers', thereby operating as a subordinate unit.

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[107] The South African Government's White Paper on Local Government, 1998. op cit
[108] The South African Government's White Paper on Local Government, 1998. op cit
[109] Schmidt, S (1997) p48. op cit .
[110] Cloete, F (1994) 'Local Government Restructuring'. p42-65. *Politikon Vol. 21 No 1. June, 1994.* See also the work of the same Author(1998) 'Local Government : Cradle or Death of Democratic Development ?.op cit. p143, in State of the Nation', edt. Bertrus de Villiers, HSRC. Pretoria.

At this stage it is worthwhile for the sake of clarity to give a wider definition and perception of the two concepts introduced above. Devolution implies the transfer of power by central administration to sub-national units, local or provincial. The emphasis is on giving such units autonomous discretionary powers within a well-defined geo-political entity[111] . Devolution can of course imply political decentralisation. De-concentration by contrast implies the delegation of authority to sub-national units, to act as agents in administration on behalf of a central authority, for the implementation of policy. De-concentration can also be referred to as 'administrative decentralisation'.[112] But while the system of devolution enjoys wide discretionary autonomous powers in decision-making, that of de-concentration is accorded only partial or no autonomy in decision-making.

The degree of prominence attached to decentralisation in the White Paper[113] tends towards devolution, rather than de-concentration of powers or authority. In this way decentralisation can mean 'distributing authority and power horizontally, rather than hierarchically',[114] (down through tiers) ostensibly with the aim of achieving locally selected goals.

As 'spheres' of government, municipalities are considered to be independent, in that they are pro-active, not only in decision-making but also in other institutions of governance, i.e. national or provincial. However, decentralising power into 'spheres', does not give municipalities leeway to take decisions contrary to the wishes and expectations of national or provincial governments. While the South African Constitution serves as a bulwark against hasty and ill-conceived decisions, built-in mechanisms of co-operative governance define all three spheres of government as being equal partners in a harmonious working relationship and the pursuit of developmental goals. Municipalities are empowered to play a broad array of functions that

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[111] Bekker, S (1998) 'Devolution and the State's Programme of Reform at the Local Level' in 'Government by the People? ; The Politics of Local Government in South Africa', edts. Heymans, C et Totemeyer, G; op cit. See also works of the following writers, Monaheng, T(1999) 'Decentralisation of development in Lesotho'. *African Insight,* Volume 29. No 1-2. 1999, p3-10.
Aryee, JRA (1993)'Decentralization and conflict : Ghana's decentralization programme, 1987-1990'. Occasional Paper No 57. African Institute of South Africa ; Asibuo, SK(2000) 'Decentralisation and Capacity Building in Ghana', p8-15. *African Insight, Vol. 29. No 3-4, January 2000.* Hanson, EM (1998) ; de Villiers, B (1998) op cit. Polunic, J (1999) op cit.
[112] ibid
[113] The South African Government's White Paper on Local Government, 1998.
[114] Totemeyer, G (1988)op cit. See also Kasfir, N (1993)

transcend the limitations and scope of past local government institutions. They are to undergo major processes of conversion to broaden their political outlook and orientation, and hence are euphorically labelled 'Developmental Local Government'.

To become 'developmental', local governments will have to act in 'partnerships with the private sector, community organisations, other spheres of government and parastatals…..in their own right as they introduce new vehicles for more effective and more sustainable delivery'.[115] Service delivery is considered to play an important developmental role. This is achievable by municipalities engaging in self-empowerment and capacity-building ventures. As expressed by Heymans,[116] 'if local government does not render services - either by itself or through facilitating others to do so ….it will fail in a primary area'.

Heymans[117] comments further: 'Service delivery is intrinsically developmental [and by addressing the socio-economic backlogs and iniquities of the past], local government would already be acting developmentally'. 'Developmental local government seeks not only the democratisation of local government, but also the transformation of local governance with a focus on improving the standard of living and quality of life of previously disadvantaged sectors of the community'.[118] Heymans[119] writes further:

> Never before has there been such a marked commitment by national government to strong local government. The challenge is now to give substance to the shift from "tier" to "spheres" of government. For this to happen, local government must become an empowered sphere, able not only to implement national and provincial policies but also to spearhead development on the basis of its mission to ensure service delivery.

Taking stock of the above statement, it is recognised that the introduction of the White Paper[120] has given municipalities a programme of action and prospects for overcoming the challenges identified. The implication is that municipalities face a daunting task in their endeavours to overcome these challenges. While the challenges are couched in terms referring to visions and

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[115] Heymans, C (1998)'Editorial', p147-149. *Development Southern Africa, Vol. 15 No 2. Winter,1998.*
[116] Heymans, C (1998) ibid, p148.
[117] Ibid
[118] Pycroft, C (1998), p155, op cit
[119] Heymans, C (1998), p148. op cit.
[120] The South African Government's White Paper on Local Government, 1998.

mission statements, municipalities are empowered to translate these into concrete reality, essentially at the local level, if developmental goals are not to remain unfulfilled dreams.

I have chosen Maluti, previously a Magisterial District, which has moved in its developmental process from Bantu Authorities administration.[121] It offers a microcosm of apartheid local administration in transition towards the creation of democratic local government administration.

My study endeavours to measure as carefully as possible the degrees of reception and resistance shown by the local rural communities as a result of these political changes. Although the study introduces the reader to a much earlier period, the White Paper[122] ensures a degree of continuity through the process of transition and its effects at the local level. This local level is perceived as being an experimental training ground for practical demonstration of the White Paper's[123] principles and other transition theories devised to explain changes that have taken place at the local level since 1994. Without this testing they might remain untested or hollow theories.

The local level is relevant to my study because it is here that democratic transformation and local government restructuring programmes can be measured. Singh[124] offers the following on transformation:

> Transformation could be understood as the maximal utilisation of new political space to push the struggle for popular participation and empowerment further. It could be viewed as the opportunity to insert progressive constituencies into positions where, through contestation with ruling bloc forces, they could intervene in the struggle to shape the South Africa of the future. This is perhaps, the most appropriate way to locate transformation between pessimism on one hand and euphoria on the other. Transformation politics could be viewed as the process within which, through contestations that take many forms, the ground could be prepared for a reconstruction of South African society that is not closed.

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[121] The Bantu Authorities Act was passed by the erstwhile apartheid Government of the National Party in 1952, but became more operative in the Transkei from the 1956 onwards as the genesis of the separate development policy.

[122] The South African Government's White Paper on Local Government, 1998. op cit.

[123] Ibid.

[124] Singh, N (1992) 'transformation Time'. p48-57. *Transformation 17. 1992.*

An overview of the above statement is that transformation cannot be treated in isolation, but must be constructed upon many pillars which could offer positive and constructive support to development. It could open up political space for participation at the local level. However, its limitation lies with the fact that transformation is to be driven by human beings, whose characters can be unpredictable, due to natural human frailties and weaknesses. Outcomes can therefore be considered as being uncertain.

South Africa seems to have suffered transformation fatigue, followed by frenzy throughout the period of transition. The White Paper[125] states the following:

> Transformation is not a choice, it is an obligation placed on each municipality to fulfil its constitutional mandate and play a role in the development of the nation. Unless the capacities built through years of struggle for democratic rights and a descent quality of life for all are mobilised within each local area, we will lose what we have struggled for. Local Government has a critical role to play in consolidating our new democracy, and each councillor, each official and each citizen is tasked with making their contribution in the areas where they live.

The above statement expressed by the White Paper[126] reinforce an earlier interpretation, namely that local government fulfils its responsibility in two ways, by assuming utilitarian responsibility and civic responsibility. Whilst the utilitarian responsibility denotes the provision of services, civic responsibility revolves around the participation of local communities in the electoral processes. To this end, municipal councillors, officials, and local communities potentially play a decisive role to facilitate local administration.

Germane to the above discussion is the fact that:

> Recent transition research tends to emphasise the importance of political institutions and of the transactors who run these institutions or back them up … political and socio-economic development are only possible if there are sufficient institutionalised possibilities for the society to participate in public affairs, which are the affairs of the proper society. In this context, local

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[125] The South African Government's White paper on Local Government,1998.
[126] ibid

participation, local government and local self-determination get a particular importance.[127]

Essentially, the focus in the present work is on major political changes that have occurred between 1994 and 2005. The study chronicles major changes brought about by local government transition and transformation politics, taking stock of institutional challenges to rural communities. While these changes and challenges are based on theories devised to shape local government development, they suggest the future direction of local government. Capacity-driven institutional structures of governance based on transitional theories not only will create sufficient avenues to nurture local democracy but also will ensure the consolidation of local government.

Although the study distinguishes participation and service delivery as being important responsibilities of local self-government, it also addresses the need for a paradigm shift by analysing decentralised institutional structures as the main conduits for service delivery and participation. Decentralisation has emerged as a dominant theme in the development of local government, and its importance in the study, since its application has stimulated local democracy and service delivery at the community level.

Earlier forms of local government which operated under the tribal authorities and magisterial systems ignored the importance of decentralisation in local administration. The consequences were that local administration was characterised by many shortcomings and limitations. This led to serious problems. In the next chapter, these administrative pathologies, contradictions, and paradoxes will be discussed.

1.5 LITERATURE REVIEW

A parallel work in my field of study is the recent work of Polunic.[128]   Polunic's[129] work gives quite an exhaustive coverage on local government transformation in the Province of

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[127] Hofmeister, W (1997) 'Democracy, Definitions and Concepts in the Context of the Transformation of Political Systems' ; in traditional and Contemporary Form of Local Participation and Self-Government in Africa'. p19, edts. Hofmeister, W et Ingo Scholz. *Konrad Adenauer Stiftung.*

KwaZulu-Natal, occasionally drawing on the experiment of local government systems from other part of the world, thereby given her work the touch of both lateral and cognitive approach.

My study differs radically from that of Polunic, [130] in the sense that it goes beyond what she states in her work. She states that, 'This project aimed to study the transformation of local government through the eyes of the local councillors'.[131]

Polunic further continues to state that:

> In a sense, transformation rests in the hands of councillors. The national and provincial governments play a role in the process through legislation, but at the end of the day, transformation can be prevented if the people at the head of the structure,(i e councillors) are not only fully involved, but in fact direct the process.... This is why the study is based mainly on interviews with councillors.[132]

The work of Polunic is dominated by the role of councillors. She sees councillors as predominantly the 'vanguard', 'kin-pin', or 'agents', to drive the wheels of local government transformation to its logical conclusion.

However, there is the need to go beyond the perception of councillors as sole or exclusive agents, for driving local government transformation in South Africa. Disadvantaged local communities, and other rural poor, who suffered from the ravages of apartheid as major recipient or consumers of public services, municipal officials i e bureaucrats, stationed at some vantage points in the service delivery mechanism, as well as local councillors have all been considered as quite-embracing. They have been offered a place of prominence in my study. Their role, position and participation in the new local government system cannot be discounted at the epitaph of transformation politics. Thus, the present study looks at local government transformation from a broader perspective, with all role players

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[128] Polunic, J(1999)'The transformation of Local Government in KwaZulu-Natal'. PhD Thesis, unpublished.
[129] Polunic, J(1999)ibid
[130] Polunic, J(1999) op cit
[131] Polunic(1999)p12. Op cit
[132] Polunic(1999)p13. Op cit

or political actors brought into the nexus or stream of the transformation local government has profoundly undergone. Dwelling largely on the role of councillors as contemplated by Polunic, does not only present a one-sided view of the issue at stake, but could be quite misleading to the reader who is inclined to believe that holistically transformation of local government in South Africa was driven exclusively by councillors.

My study serves not only as a corrective measure, but goes beyond the narrow perception of local councillors within the contextual framework of local government transformation, and transition politics generally.

A holistic approach is reinforced by the view that:

> Transformation is not a choice, it is an obligation placed on each municipality to fulfil its constitutional mandate and play a role in the development of the nation... Local government has a critical role to play in consolidating our new democracy, and each councillor, each official (i e in municipal administration), and each citizen (within local communities) is tasked with making their contribution in the areas where they live.[133]

The above alludes to the fact that municipal councillors, officials and local communities potentially play a decisive role in the promotion of local government transformation.

The work of MP Sadiki,[134] also merits a degree of consideration in terms of the sub-topic. His work focused attention on local government development during the transition time-table, a period cogently referred to as the Interim Phase.[135] The Interim Phase begun with the first watershed or founding elections of local government during the late 1995, and early 1996, expiring in 1999 under transition arrangement by an Interim Constitution, promulgated in 1993. As could be perceived within the trajectory of local government development in South Africa, the interim period witnessed significant political changes. It laid strong foundation for municipal elections, after subjecting the entire country to the rigors of the demarcation exercise, in which

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[133] The South African Government's White Paper on Local Government, 1998, p133.

[134] Sadiki, MP(2000)'Integrated Local Governance and Development Planning: A Case-Study of the Greater Louis Trichardt transitional Local Council'. A Masters degree thesis submitted to the School of Life and Environmental Sciences(Geography). University of Natal, Durban.

[135] See the works of Cloete, F (1994 , 1998); Bekker, S et al(1997); Swilling, M et Boya, L(1995)

the country was carved into appropriate local government units, or constituencies. Emphasis was to pave the way for the consolidation of a democratically elected local government in South Africa, after the municipal elections in 2000, and would seem to defy the apartheid order.

However the work of MP Sadiki,[136] does not go beyond the transition arrangement. General perception of local government development beyond the transition time-table therefore remained incomprehensibly blurred and impoverished.

Another limitation imposed by the work of Sadiki[137] stemmed from the fact that he focused extensively on the economic and spatial development of local government. Other aspects of local government development like service delivery imperatives, the participatory and consultative role of local communities and other potential stakeholders in local government development are neglected. This thesis chronicles events of local government development far beyond the transition time-table, and incorporates major developments as they unfolded.

The work of RBM Ngcobo,[138] also merits consideration. He succinctly states in the abstract of his work 'the main object of this study was to describe how the Reconstruction and Development Plan (RDP) can succeed through the social contract involving the state, civil society, as well as business, to a lesser extent ... The RDP claims to be a "people driven"[139] process, and the intention of this study was to test this claim by looking at the role that Community Based Organisations (CBOs) can play in service delivery within the RDP framework'.

Ngcobo [140]mentions quite a number of CBOs operating in the KwaZulu-Natal Province, their roles and functions. Among other things, they include the following;

      i.   Community Employment Programme

      ii.   Brick-Making Committee

      iii.   Citizens' Elementary Legal Education Project (CELEP)

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[136] Sadiki. MP(2000) op cit
[137] Sadiki, MP (2000) ibid
[138] Ngcobo, RMB(1997) 'The Role of Civil Society in the Reconstruction and Development Programme (RDP): A Comparative Study of Community Based Organisations in KwaZulu Natal'. Thesis submitted in partial fulfilment of the requirements for the Master of Social Science Degree, University of Natal.,Durban (unpublished)
[139] Ngcobo, RMB (1997) . Abstract , pg iv.
[140] Ngcobo, (1997) ibid.

iv.   Adult Basic Education

v.   Sunflower Project

vi.   Support and Development Programme

vii.   Hope Matric Study Improvement Project

Although I gave a place of prominence to Civil Society Organisations (CSOs) operating in Maluti district, in my recent work I went beyond mere citation, as well as their structural-functional analyses. Among other things, I expounded in detail the endeavours of CSOs in Maluti district trying to reinvent themselves in a new political environment, and the constructive impact they exert in influencing policies and programmes at the local level. They bring out clear the message that politics is about conflict management, and resolution among competing claimants, and the authoritative allocation of scarce resources.

The thesis also interrogates the participatory role of CSOs, and inform my readership that: 'CSOs broaden participatory democracy at the local level, so that participation is generally not confined to periodic elections, but an ongoing process'.[141]

The work of Segar, J[142] has also contributed to my conceptualisation. Although outdated, most of the argument raised in the 'Fruitage of Apartheid', bore eloquent relevance to my work, as her work confined her to local level politics in the Maluti district during the late 1980s. Sha states that her 'tend to focus on broad, political, historical and economic issues, and so tell us little about more localised levels of response ... and thus our overall understanding of the situation is impoverished'.[143] However, her work covers none of the subsequent major political developments that have occurred in Maluti district. The periodisation in which she reported naturally imposes severe limitation on her work.

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[141]See Thesis, Chapter 3; Conclusion.

[142] Segar, J (1989) 'Fruitage of Apartheid: Experiencing "Independence" In a Transkeian Village'. Anthropos Publishers. Cape Town.   See also Segar, J (1986) 'Local Level Politics in a Border Village in Post "Independence" Transkei'. MA dissertation. University of Cape Town.

[143] Segar, J (1989) ibid. p1

Much the same can be said of the important book by Hammond-Tooke, WD; [144] who states in his preface that he: 'built a picture of local government at three points in time: the pre-colonial system of independent chiefdoms, the period of direct rule under magistrates and the new system of Bantu Authorities'. As much as the work of Hammond-Tooke gives reasonable insight into the magisterial and the Bantu Authority systems of local government facts are presented in a more generic manner, than on local politics confined to a specific geo-political entity. As he admits in the concluding part of the preface: 'there is also little in this book on local level politics in the strict sense'.

Once more, the date of the work of Hammond-Tooke means that he has nothing to tell us about subsequent developments in the new local government dispensation in South Africa. Segar[145] identified this limitation and expresses the need to direct 'attention less towards the overtly political structures like governments and the bureaucracy, at either the national or local level, but more towards the responses of ordinary people to such institutions'.
Her work unlike other contemporaries, or predecessors, is indeed a departure from theoretically broad political and economic generalisations, instead she focused attention on local level politics.

However, my reaction to Segar is that she allowed herself to be prejudiced in varying degrees to accept popular criticisms at their face value, without subjecting them to sufficient evaluation, especially the opinions of numerous women informants. As she admits in the introduction: 'The majority of informants with whom I initially had contacts were women. This coupled with the fact that I had a woman assistant, helped me to establish a woman-to-woman rapport'. It also helped to give her a largely unfavourable view of predominantly male bureaucrats, councillors, local politicians, school principals, priests, at whatever level and others, who are all subjected to often severe criticisms. The biasness is quite evident in her work.

The originality of the current study lies with the fact that no writer has actually analysed the contemporary local level issues, political or otherwise, in recent times especially in the new democratic dispensation in the Maluti district. The thesis is going to bring about the development

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[144] Hammond-Took , W D (1975) 'Command or Consensus: the development of Transkeian Local Government. David Philip, Cape Town.
[145] Segar, J (1989) op cit

of the new local government, in its entirety and ramifications, like service delivery imperatives and the development of local democracy, as well as local communities who have remained as major recipients in the delivery of public services.

1.6 CONCLUSION

The study has revealed that, application of transition theory, decentralisation theory and transformation theory to local government development seems to have received scant attention, by scholars of regime change. The formulation of viable opinions on contemporary local government development therefore seems to have been based on sweeping generation of facts. Our understanding of the basic concepts underlying such an academic enterprise, or exercise has been quite impoverished. To offset the inherent shortcomings and limitations, attempt to conceptualise local government development within a broader theoretical framework has emerged paramount.

The present study has expounded in detail, the application of the aforementioned theories, not only as explanatory tool of analysis, but also as exploratory mechanism, for the new local government dispensation. In this vein, theory can be perceived as more scientific, as means to explain and/or predict political events. Given such inferences, theories are generally supposed to contain reference to entities, and relations, which are not themselves directly observable, but may be indirectly tested through observation.

The theories that have been constructed and applied in the chapter will be used to generate new hypothesis, the testing of which may relatively be modified, or rejected. The ongoing debate suggests that political research similar to the one being undertaken can be separated into stages of observation, conceptualisation, operationalization, testing and application. Theories, operating in this manner can be said to be more heuristic. The implication is that, they may stimulate some particular line of inquiry, suggest some particular approach to the subject, or otherwise assist in the quest for knowledge.

The study has also revealed that no single theory operates in isolation rather they exist ostensibly as interdependent entities. A constellation of theories are crucially important to enrich our understanding of a particular set of phenomenon, or events as they unfold.

The theories that have been generated in the study will be used as rallying point of departure to construct the remaining chapters in the thesis.

CHAPTER TWO

THE ESTABLISHMENT OF A NEW LOCAL GOVERNMENT IN THE MALUTI DISTRICT

2.0 INTRODUCTION

It was argued in Chapter One that a lack of transition theory to serve as a measuring tool in the transition from authoritarian to 'uncertain' democratic outcomes has created a shortage of data concerning the direction of local government development in rural communities. An understanding of democratic transition at the local level has therefore been inexact.

To clear up possible ambiguities about the transformation of local government, in this chapter it is aimed to capture the dynamics of present-day local government development and its evolution from the magisterial system of local administration. I shall make reference to the Tribal Authority (TA) system, which was a component of the magisterial system in the Maluti district, and the wider entity of the former Transkei homeland. The TA functioned as the lowest rung of local administration under the magisterial system.

I shall examine the outcomes of limited participation in the absence of a democratic culture which has characterised the magisterial system. Several other limitations have been identified as being the result of the shortcomings of the past local administration. These shortcomings will be used as points of departure from which the study will progress towards an understanding of the exigencies provoking the establishment of new local government structures in the Maluti district.

2.1 TRANSFORMING RURAL LOCAL ADMINISTRATION: AN OVERVIEW

In the conclusion of the introductory part of her work on 'Local Government Transformation in KwaZulu-Natal', Polunic[1] states: 'It is fitting …to begin with the legacy of the past on which the various forces of transformation have to work.' Conceivably, it will be academically naïve to

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[1] Polunic, J (1999) 'The Transformation of Local Government in KwaZulu-Natal'. Thesis submitted for the award of PhD. Dept. of Politics, University of Natal. July, 1999. p13.(unpublished).

discard everything of the 'past when experimenting with new models of governance'.[2] From the ongoing argument, it can be seen that both writers conceive of the past as a valuable tool for conducting enquiry into the transformations that have taken place in local government administration. Secondly, the past could serve as a foundation for future discussions on local government transformation.

The system of local administration that prevailed in the Maluti district closely resembled the indigenous system of administration. However, as Bayat[3] et al have claimed, 'there is inadequate literature on indigenous administration'. The paucity of literature on indigenous administration is attributed to the fact that 'most debates around local government in South Africa is focused almost exclusively on urban areas'.[4] Unlike rural areas, urban areas were more affected by the apartheid system where the 'manifestations of the apartheid value system were the most visible and entrenched measures [that] resulted in the geographical, physical, emotional and intellectual separation of people on a racial basis'.[5]

The notion postulated by both Cloete and Polunic[6] explains the volume of in-depth scholarly attention devoted to the study of local government in urban areas. However, the discourse on urban local government is considered to be defective because it is biased, and because it glosses over the fact that approximately 40% of all South Africans reside in rural areas, under the jurisdiction of tribal authorities or other indigenous systems.[7] To neglect 40% of people in a country because they live in rural areas is to exclude important sectors from the debate about local government. I have therefore concentrated on the Maluti Magisterial district because of its

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[2] Bayat, J et al (1999)'Local Government Management'. International Thompson Publishing (Southern Africa) Pty. Ltd. p133.
[3] Ibid. p132.
[4] Ibid. p132.
[5] Cloete, F (1998)'Local Government : Cradle or Death of Democratic Development ?'. in 'State of the Nation, 1997/1998', Bertrus de Villiers. edt. HSRC. Pretoria. 1998 p143. see also Poliunic, J(1999) op cit p9.
[6] Ibid.
[7] Economic Justice Update(2000), Vol. 4 No 2 ; May, 2000. Newsletter of Fair Share. See also, Polunic, J (1999) op cit ; Bayat, S(1999), p132 op cit ; Gavin, M (1999) 'The Impact of Local Government on Rural Development in South Africa', *Transformation 40(1999), p87-111.* Tapscott, C (1997)'The Institutionalisation of Rural Local Government in Post-Apartheid South Africa', in 'The Traditional and Contemporary Forms of Local Participation and Self-Government in Africa', edt. Hofmeister, W et Scholz, I. *Konrad Adenauer Stiftung Foundation(KAF), p29.*

rural nature and because the transition in local government and the transformation processes from the TA system have left a mark on the development.

It is the aim to offer fresh information on a neglected system, emphasising the fact that new ideas would help to inform the public about local government transformation in rural areas since 1994, especially in the Eastern Cape.

2.2 THE ESTABLISHMENT OF MALUTI AS A MAGISTERIAL DISTRICT

The term 'Magisterial district' became current as a result of the influence exerted by the magistrate over local administration in the district. Magistrates have often been described as 'political and generalist officers' in the performance of their official duties, both judicial and non-judicial, especially before the introduction of District Commissioners (DC)[8] in field administration.[9]

In an interview with Mr Makaula[10] concerning the establishment of Maluti as a Magisterial district, he offered the following information:

> Before 1976 there was no Maluti. Only those ranges you see around were known as Maluti Mountains, from which the name Maluti was derived. In 1976 Kaiser Matanzima the former State President of the Transkei created Maluti as Township next to Matatiele, hence his government built those

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[8] The first batch of District Commissioners (DCs) were appointed in April 1979 after a brief period of training between January and March, 1979 (Kotze et al, 1987). Subsequent appointments took place and by 1983 provision had been made for all Transkei Magisterial districts to enjoy the services of District Commissioners (DCs). A fact to reckon with is that the Maluti district became one of the earlier beneficiaries of this political and administrative arrangements in the Transkei, an arrangement that ostensibly coincided with the establishment of Maluti as township adjacent to Matatiele in the former Republic of South Africa. The establishment of Maluti as a township did not only precipitate a wave of bitter confrontation between the Sotho tribe and the government of K.D. Matanzima in the Transkei, but provoked an adversarial relationship between the Sothos who claim legitimacy over the district and the Xhosa tribe from which Matanzima hailed. The Sotho tribe regarded the Xhosas as intruders. Since then the two tribes have been living as two Siamese twins forced by necessity or chance, rather than choice to co-exist. Thus, the establishment of Maluti as a township did not only achieve the objectives of grand apartheid of the politics of separate development, but succeeded largely deepening the scar of social cleavage between the Sotho and the Xhosa tribes respectively.

[9] Kotze, DA et al (1987)'Rural Development Administration in South Africa'. P39. African Institute of South Africa. Pretoria. The Transkei District Administration Act, Act No 5 of 1979.

[10] Information provided by Mr Makaula, District Manager ; Maluti District Education in an interview conducted on the 17-12-97.

Magistrate Offices and Maluti became a Magisterial district, because the administration of the district should come from that office.

Taking cognisance of the political metamorphosis which Maluti underwent, it can be seen as a means to an end, not an end in itself. The establishment of Maluti serves as a dormitory Township next to the white suburban city of Matatiele, in the Republic of South Africa before 1994. The implication was that the presence of a resident Magistrate and a DC who operated as political functionaries in the local government administration were meant to achieve a set of political objectives within a broader apartheid designed local administration. In addition, Maluti was designed to fuel the economic needs of the apartheid city of Matatiele as labour reservoir.

Under the Magisterial system in Maluti, the offices of the DC and Magistrate respectively emerged paramount in the local administration. The office of the DC not only served as a complement to the Magistrate but also separated the judicial and non-judicial functions of the Magistrate. The DC 'took over all the agency functions of the Magistrate as well as those duties associated with district administration'.[11]

In the Maluti district, the DC was relatively popular because of his daily dealings and interaction he maintained with the ten chiefs of TAs which fell directly under his jurisdiction. The assumption that the DC and the Magistrate were on an equal administrative and political footing is inaccurate. Mr Mahlangu[12] offers the following explanation: 'The DC has never been part of the office of the Magistrate and has been under the supervision of the Magistrate ever since'.

As a government official, the position of the DC was important in the provision of the necessary administrative tutelage for chiefs, tribal authorities, and communities, especially through the Quarterly Meeting of Chiefs, Headmen, and Peoples of the district [13] often held at the Maluti Magistrate's Court Room, and the Regular Complaints Day [14] which gave the DC the

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[11] Kotze, DA et al (1987), op cit. ; Appiah, GWK (1994)'Chiefship under the Tribal Authority System' : A Case Study'. MA Thesis, University of Natal. Unpublished.
[12] Response to a questionnaire administered to Mr Mahlangu,DC of Maluti; 1978-1997.
[13] Ibid, 1997. See also Appiah, GWK(1994) op cit.
[14] Ibid.

opportunity to regularly interact with the ten TAs[15] on a monthly basis. These meetings created the platform for the DC to devise appropriate solutions to the problems chiefs encountered in the administration of their respective communities.

Through traditional structures, the DC maintained a firm hold over local administration. This was the point where traditionalism and quasi-modernisation processes converged in local administration. The duties, role, and functions of the DC were not confined to the Magistrate's Offices, but cut across a wide range of administrative structures that impacted on tribal communities and their leadership. The position of the DC as what might be called a liaison-officer, or a link between the district office and tribal communities was therefore vital. Without this chain of command, local administration in the district would have been incomplete.

The system of local administration in Maluti before1994 and shortly thereafter was tripartite. The TA (incorporating Chiefs, Headmen, and Councillors), Magistrate, and the DC were the executives of the system. Although they maintained an intricate and delicate system of balance in local administration, their involvement meant exclusion of ordinary community members from local administration. The structures of local administration were apartheid inspired. This limitation and others catalogued below gave rise to the idea that restructuring was the only solution for the problems in local administration.

Restructuring is considered to be crucially important as a means to transform the apartheid local government machinery and to direct the new local government dispensation along democratic lines. This has been based on an analysis of the shortcomings and limitations of apartheid local administration.

2.2.1 Limitations of the Magisterial system of local administration

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[15] Information provided by Mr Mahlangu, DC of Maluti district 1978-1997 in response to a questionnaire administered to him. Op cit. the 10 Tribal Authorities (TAs) falling under the jurisdiction of the district are Mzongwana, Malubelube, Mokaba, Sibi-Behlakoana, Nkosana, Magadla, Moshesh-Basotho, Lupindo, Nyaniso and Ludidi.

The Magisterial system of local administration had several weaknesses which tended to restrict the economic development of local communities and prevent popular participation. These problems are catalogued below.

2.2.1.1 Lack of decentralised structures and popular participation

The influence exerted by chiefs and headmen in local administration meant the exclusion of community members. Centralisation remained a principle as a result of fears that local structures might challenge the *status quo*. Since a heredity principle governed the appointment of TA members, community participation was sacrificed in favour of a select few. The system of governance in the Maluti district was therefore undemocratic. The inference that can be drawn is that decentralisation and participatory democracy are both necessary to support and encourage local administration.

Generally, local government in the Transkei and in the Maluti district specifically, remained a failure because it operated under the rubric of a centralising direction, as a result of the influence exerted by the chief and councillors. Appealing for decentralisation to be adopted as a political paradigm, Bayat et al [16] comment as follows:

> For government to respond to diverse local needs and interests it must evoke diverse responses. Concentration of political power should be avoided and the influence of local decision-makers (i.e. community representatives), should be extended …in this way local government will be able to respond appropriately to the needs and conditions of each locality.

Under decentralisation, local communities emerge paramount in local administration. In this way local government can respond appropriately to local needs. The proximity to communities promotes expediency in action and administration of policies.

Planact [17] sheds further light on decentralisation, claiming that by 'emphasising the existence of diversity in society, they (i.e. the forms of decentralisation) identify elected local government as

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[16] Bayat, S et al (1999),op cit. p24.
[17] Planact (1992) 'The Re-Organization of Local Government in South Africa', p24. Johannesburg.

best placed to govern responsively, responsibly and with accountability'. As major political principles in local government, decentralisation and democracy ensure diversity. However, under the Magisterial system in the Maluti district, these political virtues/attributes were conspicuously lacking. In South Africa since 1994, with its democratisation and transformation processes, it has been attempted to rectify the political deficiencies of past local administrations and to establish a new type of local government, allowing for popular participation through a comprehensive process of decentralisation. Post 1994 events have made it possible to base local government on a policy of decentralisation and popular participation. While decentralisation aims at creating a system devoid of vestiges of the TA system, it ensures that participatory democracy remains a major principle in local administration.

Centralisation, which became the hallmark of previous local administrations and allowed chiefs and headmen to wield considerable power, has been curtailed under the present local government dispensation. Decentralisation is viewed as a means of keeping chiefs and headmen out of local administration and of ensuring that community members are accorded a greater say in local affairs. While constituting a major erosion of chiefly powers [18] decentralisation through democratisation of local structures of governance is seen to be a major break-through to redress the injustices of apartheid-designed local administration.

2.2.1.2 Lack of constitutional provision

The TA system of local administration that operated in the Maluti district before the advent of the new local dispensation lacked constitutional safeguards or checks. Past local government

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[18] Central to the ongoing argument is the logic that chiefly powers would be confined significantly to traditional issues, a provision enshrined in the 1996 Constitution of the country. This is perceived as attempt to restore the pride, dignity and respect accorded chieftainship as old time institution, which have woefully degenerated to a level of decadence as a result of their participation in local politics. However, the resistance waged by chiefs in what they regarded as an attempt by current administration to sideline them in politics have been quite overwhelming. The storm for recognition although have temporarily abated and receded into the background, it continues to smoulder through the Council for Traditional Leaders of South Africa(CONTRALESA), which serves as a mouthpiece and channel of communication for chiefs. Of primary concern in this regard is the outcry raised against the demarcation exercise, about which traditional leaders were vociferous in their condemnation of what they perceived as subterfuge, by the newly installed democratic government of South Africa to neutralise their powers in chief-doms and fiefdoms, where the locus of their powers resided. However, fears and apprehensions of chiefs and other traditional leaders cannot be allayed, by virtue of the fact that the demarcation exercise will cut across rather than follow tribal boundaries that separated one chief-dom from the other, like the Council System of the colonial hey-days (Hammond-Tooke, WD ; 1964).

institutions operating under the Transkei Bantustan's administration were based on Parliamentary Acts, Proclamations, and other legislative instruments. The implication is that the 'state could easily modify the nature, functions or characteristics of local authority in order to suit its policy choices'.[19] The lack of constitutional safeguards rendered TAs vulnerable to the policies of the central administration. The central government could exert a profound influence over local authorities in decision-making processes. Given the fact that chiefs and other tribal leaders dominated the upper echelons of the Transkei administration, TAs which aspired to greater chiefly power remained an extension of chiefly influence at the local level. It was unlikely that TAs would act contrary to the views and expectations of chiefs in the central administration. Interests and views tended to converge, rather than diverge on any given political issue, between chiefs in the central administration and their counterparts at the local level operating through the TA system. Given the fact that chiefs were *de facto* and *de jure* chairpersons of TAs, symbiotic relationships emerged among chiefs at all levels of the administration. Fear of losing recognition and loss of pecuniary benefits strengthened the superior-subordinate relationship between government and the TAs, which degenerated into agencies of government.[20] As agents of the government, TAs exercised a minimal degree of control over local issues, their position as 'government closest to the people' became more rhetoric, than reality.[21] They became nothing more than a 'rubber stamp', without dynamism and with little credibility.[22]

Local government that operated through the TA system faced the daunting task of overcoming the limitations and challenges imposed by lack of constitutional safeguards to guarantee autonomy and lacked guidelines and a sense of direction. TAs relied on the central administration for direction on every facet of their operations.The state of affairs resulted in dismal performance ratings of TAs in socio-economic development and were often subjected to a

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[19] Polunic, J (1999), op cit, p 14.
[20] Bekker, J (1991) 'Tribal Government at the Crossroads', *African Insight, Vol. No 2*. See also Polunic, J(1999), op cit.
[21] Thornhill, C (1995) 'Local Government : Government closest to the people'. HSRC. See also Cloete, F (1994) 'Local Government Restructuring'. *Politikon, Vol. 21 No 1 June, 1994*. Cloete, F (1998) op cit, Mawhood, P (1993) 'Decentralization : The Concept and the Practice' in 'Local Government in the Third World, Mawhood, P edt. African Institute. Pretoria.
[22] Bayat, S (1999) op cit ; Bekker. J(1991) op cit

barrage of criticism. The issue has provoked VT Masima[23] to express the following viewpoint: 'Our tribal authorities were very inefficient when it comes to development, because theirs was only to receive instructions from the Magistrate, and were given very little latitude to initiate development projects themselves.'

In addition to failing to promote socio-economic welfare, the TA system of local administration was characterised by authoritarian behaviour. TAs without constitutional authority and limitations, although they acquiesced to government's wishes, they tended to espouse authoritarian behaviour. Tapscott[24] captures the situation in the following judgement:

> The traditional system, in effect embodied a fusion of legislative, judicial and administrative powers. The outcome of this was significant; the chiefs were expected, with the powers at their disposal to legislate, to ensure the implementation of these laws and thereafter to act as impartial judges over transgressors.

A logical outcome of the situation as described above is that TAs which emerged as offshoots of the Bantu Authorities (BAs)[25] system of 1952 enjoyed new powers. These powers transcended the limitations imposed by tradition. The situation had serious implications. For instance, a major weakness of the system is that there were no limitations placed on chiefly powers and authorities. Secondly, concentration of power in the TAs precluded respect for dissenting opinions. Given the fact that there was no institutional mechanism to serve as checks and balances, the system gave chiefs and councillors in the TAs free rein to act in an authoritarian fashion.

In fact, the incorporation of the TAs into modern local administration through the BAs not only redirected chiefs into new channels of administration but also resulted in the TAs becoming thoroughly authoritarian, acting as surrogates on behalf of the apartheid government, rather than the local communities they represented. In essence, the system did not promote democratic

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[23] Mr Masima a High School Teacher and a community resident, in response to a questionnaire administered to evoke general perception of the Tribal Authority system of local administration in Maluti district April 21, 2004.

[24] Tapscott, RJ (1997) op cit. p292.

[25] The Bantu Authorities Act was passed by the apartheid government in 1952, but became operative in the Transkei and the other Bantustans from the 1956 onwards. See Segar (1986)'Fruits of Apartheid' ; Hammond-Tooke, WD(1975).

outcomes in governance. Local administration acted as the ubiquitous eye of the government through its accredited representatives namely, the DC and the Magistrate.

Although TAs were entrusted with routine duties, they lacked credible qualifications as local government representatives. Their powers evolved from delegation rather than devolution, and they operated at the discretion of the government which could abolish their powers if it was expedient. Given such limitations, TAs lacked the political clout and independence as local government entities to implement development projects in rural communities, which continued to exhibit signs of neglect in socio-economic development.

2.2.1.3 Lack of accountability, responsibility, and democratic culture

Under the TA system in the Maluti district, there was little accountability, since nomination and to a large extent ascription governed the appointment of TA councillors. Government in the Transkei Homeland was conducted on a non-political basis, which made it virtually impossible to follow electoral rules in the recruitment of councillors. There were no elections for candidates of office.

Opposition parties were either non-existent or disappeared shortly after their inception. The Transkei National Independent Party (TNIP) of KD Matanzima created a hostile political atmosphere for opposition parties.[26] Under one-party government, elections were useless for the recruitment of representatives with new ideas. The government of the Transkei remained accountable to no one, except itself, and no viable democratic culture was allowed to exist. The political culture that emerged at the centre translated itself to the peripheral local level through the TA system. Accountability remained elusive.

The appointment of TA councillors received the seal of approval from the homeland president. Hence, 'chiefs and tribal affairs [were] controlled by the offices of the presidents and chief

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[26] Streek, B et Wicksteed, R (1981) 'Render unto Kaiser : a Transkei Dossier'. Ravan Press, Johannesburg. See also Lawrence, P (1976) 'The Transkei : South Africa's Politics of Partition. Ravan Press,Johannesburg.

ministers rather than the Department of Local Government'.[27] Kotze[28] explains that 'Tribal authorities are not elected bodies and they are not directly accountable to the people'. Elections lost credibility as a way to recruit representatives, i.e. councillors and to provide political leverage for electorates to exercise a degree of control over representatives through the process of accountability. In the absence of elections, and therefore accountability, rural communities increasingly lost touch with TA members. The heart of the matter is that one cannot conceive of local government without conceding popular participation.[29] N Gonya[30]expresses the following sentiment:

> The Tribal Authority system of local administration was never democratic. The local people were never given the chance to speak their minds. They were told what to do by the chief. And that ended everything. They could not oppose the views of the Tribal Authorities for fear of intimidation, harassment and in extreme cases banishment from the local community. Most community members faced that threat.

From the above statement it can be inferred that chiefly administration, i.e. the TAs, although ensuring a degree of peace and tranquillity in local communities, was authoritarian. As a result of lack of a constitutional opposition, the views of local communities became comprehensively stifled. There was no channel of communication through which community demands and expectations could be addressed. Given the lack of an opposition group, intimidation and fear became the hallmark of chiefly administration which operated under the Magisterial system. These weaknesses obviously gave the TA a measure of leverage to operate. It excluded popular participation and governance at the local level. Its continuity was viewed with hostility, as a political aberration, and inconsistent with the democratic transformation of local government.

2.3 CONSTITUTIONAL PROVISION FOR THE ESTABLISHMENT OF A NEW LOCAL GOVERNMENT

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[27] Bekker, JC (1991) 'Tribal government at the crossroad' . p128. *African Insight, vol. 21 No 2. 1991.* op cit.

[28] Kotze, DA (1987) op cit. p 47.

[29] Aryee, RJA (1987)'The Emergence of Representative Government at the Grassroots level', in 'The Search for Democracy in Ghana – A case Study of political instability in Africa' edts. Ninsin, K et Drah, FK p117. Asempa Publishers. Accra.

[30] Mrs Gonya, op cit.

Cloete[31] draws a distinction between societies where local government is entrenched in a written constitution, and those societies where this is not the case. He further states that where local government is entrenched in a written constitution, local authorities enjoy a degree of autonomy immune from central government's interference. Where this legitimacy is lacking, local government authorities are often manipulated by the central government, 'who may at any stage interfere with their areas of jurisdiction, in many cases without recourse to the judicial system'.[32] Given the possibility of such a situation arising, local government is often denied the political platform to articulate grievances of local communities. It becomes more likely that the rights of local communities will be trampled upon. While the existence of a constitution provides principles for local administration, it serves as a bulwark against interference by central administration and guarantees autonomy to local government. The degree of autonomy accorded to local governments, especially by a written constitution, does not imply that the system can operate without a degree of central direction. Local government is linked to the central administration by inter-governmental rather than intra-governmental links, as specified in the South African Constitution. The Constitution makes clear provision for inter-governmental relations[33] at the various levels of government and stresses the need for co-operative governance. Government is perceived as constituting 'national, provincial and local spheres, which are distinctive, interdependent and inter-related'.[34]

Since co-operation is a *desideratum* in governance, the Constitution[35] addresses the issue under Section 41(1), recommending that there shall be co-operation, mutual trust, and good faith among the three spheres. They should inform and consult with one another on matters of common interest, co-ordinate their actions and legislation, and adhere to agreed procedures. Inter-governmental relations serve as channels through which co-ordination and co-operation among the different levels of government can be developed. The three spheres of government should operate as partners rather than competitors, assisting each other in service delivery and development of participatory democracy.

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[31] Cloete, F (1998), op cit.
[32] Ibid, p141.
[33] The White Paper on Local Government (1998) also incorporates the ides of inter-governmental relations and expresses it as a 'set of formal and informal processes, channels, structures and institutional arrangements for bilateral interaction within and between spheres of governments ; p38.
[34] The South African Constitution, p25.
[35] The South African Constitution, 1996. ibid.

Under the heading of co-operative governance, the South African Constitution recognises the autonomy of local government in all its spheres of activities. Section 151(4) states categorically that national or provincial governments may not compromise or impede the right of a municipality to exercise its powers or perform its functions. Checks and balances are established as constitutional mechanisms to ensure protection of local government units from undue interferences in and usurpation of their powers by higher authorities.

The reference to local government as a 'sphere', rather than a 'tier', is further proof of the degree of autonomy accorded local government institutions by the Constitution. While the term 'tier' binds local government to central administration in a hierarchically ordered relationship, the term 'sphere' establishes a co-operative arrangement with other levels of government. The Constitution states under Section 151 that local government is a 'sphere of government which has the right to govern on its own initiative the local government affairs of its community, subject to national and provincial legislation'.[36] This constitutional provision not only enables local government to pursue its socio-economic agenda without hindrance or interference from national or provincial authorities but also ensures that local government remains an important vehicle for service delivery and the promotion of local democracy. In order to achieve the above political objectives, local government has had to undergo a set of developmental phases, as the next section clearly demonstrates.

2.3.1 Democratic transition of local government in the Maluti District

2.3.1.1 Uneven terrain

Transition at the local level has never occurred simultaneously with transition at the national or provincial levels of the administration. The 'small miracle'[37] which effected changes at national and provincial levels did not filter down to the local level at the same rate. The slow process of

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[36] Ibid.

[37] The transition from apartheid to democracy in South Africa has euphemistically been referred to as 'small miracle', probably because it never resulted in any substantial bloodshed or revolutionary overthrow of the existing political order. It dissipated the general mood of pessimism, fears and apprehensions that had been entertained. Generally, the transition attracted widespread interpretations and phrases by a host of writers of regime change, i.e. as 'negotiated transition', Slabbert,VZ (1992) ; Palma, D (1995) ; Kershoff et McCarthy(1995) ; 'pacted transition' Schmitter, (!994) ; 'pacting and reform' Vureen, V(1995) ; and 'transplacement' Huntington, S(1993).

change that occurred at the local level has given rise to the phrase 'delayed transition'.[38] However, the process demonstrates the complexities involved in transition arrangements, and the extent to which the apartheid system manifested itself at the local level. The interval between changes that occurred at national and provincial levels and the local level, created an enabling atmosphere for newly established democratic structures of local government to coexist with old apartheid local government structures like the TA and the Magisterial systems,[39] with the latter gradually disappearing. The period of political change enabled newly established local government transition structures to redress socio-economic imbalances of previous local government structures. For instance, the Magisterial system of local administration in the Maluti district retained its administrative and political structures till 1999.

The process of change at the local level was relatively slow probably because changes were implemented in an evolutionary rather than a revolutionary manner. It was only after the 2000 Local Government Municipal Elections (LGMEs) and the establishment of Municipal Administration that signs of changes in local government were felt. In national transition politics, change from authoritarian rule in the direction of democracy has never been abrupt. Instead the process has occurred in incremental stages.[40] Transition politics is a means to an end, not an end in itself and often trigger certain unintended consequences, resulting ultimately in democratic consolidation.

To ensure viable local administration, the authorities of the new dispensation embarked on a comprehensive programme of local government restructuring along democratic lines in which community participation remained a major aim.

2.3.2 Interim Phase of local government in the Maluti district

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[38] Bekker, SS et al (1997) 'Local Government Transition in Five Eastern Seaboard South African Towns'. *Politikon, Vol. 24 No1 ; June, p38-55.*
[39] Maluti Magisterial system continued to function, maintaining the offices of the Magistrate and the DC, respectively till 1999, before it was eventually phased out.
[40] Keller, EJ (1995) 'Liberalization, democratization and democracy in Africa-Comparative perspectives'. *Africa Insight, Vol.25, No 4. p 224-230.*

Of the three main phases that marked local government transition generally,[41] the Maluti district was most affected by the last two, i.e. the Interim Phase, and the Last Phase, because it formed one of the Magisterial districts constituting the Transkei Homeland.

I shall concentrate on the Last Phase, largely because of its relevance to this part of the study, and shall draw on certain aspects of the Pre-Interim or the First Phase.

A resolution passed by the Local Government Negotiation Forum(LGNF)[42] and adopted by the Local Government transition Act (LGTA) [43] states that issues concerning local government remain 'a provincial matter and that provinces [are] empowered to monitor and supervise the proposed process and time-table for local government transition'.[44] This resolution led to the establishment of the Local Government Demarcation Board (LGBD), and the Provincial Committee on Local Government (PCLG). In the Eastern Cape, the LGDB was established in 1994. It was to work in conjunction with the PCLG, ensuring that boundaries negotiated by local

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[41] The first phase has been labeled the Pre-Interim Phase. It consisted mainly of nominated councils established through agreements reached by negotiations in local urban forums. Communities were governed in terms of the Interim Constitution (1993), 'between February 1994 and May 1996, when founding elections for new local authorities were finalised.' Cloete, F (1998)p146. A main feature of the Pre-Interim Phase is the attempt to integrate previously divided local governments along racial lines. The entire Transkei region and the TBVC states remained politically unscathed in the background against the wind of change during the Pre-Interim Phase, because the negotiations that took place 'did not concern them'. Polunic, J (1999)p57. Outside the domain of the TBVC states 'the physical divisions of the apartheid policy were most visible, creating a dominant discourse about "amalgamation" and the "one-city" slogan' Polunic, J (1999) p69. The second Phase is described as the Interim-Phase. It started at the end of 1995 and the beginning of 1996, with the establishment of newly elected Transitional Local Government structures, as promulgated under the 1993 Interim Constitution, ratified by the Final Constitution and the White Paper on Local Government, 1996. The Final Phase occurred after the 2000 LGMEs and beyond. It marked the Phase of a transformed local government, one that became fully democratic.

[42] The LGNF featured as an umbrella forum comprising key political actors, primarily of the South African national Civic Organisation (SANCO), a body that aligned itself with the ANC, and others aligning themselves with the national party. Bekker, et al (1997). The LGNF featured as a miniature National Conference, a consultative forum, and endeavoured to sow the seeds of compromise among participants from the opposite end of the political spectrum learning to tolerate each other and to develop faith in the bargaining process. It successfully brought together different racial groups to register their views on local issues in which local government is geared towards a more democratic outcome.

[43] The LGTA, 1993 was passed by the Interim Constitution by Act 209 of 1993. The Act aspired to provide revised interim measures with a view to promoting local government restructuring and for that matter to provide for the establishment of Provincial Committees for Local Government, in respect of the various provinces ; also to provide for the recognition and establishment of forums for negotiating such restructuring of local government for the exemption of certain local government bodies from certain provisions of the Act ; for the establishment of appointed transitional councils in the pre-interim phase ; for the delimitation of areas of jurisdiction and the election of transitional councils in the interim phase ; for the establishment of transitional rural local government structures etc.

[44] Bekker, SS (1987) op cit.

forums met with the approval of the Member of the Executive Council (MEC), for Local Government and Housing, in accordance with Schedule 6 of the LGTA.[45]

An offshoot of the deliberations between the LGDB and the PCLG was the creation of the Wild Coast District Council (WCDC),[46] and the Maluti TrepC,[47] which emerged as subsidiary local government structures in the Interim Phase formed after the Local Government founding elections in November 1995.[48]

2.3.3 Founding elections and electoral process in the Interim Phase in the Maluti district

For the first time in South African history, local government elections took place in the Maluti district, based on multi-party politics. The process opened the way for political contestation, which signalled the end of racially dominated local government and the TA systems. Section 254 of the Interim Constitution spelt out that Transitional Local Councils (TLCs) must consist of 60% ward councillors and 40% candidates elected on the Party List system[49] based on Proportional Representation. Electors first voted on white paper for candidates to represent the wards. They could be members of a political party, interest groups, or independents. The second vote was cast on yellow ballot paper and elected candidates to represent political parties or interest groups on the local council. According to Polunic[50] the electoral system ensured representation in the 'proportional matching of some council seats with votes cast and

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[45] Polunic, J (1999) op cit, p 59.

[46] The WCDC, became one of the 855 established District Councils to drive local government transition in the country. In effect they featured a 'regional equivalent of Metropolitan Councils in metropolitan areas' Cloete, F (1998) p153.

[47] Information confirmed in an interview with Mr Nyamakazi, Chairperson of Maluti Transitional Representative Council (TrepC) in July, 1999.

[48] See Cloete, F (1998) p146. The term has been used to denote the first local government elections in the country. Aptly, the term fits within the trajectory of the democratisation processes that South Africa has witnessed. Generally, founding elections occur after intense political struggle against authoritarian regimes which eventually open their doors to competitive politics according to Bratton, M et de Walle (1997) such elections usually proceed regime transition after liberalisation and democratisation processes have been achieved in which electoral rules for democratic outcomes are laid down.

[49] Party List System is an electoral system of Proportional Representation (PR), in which voters choose parties rather than candidates. Votes are awarded to parties in proportion to votes candidates have received. Advocates of PR contend that the system gives a more accurate picture of political opinion. Minority representation is guaranteed proportionate to their voting strength. On the other hand, PR can be seen as encouraging division rather than uniting a society, since splinter political groups are certain of representation in the government. They tend to pursue sectional rather than a unified agenda in society. Venter et Johnston (1991).

[50] Polunic, J (1999) op cit. p 58.

accountability in the presumed responsiveness of individual councillors to a particular ward'. The new electoral system ensured accountability and responsibility of elected councillors towards their wards - a basic tenet in representative democracy.

In some Provinces, after the first election constituents were divided into wards, there was a ward councillor and ten elected ward members in each. Not all Provinces enjoyed this political privilege. The Eastern Cape was one of the Provinces that implemented a transition phase in local government without a ward system in local administration. Community forums fulfilled the role of ward committees as the means of participatory democracy, through which community needs were addressed. This arrangement may relate to the wishes of the PCLG operating in the Eastern Cape.

What occurred in the Interim Phase was the process of democratically elected non-racial transition local councils which governed their communities until the establishment of a permanent local government system, based on provisions made in the 1996 Constitution. Generally, the Interim Phase was a rehearsal for fully-fledged democratically elected local government institutions throughout the country.

Political changes that occurred in the Maluti district during the Interim Phase had far-reaching consequences. This was not only because Maluti formed an integral part of the transitional municipal arrangements under the WCDC, but also because its past history in local administration resembled that of other districts in the Eastern Cape. Maluti's exposure to transformation and restructuring programmes in local administration cannot be viewed as an issue in isolation. Rather, it impacted directly on other districts. Founding elections in local government can be attributed to the influence of liberalisation and democratisation processes, as discussed in the study.

Local government elections took place in November, 1995. Election results in the district were hailed as being unique, in the sense that the sixteen candidates who contested an ANC ticket in the Maluti district were returned unopposed. In an interview conducted with MM Nyamakazi and

Bernard Jafta[51] on the electoral process and subsequent formation of the Maluti TrepC, the following information emerged:

> Maluti Transitional Representative Councillors (TrepC) were nominated by their organisations and by the List Process they were elected. Let me put it this way, we started all this from our list process, where organisations are supposed to list their candidates. These candidates are elected by branches of their organisations. The branch organisations would send their elected candidates to form the List Process. After that they contested the Local Government elections. Fortunately, here in Maluti district there were no opponents apart from the ANC candidates. Obviously, the ANC took its candidates automatically to form the first democratically elected local government branch of the TrepC to operate in the district after the Local Government Elections of 1995.

The above statement implies that councillors who formed the Maluti TrepC were elected by means of PR, probably because of a lack of wards to serve as constituencies to which candidates might be attached. A major limitation of the election outcome is that no opposition parties contested the election to reflect the demographic profile of the Maluti district, which embraced a heterogeneous group of tribes which tended to have different viewpoints. Apart from a majority of Sotho and Xhosas, there were minority groups like the Zulus, Ntlagwinis, and Hlubi. The expectation was that the different groups in the district would be reflected in the election outcome. This, however, did not happen because where groups were small they were intimidated by the majority Sotho and Xhosa groups who overwhelmingly supported the ANC. Minority groups attempted to appear neutral for fear of the violence that marred politics in the district, especially towards the build-up to the first general elections.

Although hailed as a major breakthrough for democracy, the first local government elections in the district had their limitations. The incidence of political violence and the creation of 'no-go-areas'[52] that characterised the 1994 first general election in certain parts of the country,

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[51] Both were councillors of the erstwhile Maluti TrepC, respectively; with Mr Nyamakazi serving as Chairperson during the local government transition phase.

[52] 'no-go-areas' denote places in townships that were considered considered 'too dangerous fir the South African police to enter except in convoys of armoured personnel carriers', during the tumultuous days of apartheid. Price, M (1991) p192. 'No-go-areas were considered too dangerous for other political parties to campaign in during the first General Elections, in 1994 and subsequently in the first local Government Elections, 1995. The scenario could possibly be linked to monopoly politics in which parties exercise prerogatives over certain areas to the exclusion of all others. Under a new banner, politics of 'no-go-areas'

especially KwaZulu-Natal(KZN) and the Eastern Cape, recurred at these local elections. Because of the 'no-go-areas', political canvassing in the district remained closed to parties other than the ANC. The outcome of these elections was therefore skewed towards the ANC. The political climate created by the overwhelming victory of the ANC proved not to be conducive to competitive politics. There was, however, no suspicion of electoral fraud or vote tampering.

Described as relatively fair, the first local government elections could hardly be said to be free. As intimated by Johnson and Schlemmer,[53] 'the existence of numerous and extensive "no-go-areas" was clearly the most serious challenge to free and fair elections'. 'Ethnic census', where tribalism and ethnicity dictate election outcomes rather than free choice, was a strong feature of the 1994 elections. The Inkatha Freedom Party (IFP), for instance, perceived the presence of the ANC in KZN as a threat of Xhosa dominance. In a similar vein, the ANC perceived the IFP in the Eastern Cape to be an interloper. Political opponents were considered political enemies to be confronted and killed.

Regarding the first democratic local government elections in 1995, events in the district thus fell short of required electoral standards, despite the fact that these events never captured official headlines in the media. Contrary to popular belief, the election outcome proved that fair elections were impeded, despite the claim that the election was a success.

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assumed command posts in some parts of the country. Certain areas in KZN and the Eastern Cape were proclaimed 'no-go-areas'. Ostensibly these areas prohibited the intrusion of rival political parties from mounting effective campaigns and engaging in fairly competitive politics. As a political strategy, 'no-go-areas' was adopted to score points and achieve certain political objectives. The emphasis was on clearing the 'deficit' before the actual game of politics commenced. In the process, KZN was to remain predominantly the exclusive domain of the IFP, and the Eastern Cape, the ANC enclave. To preserve the *status quo*, opposition parties were frowned at and invariably met with severe repressions often resulting in very in bloody confrontations and conflicts. Politically motivated assassinations took its greatest toll. The Natal Midlands of KZN became deeply engulfed in the turmoil, in the onslaught of politics of 'no-go-areas', resulting in widespread internecine warfare. The casualty rate was high. Not less than 10 000 people lost their lives in the carnage, shortly after politics of 'no-go-areas' had been launched. Johnson et Schlemmer, (1996). The main difference between the two facets of politics of 'no-go-areas' is that during the apartheid era, politics of 'no-go-areas' edged around violence directed against the white apartheid state, ostensibly in the political showdown of Blacks against Whites. Ironically, the post apartheid era has perpetuated 'black-on-black' violence, in the onslaught of democratisation and the transformation processes. The state of affairs defied human comprehension.

[53] Johnson, RW et Schlemmer, L (1996) 'Introduction : The Transition to Democracy', in 'Launching Democracy in South Africa, The First Open Election, April 1994'. Yale University Press, 1996. p329.

Despite these shortcomings the elections in the district resulted in the first democratically elected body of councillors, the Maluti TrepC, whose political agenda was to ensure that participatory democracy remained the rule in local administration. Decision-making took place latitudinally or horizontally, rather than being hierarchically ordered, as occurred under the TA system of local administration. The next section outlines Maluti TrepC as the lowest rung of local administration in the Interim Phase of transition governance under the WCDC, beginning with transitional institutions of governance at the lower level.

2.4 TRANSITIONAL INSTITUTIONS OF GOVERNANCE AT THE LOCAL LEVEL

Transitional local Government (TLG) arrangements saw the creation of the WCDC in February, 1996 by Proclamation 20 of 1995,[54] incorporating nine old magisterial districts of the former Transkei homeland of Bizana, Mount Frere, Lusikisiki, Mount Ayliff, Mount Fletcher, Flagstaff, Tabankulu, Umzimkhulu, and Maluti.[55] The new transitional District Council consisted of nine Transitional Rural /Representative Councils (TRCs) and TrepC, and nine Transitional Local Councils (TLCs). At this juncture, it is worthwhile to describe the main differences between TRCs, TrepCs, and TLCs as concepts defined under the Interim Phase of transitional local governance.

Urban areas became a major preoccupation of the LGNF, during the proceedings which led to the passage of the LGTA, 1993. Rural communities suffered temporary neglect probably because urban areas were seen as focal points where geographical, physical, and intellectual separation of people had occurred along racial lines.[56] The implication of this was that the LGTA failed in its efforts to solve South Africa's intractable and systemic problems surrounding local government in rural communities, especially in the former Bantustan regions of the Transkei, Bophuthatswana, Venda, and the Ciskei (TBVC) states. As stated in the White Paper[57] the 'LGTA did not provide for a new local government system but simply sketched a process of change.'

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[54] Response to a set of questionnaire administered to Mr Matiwane, Administrative Secretary ; the Wild Coast District Council (WCDC), 10 Oct. 2000.

[55] Ibid.

[56] Cloete, F (1998) op cit.

[57] The White Paper on Local Government (1998) issued by the Ministry for Provincial Affairs and Constitutional Development, p3. Government Press. Pretoria.

After a protracted debate over the issue, the structure that emerged was a mirror image of provisions for urban areas. A two-tier local government system was introduced. District Councils served in the upper tier or secondary level capacity. The lower tier or primary level was comprised of TLCs for urban areas and TRCs for rural areas.[58] Both levels of local administration, i.e. TRCs and TLCs, directly elected representatives to the upper level, the District Council. Out of the TRC emerged the TrepC which was to serve as the custodian of the magisterial districts, largely composed of several rural communities under the jurisdiction of the TAs.

In theory, TrepC enabled rural communities to interact with a structure close to them.[59] However, TrepC functioned in an advisory capacity and lacked executive powers to enforce decisions. Cloete,[60] aptly refers to TrepCs as 'rural advisory boards'. The White Paper on Local Government[61] defines TrepCs as follows:

> TrepCs have only a representative function and no executive powers. Although they can assume executive powers as their capacity increases, in most cases few powers and duties have been devolved to TrepCs due to their lack of capacity. TrepCs generally do not have their own administrations, and are little more than advisory structures to District Councils. They rely on District Councils for administrative, technical and financial support.

Extrapolating from the above statement, it can be said that because the TrepCs operated as subordinate entities to the District Councils, their roles were limited in scope and function and they could not operate independently of the District Council. Their actions were subject to the approval of the District Council. Given this fact, the notion that the new local government system was built as a sphere lacked substance and coherence. The built-in mechanism of local government operating as a 'tier' conspicuously emerges with TrepC as the subordinate entity. However, taking cognisance of the fact that local government was passing through a transitional

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[58] Gavin, M (1999), op cit.
[59] Polunic, J (1999) op cit, p80.
[60] Cloete, F (1998)op cit.
[61] The White Paper on Local Government. op cit p7.

phase, and that each phase was determined by its own considerations, it becomes imperative that limitations be conceived of as being a matter of natural outcome or consequence.

 In contrast with the TrepC is the TRC. Despite the fact that both entities operate as local government institutions in rural communities, they remain mutually exclusive. In effect, a TRC was regarded as a fully-fledged rural local authority and it enjoyed the same powers as local councils in urban areas.[62] A clear distinction between these transitional bodies is provided in the following statement: 'A TRC operates in rural areas; a TrepC operates in the former magisterial districts where the incidence of traditional indigenous system of local administration has been very strong'.[63]

As a representative body, the WCDC was charged with the responsibility for the transition process before the December 2000 LGMEs that ushered in a newly elected council to take over the reins of district administration based on the stipulations of the 1996 Constitution. The establishment of TLCs, TRCs, and TrepCs in each of the nine magisterial districts constituting the WCDC (including the Maluti TrepC) was seen as necessary. This reinforced the claim that the WCDC retained existing magisterial district boundaries, without effecting any significant alteration.

2.4.1 The Maluti Transitional Representative Council (TrepC)
A TrepC by definition operates in a magisterial district, serving in an auxiliary capacity under a District Council during the Interim Phase of local government development. Given the fact that most of the Transkei region of the Eastern Cape is composed of rural communities, TrepCs proved viable. Closer to local communities, TrepCs helped to articulate the government's commitment to decentralisation and participatory democracy in rural communities.

The Maluti TrepC was established in 1996[64] as a sub-unit of the WCDC to take charge of developmental issues on an advisory basis for rural communities previously falling under a

[62] Polunic, J (1999) op cit. p80 ; Cloete, F (1998) op cit, p153.
[63] Response to a questionnaire administered to Mr Matiwane, 10-10-2000. op cit.
[64] Date of the establishment of Maluti TrepC confirmed in an interview I conducted with Mr Nyamakazi, Chairperson of Maluti TrepC during the Interim Phase, together with Mr Jafta – a Councillor of Maluti TrepC. 22 July, 1999.

magisterial district. As TAs were gradually phased out, as was the magisterial system, the Maluti TrepC assumed command as a new body to steer affairs in the district.[65]

Under the restructuring programme, a separation between the offices of the Magistrate and the ten TAs in the district occurred. The office of the Magistrate was placed under the Department of Justice, and the TAs were restructured under the Department of Local Government.[66] The fact that transition at the local level occurred in an evolutionary process along democratic lines, rather than in a revolutionary rupture of the existing political order meant that all structures, both old and new, agreed to abide by democratic rules. The smooth transition from the old regime to a democratically elected local government after 2000 LGMEs became the major preoccupation of the Maluti TrepC.

2.4.1.1 Structure and composition

The Maluti TrepC was composed of 16 members, with a chairperson and a deputy-chairperson. Members were generally known as councillors. The Maluti TrepC was accorded two representatives on the WCDC, which served as an umbrella body for the TLCs and the nine TRCs, which in turn derived from the nine old magisterial districts of the former Transkei Homeland. Table 1 lists the councillors of the Maluti TrepC and the political organisations they represented at the local level.[67]

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[65] Information obtained from an interview with Messrs Nyamakazi and Jafta. ibid.
[66] Information obtained from a questionnaire administered to Mr Mahlangu, DC of Maluti. 1997. This was later confirmed by Mr Nonkonyana, Magistrate in charge of Maluti district, in an interview. 8-11-2000.
[67] Information provided in a questionnaire by Ms Lulama, Assistant Administrative Officer, Maluti TrepC. Nov. 2000.

Table 1: Councillors of the Maluti TrepC, 1995/6-2000.

NAME OF COUNCILLOR	Political Organisation represented.	Portfolio in Council
Mr MM Nyamakazi	ANC	Chairperson
Mr NP Gonya	"	Deputy-Chairperson
Mr B Jafta	"	Member
Mrs Gonya	"	"
Mr NC Mtoto	"	"
Mr M Kortjass	"	"
Mr DP Moso	"	"
Mr N Mofokeng	"	"
Mr Mdingi	"	"
Mr JZ Munyu	"	"
Mr MD Lugayeni	"	"
Mr N Ndaba	"	"
Mr M Mbadu	"	"
Rev. MAB Spengane	"	"
Mr Xolo	"	"
Mr EP Vikwa	"	"
Chief JD Moshesh	CONTRALESA	Ex-Officio

Mr Nyamakazi was appointed as chairperson of the Maluti TrepC and Mr Gonya as his deputy. In response to a questionnaire I administered to elicit some information about the council, Mr Gonya acknowledged that these office-bearers were 'elected at a caucus meeting organised by the ANC Local Branch of Maluti, which had sat every month before council meetings since 1995, under the chairperson, Mr Thabo Mongoato'.[68]

Since election rather than nomination governed the appointment of the chairperson and deputy chairperson of the Maluti TrepC, democratic practices can be conceived to have permeated all

[68] Information provided by Mr Mongoato, Chairperson of ANC, Local Branch, Maluti district in an interview, August 14, 1999.

levels of local governance. This was made possible by the close political affinity between the Maluti TrepC and the ANC executive members of the Maluti Local Branch. According to Thabo Mongoato,[69] the ANC Local Branch of Maluti district 'serves as a watch dog constantly monitoring activities of Maluti TrepC in order to keep them (i.e. the councillors of the TrepC) politically conscious of their duties and roles in the district'.

The presence of Mrs Gonya, a female councillor, strengthened the notion that the Maluti TrepC was concerned about gender-related matters, despite the fact that the numerical proportion of males who sat as councillors substantially outweighed the females. Her presence was a step towards the democratic concept of equality for all, irrespective of gender differences. In an interview with Mrs Gonya[70] regarding her role as sole female councillor in the Maluti TrepC, she offered the following:

> I feel great to be in the midst of men as councillors of the Maluti TrepC. In the past we women were discriminated upon, but under the new local government dispensation we sit as equals with the men counterparts in all council meetings and decision-making. The tribal authority system never made provision to cater for our (i.e. female) representation in the *kogtla* or the *ibandla.*[71] Our voices were never heard. Like children we were seen but never heard.

From the above statement it can be inferred that the intrusion of the TrepC into the political landscape of the district carried with it certain implications. The new local administration was composed of elected councillors which had compromised gender equality to some extent. Secondly, traditionalism which had previously been a barrier to female participation in local administration has been relegated to a level of political insignificance in the face of transformation. However, a major weakness of the system is the overwhelming numbers of male representatives. The implication is that their voices could easily override that of the only female councillor. Gender equality seems to have been neglected.

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[69] Ibid.
[70] Interview, September, 1999.
[71] Local derivation referring to the Traditional council or assembly in which views of men tended to dominate all proceedings and decision-making processes. See Schapera, (1956)'Government and Politics in Tribal Societies'. Watts, London.

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In addition to the 16 members who constituted the Maluti TrepC elected by popular vote, was Chief JD Moshesh, as representative of the Council of Traditional Leaders of South Africa (CONTRALESA)(see Table 1). His membership in the Maluti TrepC was based on the '10% official representation accorded Traditional leaders by the government'.[72] Chief Moshesh contributed to council proceedings and debates and issues in a constructive manner, especially in matters relating to tradition and customary law. In terms of Section 211 (1&2) and 212 of the Constitution, due recognition was accorded traditional authorities as follows:

> 211 (1) The institution, status and role of traditional leadership, according to customary law, are recognised, subject to the constitution.
>
> (2) A traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which include amendments to or repeal of the legislation or customs.
>
> 212 (1) National legislation may provide for a role of traditional leadership in an institution at local level on matters affecting local communities.

As envisaged in the constitutional provisions, the incorporation of traditional leaders (TLs) in transitional local councils was not only an extension of recognition accorded chieftainship but also a means to place chiefs in positions where they could preserve some respect and dignity in the face of the ongoing democratisation processes without involving themselves in local politics, generally considered to be 'a dirty game'.

Essentially, the role of the TLs could not go beyond debating issues in council meetings. They were denied voting rights. They therefore lacked the political clout to enforce decisions through the voting mechanism. For instance, Chief Moshesh could contribute to decision-making in the Maluti TrepC, but lacked the capacity to enforce such decisions. In this respect the position of chiefs in council meetings was honorary and ceremonial; they could not enforce decisions.[73]

Meetings of the Maluti TrepC used to take place once a month, following a caucus meeting organised by the executive body of the TrepC. The executive body consisted of the Chairperson,

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[72] Bekker, SS et al (1997) op cit.
[73] The message was recorded in an informal interview I had with Chief Moshesh, August 7, 1999.

his deputy, and three councillors. Included in the three was Mrs Gonya, the only female councillor. The executive body was charged with the responsibility of drawing up an agenda for official meetings of the council. Some Executive Members of the Maluti district ANC Local Branch attended such meetings as observers. Also in attendance at such meetings was Mr Magadla, the Administrative Officer who acted as recording secretary.

The presence of Mr Magadla could be seen as an attempt to narrow the gap between appointed officials and elected political leaders. The purpose was to ensure a closer working relationship between the two institutions at the local level and to maintain sound inter-governmental relations. Meetings usually took place at the *White House,*[74] close to the Maluti District Police Station and the magistrate's building.[75]

2.4.1.2 Functions and roles of the Maluti TrepC

The Maluti TrepC served as a conduit or intermediary between the WCDC and numerous outlying rural communities. It was able to facilitate service delivery because it was a 'structure closest to local communities.'[76] Proximity to local communities made it possible for TrepC councillors to identify local problems, needs, and expectations and to devise solutions for them. The Maluti TrepC endeavoured to collate constructive inputs, views, and opinions from rural communities and have these conveyed to the WCDC. The TrepC also helped to disseminate information on government policies, generating lively political debate. In this way, councillors helped to update communities on current issues that revolved around policies and developments.

The Maluti TrepC was also able to facilitate community needs and aspirations, constantly feeding them with information on government policies and programmes either provincial or national, which were relevant to the empowerment of rural communities. These communities began to take stock of the issues confronting them.

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[74] A building constructed specifically to accommodate offices of the Maluti TrepC. In community circles, the building was popularly referred to as 'White House', probably because of the importance it commanded as meeting place of the TrepC where important decisions affecting the district were discussed. The fact that the building had been painted white could probably be another reason why it was labeled the 'White House'. However, whatever impression the building was meant to convey, it was a far cry from and not comparable to the official residence of the USA President.

[75] Information divulged to me by Mr Nyamakazi, Chairperson of Maluti TrepC in an interview. July, 1999.

[76] Polunic, J (1999) op cit. p80.

Transparency in governance is an important ingredient for democratic institutions, and this would be impossible without a viable mechanism in place to facilitate the process of transformation. The existence of the Maluti TrepC was indispensable in the transmission of information between the WCDC and rural communities. As the structure closest to the rural communities, the Maluti TrepC during the Interim Phase enabled the District Council to come to grips with the extent of poverty and socio-economic problems that faced the Maluti rural communities. 'More than half of the provincial population of 6.6 million in the Eastern Cape are resident in more than 15000 villages, where development indicators are extremely low. The resource base is poor, and public and commercial resources are lacking such as housing and development facilities.'[77]

The Maluti TrepC lived up to community expectations and demands, conveying vital information on problems confronting the district. In response to a questionnaire regarding the role of the Maluti TrepC, and addressing the above debilitating developmental issues in the district, the following emerged:

> TrepCs generally have constitutional obligations to see to it that all communities of that particular magisterial district get basic services. They do this by responding to community needs, prioritising and giving recommendations about services that must be rendered by the District council which serves as custodian of funds for these services or needs.[78]

The above statement is indicative that the Maluti TrepC performed quite constructive roles in the district. Although it did not go beyond acting merely as an 'advisory board',[79] it became the driving force to initiate service delivery programmes through the WCDC, which served as 'custodian of funds' and expertise to meet the cost of these projects. According to Mr Nyamakazi, rural communities falling under the jurisdiction of the Maluti TrepC benefited from most newly commissioned projects on the council's recommendations. Examples were the President's Lead Project involving provision of water to needy communities like Queens Mercy,

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[77] Development Bank of Southern Africa, 1994 Statistical Compilation.
[78] Information provided in a questionnaire administered to Mr Matiwane, op cit
[79] Cloete, F(1998) op cit.

St Paul's, and Magadla; and of Maluti Township Water Reticulation Project, the Construction of Maluti Sports Stadium, and several other economically viable projects in the district.[80]

The Maluti TrepC achieved phenomenal success in bringing together tribal groups[81] into a single debating chamber where unity of purpose and political direction prevailed. Ethnic differences were relegated to the background, and focus was directed on developmental goals. Numerous tribal groups managed to rise above their differences and direct their energies towards achieving common developmental goals.

The construction of school buildings, roads connecting main rural communities with the Maluti Rural Electrification Project, the Water Reticulation Programme,[82] the provision of Primary Health Care (PHC) to rural communities, and the Aids Awareness Campaigns (AAC)[83] were all efforts in the right direction. Such programmes opened up job opportunities for the unemployed and signalled the advent of a new local administration.

Whereas former local authorities deepened tribal cleavages and succeeded in impoverishing rural communities, the new local government brought communities together under one political umbrella and directed them towards the achievement of viable economic development.

The TrepC could not shoulder the above responsibilities single-handedly but worked together with established Community Forums (CFs) to achieve transformation and transition.

2.4.1.3 Maluti TrepC and the CFs as participatory organs

Unlike the Province of KwaZulu-Natal,[84] the Eastern Cape lacked ward committees until 2000. The local government restructuring programme in the Eastern Cape therefore established CFS in the Interim Phase as mechanisms through which the Maluti TrepC maintained regular consultations with local communities. Most of the CFs crystallised into civic associations or

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[80] Information provided in an interview with Mr Nyamakazi, Chairperson of Maluti TrepC.22 July, 1999.
[81] See page 65 which gives vivid account of the numerous tribal groups incorporating Maluti district.
[82] Interview with Mr Thabo Mongoato, ANC Chairperson, Maluti Local Branch. Op cit
[83] Information provided in an interview by Dr Ganusah, Medical Officer in charge of Maluti Health Centre.
3 Jan. 1999.
[84] Polunic, J (1999) op cit. see also Gavin, M(1999) op cit.

organisations at later stages of their development. Notable examples of these bodies were the Maluti Community Policing Forums, the Maluti District Education Forums, and the Maluti Welfare Action Group. Their political activities spanned the mid-1990s, the 2000 LGMEs, and even beyond. Formed in 1995,[85] the CFs aimed primarily at giving assistance in governance and developmental issues. Despite being composed of diverse elements, they provided a range of ideas that cut across a broad spectrum of community interests. The Maluti TrepC co-operated with the CFs and provided them with opportunities to implement self-empowerment programmes. These programmes tended to be economically viable and politically constructive.

In response to an interview designed to evoke people's perceptions of the Maluti TrepC and CFs, Mr Gonya had the following to say:

> We consider development as our foremost priority based on self-sustainable programmes. To be self-sustainable is what local government is all about. In essence we approach Community Forums (CFs) as Trep councillors. Through these local forums we capacitate skill training like the Rural Service Centre we have at Lupindo[86] for interested community members. We offer assistance in the form of technical and financial advice. By interacting occasionally with these forums, we get to the bottom of problems of our people and offer them solutions.

The implication of the above statement revealed strong emphasis on development, which featured prominently on the political agenda of the Maluti TrepC. The focus here was on 'redressing poverty, inequality and unemployment'[87] which had become sources of discontent and were perceived as the result of apartheid. Local communities were advised to take care of their own social and economic destinies through sustainable and self-empowering development

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[85] Information provided in an interview with Mr Mongoato, ANC Chairperson, Maluti district. November, 2000.
[86] Making special reference to Maluti Rural Service centre located at Lupindo it came to light that the centre served as skills training institution, where skills were given in Art and Craft, Poultry-keeping and livestock rearing with strong emphasis on piggery. In response to a questionnaire I administered to Mr. Solomon Matiwane, Asst. Administrative Officer of the WCDC regarding the economic viability of Rural Service Centres in the district, the following transpired: 'They were initially projects of the erstwhile national Public Words department, but have been integrated into economic nodal plans to boost the local economy by empowering economically our previously disadvantaged communities'. 15 Oct. 2000.
[87] Mears, R (1997) 'Improving Economic Development in Greater Soweto : The Role of Local Government'. *African Insight, Vol. 27. No3. 1997. p178-187.*

programmes. The CFs served as mechanisms or redressing agents through which these programmes were conducted. Mears[88] comments on the spirit of self-empowerment as follows:

> In future local communities will have to take charge of their own socio-economic development needs because the only real development is self-development. Government and big businesses are essential for giving support, but local initiative is the engine driving such development.

Essentially, the Maluti TrepC has given guidance to local communities through the CFs by the creation of opportunities and the utilisation of redundant labour in the WCDC. As intimated by Mr Nyamakazi,[89] 'We approach communities through their organised CFs and explain to them how to secure financial and technical assistance from the WCDC. We feel it is our duty to direct them to this end as the TrepC councillors in the district'. In this regard, rural communities were urged to form CFs, to assist in governance and to be more enterprising and self-sustainable. They articulated community needs. Mrs Gonya[90] comments:

> Community Forums (CFs) were organised in every local community in the Maluti district. As Transitional Representative councillors of the district, CFs helped us to collate views and opinions from local communities on government policies. Because there were no wards, CFs were the only means through which we could relate to local communities in the district, especially through the steering committees generally composed of between 10 and 15 members, depending on the size of a particular community.

> Community Forums were involved in soliciting for views which reflected the needs of local communities. These views were conveyed to the TrepC councillors of the district for further refinement at District Council meetings. They were also involved in collecting views from councillors on newly introduced policies by the government especially on developmental issues. In effect they served as communication channels, in a two-way dimension. In this way communities became involved in the decision-making mechanisms of the district and participatory democracy because they became conversant with everyday issues concerning local governance in which they registered their inputs.

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[88] Mears, R (1997), ibid.
[89] Mr Nyamakazi, Chairperson of Maluti TrepC. Interview, 22 July, 1999.
[90] Interview, Mrs Gonya, erstwhile councilor, Maluti TrepC, 1996-2000. 8-05-04.

An overview shows that CFs maintained a formidable position in local communities especially in the absence of ward entities during the transition order. The CFCs collated views which were dispatched to District Council meetings (i.e. the WCDC) for attention. CFs also served as recruitment agencies for community members potentially to attend preliminary workshop programmes in LED and IDP policy draft proposals. The constructive inputs they made formed the basis of LED and IDP policies for the district. They streamlined the process of consultation and ensured participatory democracy. By maintaining regular consultation with CFs, the Maluti TrepC endeavoured to gain community participation during the Interim Phase. Whilst the CFs served as conduits for information, they also helped to shape policies within the context of community developments.

The role of the CFs in the Maluti district was to meet the political and economic needs of local communities. However, the CFs were handicapped in several respects, and their weaknesses proved to be major limitations. In the first place, the CFs lacked the constitutional mandate to enforce decisions on their own. Given the fact that membership was never governed by the elective principle, issues of accountability and responsibility were problematic. Also, the fact that the CFs were only artificial constructs rather than constitutional entities, the TrepC was not obliged or bound to respect the community's wishes, demands, and expectations.

2.4.1.4 Problems and challenges of the Maluti TrepC in local administration

The Maluti TrepC's intervention in the district was not without problems. In the early stages of its development, the institution encountered difficulties, some of which arose from the PR system which did not allow for a strong connection between communities and representatives. People were accustomed to the TA system, and they required time to adjust to something so different. The TrepC managed to surmount these problems because of the support it received from the government and its policy of constructive engagement with local communities. The problems encountered by the Maluti TrepC were covered in an interview with Mrs Gonya:[91]

> As councillors of the Maluti TrepC our first priority was to transform the community and to let them know what local government is all about. To talk of municipal governance was something very remote in the minds of

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[91] Mrs Gonya, op cit.

our people, especially regarding the sudden appearance of elected councillors on the local political scene. That became our major task. In the past chiefs used to rally the people behind them. In our case we have to go to the people and taking cognisance of poor geographical terrain and lack of adequate means of transport it put us in a very difficult situation. It was also difficult to get the people around. Communities were used more to their chiefs rather than elected councillors. They knew nothing like democratically elected people. But in the long run we succeeded through the establishment of CFs.

From the above statement, challenges that confronted the TrepC can be listed under the following themes:

- Difficulties in transforming local communities and changing mind-sets to match the demands and expectations of the new local government,

An overview of the above statement indicates that the Maluti TrepC encountered a myriad of problems. These problems did not end with local communities. Chiefs strongly opposed the newly elected councillors and entered into a power struggle with them. Under the auspices of CONTRALESA, chiefs regarded elected councillors as being interlopers, power drunk, and producers of discord in their chiefdoms. The fact that chiefs were to play only ex-officio role in the new local government dispensation deepened their hostility. They saw themselves as being sidelined by the new system and as being observers more than participants. To negotiate a way for chiefs to come to terms with the new dispensation proved a major hurdle. Mrs Gonya[92] explains the situation:

The chiefs were worried that we have taken their powers. There was that misconception. There was actually a power struggle between us and the chiefs. We were never accorded due recognition by the chiefs as true representatives of the people. They seriously opposed the transition. For instance land allocation became a contentious issue.

In short, the new local government dispensation in the Maluti district met with hostile reception from the chiefs. There was opposition between chiefs and local communities on the one hand and elected councillors on the other. Transformation was affecting not only structures of local government, but also community members and their chiefs who needed to change their mind-

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[92] Mrs Gonya, statement made in an interview, op cit.

sets. Unfortunately the chiefs remained adamant and unyielding as agents of transformation. They remained problematic, rather than making a contribution towards transformation.

2.5 CONCLUSION

The magisterial system of local administration, which I have explored above, exhibited characteristics that indicate that it was inspired by the principles of apartheid. Chieftaincy was looked upon as a viable entity upon which government at the local level could be built. The emphasis on 'chieftainocracy' that prevailed at the central governmental level produced a supportive base in the lower strata of administration. This found expression in the establishment of TAs as local government entities. Local government that operated under TAs meant that the majority of the community members were excluded from participation. Accountability also operated at minimum levels.

Superimposed on these limitations was a lack of any electorate to whom the officials were answerable, which meant that local administration was controlled by the Transkei Homeland government. The degree of control exercised over the TAs by central administration was an accomplished fact, and the Transkei government could flout rules and regulations governing local administration (i.e. the TAs) with impunity. Subordination also meant the TAs would curry favour with the central government to remain in power. The TAs evoked criticisms for alleged corruption and other unethical social practices.

Although it was a temporary structure, the Maluti TrepC was an important force for transition at the local level. But despite being responsible for many functions, its functions were impeded in several respects. It was constrained by its status as the lowest rung of local government structure as defined by the LGTA[93] and the White Paper[94] on Local Government and the Maluti TrepC functioned only in an advisory capacity. The TrepC could not implement decisions, especially decisions affecting communities under its jurisdiction. Crucial views and opinions were subject to debate and examination by the WCDC, which had its headquarters in Mount Ayliff.

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[93] Local Government Transition Act , No 209 of 1993.
[94] The Local Government White Paper, op cit.

Given the area in which the Maluti TrepC operated, the probability of its recommendations being approved by the WCDC was only 50%. Depending on the amount of lobbying employed to pilot issues through council meetings, the probability could drop below the 50% mark. The Maluti TrepC enjoyed lower representation[95] in the WCDC than other former magisterial districts, with the result that the views of the Maluti TrepC were likely to be swamped by other magisterial districts commanding greater representation.

Weakened by the absence of councillors who represented designated wards, responsibility and accountability on the part of elected councillors remained rare, and this problem undermined participatory democracy in the interim transition phase.

The introduction of PR as the electoral mode of representation supported the concept of party loyalty as the supreme political virtue. Under the PR system of representation, local communities voted for parties rather than personalities thus creating a distance between communities and councillors.

The Maluti TrepC was therefore functionally defective in several respects. Despite these limitations, the Maluti TrepC was a step towards elected representation, achieved in the first local government elections in 1995. Although accountability and responsibility on the part of elected councillors fell below expectation, the Interim Phase marked the end of the TA system of local administration. For the first time in the history of local administration, party-based elections took place in the Maluti district.

A political by-product of democratic transformation at the local level was the establishment of institutions of governance in which limited participation gradually moved towards popular participation, through Civil Society Organisations (CSOs) or Civil Society Associations (CSAs).[96] Essentially CSOs complemented CFs as instruments of popular participation, rather than competing with them for a place of prominence in local administration.

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[95] Only two representations were accorded the Maluti TrepC in the WCDC, despite the greater population density the district commanded. Accordingly, demographic factors could not have been a yardstick to measure representation in the WCDC.
[96] The abbreviations have been used interchangeably throughout the study to mean one and the same thing.

The development of CSOs in the Maluti district in fulfilment of community expectations is discussed in the next chapter. The CSOs were intended to obviate problems arising from the lack of designated ward constituencies.

CHAPTER THREE

THE ROLE OF CIVIL SOCIETY ORGANISATIONS IN THE MALUTI DISTRICT

3.0 INTRODUCTION:

The problems arising from the lack of contact between representatives and wards discussed in the previous chapter were to some extent dealt with by CSOs, which promoted indirect participation and influenced decision-making at the local level.

The hypothesis which will be introduced in this chapter examines the role of CSOs as stipulated in the White Paper[1] on Local Government and the ANC policy framework on the RDP[2] introduced in1994 and 1998 respectively. Attaching greater importance to development, the White Paper introduced the phrase 'Developmental Local Government', and defined it as a 'Local Government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives'.[3]

The White Paper[4] maintains that local government institutions play a critical role in the promotion of local democracy and service delivery in active collaboration with CSOs. In addition, it also considers the Constitutional provisions affirming the right to freedom of association and movement.[5] Consequently, the ANC policy framework on the RDP also supports the development of CSOs, emphasising the need for 'civics to develop RDP programmes of action and campaigns within their own sectors and communities'.[6]

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[1] The Ministry of Constitutional Development and Provincial Affairs. The White Paper on Local Government, March 1998. Pretoria. Government Printers. op cit.

[2] African National Congress (1994) 'The Reconstruction and Development Programme (RDP): A policy Framework. Umanyano Publication. Johannesburg.

[3] The White Paper on Local Government, p 17.op cit

[4] The White Paper. ibid.

[5] The South African Constitution,1996. Chapter 2: Bill of Rights, p6-24.

[6] The Reconstruction and Development (RDP), p 181. op cit.

Both the RDP and the White Paper can be seen as blueprints, despite some technical differences, for development of CSOs at the local level. After the White Paper charged local government institutions to work as partners with CSOs, their development in the Maluti district was stimulated, and they were seen as part of the new local government dispensation. A theoretical framework and some of the definitions of CSOs, as well as their relationship to democratic transition in South Africa will be provided in this chapter. The aim is to place the concept within a broader theoretical interpretation of developmental local government. To enable the reader to draw a correlation between CSOs and other forms of participatory organisations, the next section analyses the concept from a broader perspective. The development of CSOs in Maluti will be examined, together with the implications at local level.

3.1 Civil society and democratic transformation: theoretical and conceptual framework

The abuse of power by central government has provoked heated academic debate, and the influence exerted by governments at all levels to guarantee liberty and freedom of individual citizens has been much debated. No matter how admirable a constitution may be, it can be distorted to further the interests of a select few. An elaboration of this notion is given by Goran Hyden[7]:

> A constitution by itself no matter how ingeniously designed, no matter what formal arrangements of checks and balances admirably arranged, will not limit authoritarian rule. To be effective, constitutions must relate to the realities of society. They must intertwine state and civil society in ways that permit the effective articulation and aggregation of societal interests.

The implication of the above statement is the growing popularity of CSOs as a means to keep authoritarian rulers at bay, given the fact that a constitution can be susceptible to abuse by authoritarian rulers. To combat this abuse, a constitution must relate to society through building institutions like CSOs, which can act as instrument of check on authoritarian tendencies.

The popularity of CSOs has in recent years captured the imaginations of writers on regime change and of policy analysts who fear that the state is becoming too powerful and autocratic, especially in African states and other Third World countries. CSOs are considered alternative

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[7] Hyden, G (1996) 'The Challenges of Analysing and Building Civil Society'. *African Insight, Vol. 26. No 2, p95.*

options, not only to keep the state in check, but to render elected representatives more accountable to electorates. Justifying the need for CSOs, Robinson and White[8] state:

> State organisations have proved to be inefficient, to offer a poor quality of service and to be unresponsive to consumer needs. In positive terms, the organisations of civil society are perceived to have certain inherent characteristics capable of providing better quality and more equitable service. It is argued that civil organisations are more participatory and less bureaucratic, more flexible and cost-effective, with a particular ability to reach poor and disadvantaged people, all of which appear to justify an enhanced role in service provisioning.

The above statement implies that CSOs play a dual role in the communities in which they operate. They aspire towards the achievement of both civic and utilitarian objectives through service provisioning. CSOs aim to create avenues for participatory democracy and to deliver essential services. They complement the state as a service provider. Although CSOs aim to fulfil the ongoing mundane functions, their limitations are also obvious. Participation is more often than not restricted, confined to a select few based on the profession, interest alignment, and aggregations of members. Membership is not open to all community residents in a given polity. The next section gives wider definitions that have special bearing on CSOs.

3.1.1 Civil Society Organisations (CSOs): some definitions

Civil Society Organisations may perform many political activities outside the framework of the state and function in the realm of social life, between the individual and the state.[9] They may be non-governmental and community-based organisations (CBOs), trade unions, church, or voluntary associations.[10] CSOs may be inspired by protest emanating from the pulpit or elsewhere against excesses of the state. In general, CSOs involve citizens acting collectively in a public sphere to express their interests, passions and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable.[11] CSOs therefore

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[8] Robinson, M and White, G(1998)'Civil Society and social provision: the role of civic organizations', in Beyond The New Public Management : Changing Ideas and Practices in Governance edt. Martin Minogue et al, Edward Elgar Publishing Ltd. Cheltenham. UK. p229.

[9] Ibid.

[10] Good, K (1997) 'Realizing Democracy in Botswana, Namibia and South Africa'. p112. *African Institute of South Africa.*

[11] Diamond, L (1994)'Rethinking Civil Society -Towards Democratic Consolidation'. p5. *Journal of Democracy,* Vol. 5 No 3, July 1994.

comprise all organisations which are not part of the state. They establish a terrain of contestation between conflicting 'progressives and conservative forces'.[12] They are composed of varied and diverse groups whose views represent all walks of life, held by a common frame of understanding. Their aims are orientated towards the attainment of public rather than private ends.[13] In this way they function independently of the state, yet are interrelated with it to 'integrate citizens into the norm of democratic life'.[14]

Although CSOs relate to the state, they do not aim to win formal political power in the state.[15] They seek to obtain from the state political concessions, benefits, political changes, redress or accountability.[16] By demanding political concessions from the state, CSOs progressively integrate citizens into the realm of democratic life, and through indirect participation exert profound influence over decision-making. They can be seen as instruments of democratisation.[17]

In both negotiated and controlled transitions, CSOs have become the key to the promotion of democracy in Africa.[18] However, once the attainment of political rights is realised, CSOs may undergo a process of conversion, either disappearing from the political scene or integrating with existing political parties. It is desirable that they should interact with political parties and offer a sense of direction for regime change, and the need for this change to take place along democratic lines. CSOs may therefore be temporary. They may decline once victory is secured, or defeat is certain, only to 'emerge again when another crisis occurs that seems unmanageable for existing political institutions.[19]

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[12] Narsoo, M (1992) 'Doing What Comes Naturally'. : A Development Role for the Civic Movement'. p5 Centre for Public Studies, Johannesburg.

[13] Diamond, L(1994) op cit

[14] Friedman, S et Reitzes, M (1996) 'Democratization or Bureaucratisation?: Civil Society, the Public Sphere and the State in Post-apartheid South Africa'. Transformation 29 . p 55 - 73.

[15] See Friedman, S et Reitzes, M (1996) ; Diamond, L (1994) ; Gavin, M (1999) ; Zuern, E (2000) ; also Ngware, SS (1997) 'Civil Society and Forms of Political Participation in Tanzania', in 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa'. edt. by Wilhelm Hofmeister et Ingo Scholz. Konrad Adenauer-Stiftung. p237-248.

[16] Diamons, L (1994) op cit.

[17] Diamond, L(1994) op cit.

[18] Keller, EJ (1995)'Liberalization, Democratization and Democracy in Africa – Comparative Perspectives'. p224-239. African Insight, Vol. 25. No 4. Also see Diamond, L (1994) ; Zuern, H (2000) op cit.

[19] Keller, EJ (1995) ibid.

3.1.2 Civil society and transition politics: South Africa's experiment

The politics of CSOs or CSAs in South Africa date back to the 1980s, an era characterised as 'liberalised authoritarianism'[20] or 'authoritarian liberalism'.[21] Whilst political power remained in the hands of whites, the state tolerated a proliferation of CSOs 'even though the manifest aim of many such NGOs was to undermine it'.[22] These CSOs exerted substantial pressure on the National Party government to introduce reforms. The extent of political concessions granted through CSOs can be attributed to the wave of liberalisation and democratisation processes that swept across the country under the apartheid policies of PW Botha, 1979-1989.[23]

These liberal policies created a congenial political atmosphere for CSOs to flourish, and conceded 'certain individual rights and opening up space for free political activity'.[24] Keller[25] refers to liberalisation as 'a combination of loosened restrictions and expanded individual and group rights'. Political privileges and rights previously denied to a section of the populace were increasingly 'loosened', and in the process this unleashed much CSO activity.

Liberalisation in this context can be seen as the agent which precipitates development of CSOs and as a crucial factor in promoting widespread democratisation. South African political history offers a classic example, especially when in the early 80s several CSOs coalesced to form the United Democratic Front (UDF),[26] as an umbrella organisation which could present a formidable front against the apartheid regime. In a much broader context, the emphasis of the UDF was to articulate change along democratic lines. The UDF, like other CSOs, since it had existed to a large measure as a surrogate organisation for the ANC, dissolved itself when in 1990 victory was

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[20] Johnson et Schlemmer (1996)'Launching Democracy in South Africa, The First Open Election, April 1994'. p6-7. Yale University Press.

[21] Good, K (1997) p 1.op cit

[22] Johnson et Schlemmer (1996) ibid. p6-7.

[23] Price, M (1991)'The Apartheid Sate in crisis, Political Transformation in South Africa, 1975-1990. Oxford University Press. New York. See also Reader's Digest : Illustrated History of South Africa (1995). The Reader's Digest Association Ltd. Cape Town. p427490.

[24] O'Donnell, G et Schmitter, PC (1986) 'Transition from Authoritarian Rule : Tentative Conclusion about Uncertain democracies. Baltimore, Johns Hopkins University Press. P7-8.

[25] Keller, EJ (1995), op cit p224-230.

[26] The United Democratic Front (UDF) was comprised of not less than 6000affiliated civil associations which coalesced in 1983Baker (1990) p18. It functioned as a non-racial and non-violent opponent of apartheid. Most members realized that the UDF served as a surrogate of the ANC in exile, between the declaration of the state of emergency in the 1980s and the unbanning of most proscribed anti-apartheid political organisations on 2 February 1990. See Grundy (1990); Kenneth, W (1996) ; Baker (1990)

eventually realised. The mantle of national administration was handed over to the ANC-led government in 1994.

The work of the UDF is an indication that 'given the right circumstances, civil society in action can be decisive in bringing about regime transformation'.[27] Extensive mobilisation of CSOs can be seen as a crucial source of pressure for democratic change and regime transformation in Africa in the wider context, and South Africa in particular.[28]

3.1.3 Civil society and local government development

The development of local government has occurred in parallel to the political transition and restructuring, which has been called a *small miracle*.[29] While numerous CSOs coalesced to form the UDF, a similar fusion took place at a lower political level, where CSOs joined forces and formed the South African National Civic Organisation (SANCO) and in 1991 SANCO[30] was the body destined to initiate the movement towards democratically elected local government. The local level served as the hub around which all political activities revolved. Although local and national level politics took different routes, both helped to bring about the establishment of a democratically elected government in South Africa. However, events that originated at the local level seemed to hold the key to major political changes that have taken place in South Africa, and they have therefore exerted a profound influence over politics at national level. Mears[31] states: 'The events at local government level have contributed in many ways to changes in South Africa in recent years. Many shortcomings of the old system had their origin at this level'. Cloete,[32] expressing a similar sentiment writes: 'The intensity of the conflict at this level of

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[27] Keller, EJ (1995) op cit. p225.

[28] Diamond, L (1994) op cit.

[29] Bekker, et al(1997) op cit

[30] The formation of SANCO in 1991 set in motion the engine of negotiation politics at the local level. In a way it paralleled events that have taken place at the national level culminating in the creation of a democratic South Africa through consultative processes. Instead of allowing the country to degenerate into insoluble political crisis, the National Party came to the realisation that a compromise solution involving negotiated settlement with potential stakeholders, i.e. civil society organisations, must be accepted. In the long run, the National Party succumbed to various forms of pressure unleashed by progressive forces under the auspices of the South African National Civic Association (SANCO). Swilling, et Boya (1995) ; Cloete. F(1994, 1995, 1998) ; Bekker et al (1997).

[31] Mears, R (1997) 'Improving economic development in Greater Soweto : The Role of Local Government'. African Insight. Vol. 27 No 3. p178-187.

[32] Cloete, F (1998) p144. op cit.

government and the virtual total stalemate produced as a result eventually substantially contributed to the demise of apartheid at the local level.'

The relationship between local and national level politics is clear. Local politics can be considered to have provoked a corresponding change on the national political scene. Current literature and publications which focus attention primarily on events that prevailed at the national level in broad theoretical framework have, however, neglected the local level in which CSOs played a significant role. CSOs have also been crucial in re-mapping the geo-political contours of both levels of government, taking cognisance of the volume of transformation that has occurred.

Events preceding 1994 signalled a change of direction: the political pendulum swung away from authoritarian government to democracy. Focusing attention on the internal factors which brought this about, civil organisations emerged paramount as agents of change. CSOs occupied a place of prominence in many black areas, which attracted a great deal of attention.[33] By mounting vigorous resistance against state oppression during apartheid rule, CSOs had become 'highly influential organisations which aspired to play more complex roles.'[34] For instance, as a result of resistance to the imposition of non-democratic local government structures like the Black Local Authorities (BLAs),[35] CSOs emerged as a force to be reckoned with in Black areas. As such they were 'perceived and treated by several communities as alternative local government structures'.[36] The influence exerted by CSOs at the local level contributed towards local government restructuring. Diamond[37] agrees, and states that: 'The democratisation of local government thus goes hand in hand with the development of civil society'.

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[33] Bayat, S et al (1999) 'Local Government Management'. p52. op cit.
[34] Ibid.
[35] Black Local Authorities (BLAs) : Established in 1982 to be financially self-supporting. BLAs lacked the financial base to make any meaningful impact in local administration. They remained financially insolvent to meet local demands, and therefore gave rise to widespread conflict, reaching epidemic proportions in the midst of the 1980s struggle politics. From both political and administrative points of view, BLAs were an attempt by the apartheid government to shirk its official responsibility and shift the burden of financial township services. In effect, it was an attempt to divert attention from real issues. Thus, BLAs would be used as scapegoats for mal-administration at the local level. The strategy worked to the advantage of the apartheid government, especially when an initial public outcry was directed not against the apartheid government, but against the BLAs, for failing to relieve economic hardships in the townships. This remained a short term gain for the apartheid government. Eventually, a wave of protest action was directed against the apartheid government. See Price, M (1991) op cit.
[36] Bayat, S et al (1999) op cit.
[37] Diamond, L (1994) op cit. p8-9.

Given the fact that 'civics began life as local vehicles of resistance movements,'[38] they featured as primary agents in local government restructuring. 'It is at the local level that the historically marginalised are most likely to be able to affect public policy and to develop a sense of efficacy as well as actual political skills'.[39]   Added to this is the fact that 'manifestations of the apartheid value system were the most visible and entrenched at local community level, in the form of deliberate apartheid policy measures … which resulted in the geographical, physical, emotional and intellectual separation of people on a racial basis'.[40]

The formation of SANCO in 1991 and the Local Government Negotiation Forum (LGNF) in 1993 can largely be attributed to CSOs. The LGNF, for example, created platforms for the articulation of broad consensual opinions and compromises through which local government restructuring could occur along democratic lines. The LGNF was subsequently accorded legal status with the adoption of the LGTA in 1993. It was under this Act that local government transitional structures were established throughout the country to direct the transition process, especially during the Interim Phase by bringing government closer to local communities.[41] CSOs played a major role in laying the foundations of the local government transition programme. Venson[42] explains: '[i]n various communities, civics made it possible for government departments and transitional councils to begin the process of rebuilding their communities and setting up structures compatible with democratic governance.'

Local government transitional structures could be seen as not only a major departure from apartheid local administration but also a major break-through towards the development of local democracy which allows communities to exercise decisive influence over decision-making mechanisms at the local level. A group of people are in a collectively stronger bargaining

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[38] Schrire, R (1992) 'Wealth or Poverty ? Critical Choices for South Africa'. p616. Oxford University Press. Cape Town.
[39] Diamond, L (1994) op cit. p8-9.
[40] Cloete, F(1998) op cit. p143.
[41] Naude, WA (2003) 'Local Government Transformation in South Africa : Challenges for Local economic development in a globalising economy'. African Insight. Vol.33. No 3. p50-56.
[42] Venson, P (1997) 'Civil Society and Forms of Political Participation in South Africa', in 'Traditional and Contemporary Forms of Political Participation and Self-Government in Africa', edt. Wilhelm Hofmeister et Ingo Scholtz. P278. Konrad Adenauer Stiftung. Johannesburg. South Africa.

position than individuals acting on their own and are relatively more likely to negotiate successfully with a local government.[43]

3.2 The development of CSOs in the Maluti district

Unlike other experiences in apartheid South Africa, where the state geared itself to unconditional surrender to liberal reforms between 1979 and 1989 and where subsequently the way was opened for CSOs to proliferate, in the Transkei Homeland socio-political conditions presented a different outcome. By and large the Transkei Homeland government refused to compromise over CSOs. The pessimism hanging over the development of CSOs in the Transkei was accentuated by the fact that homelands governments functioned without any viable opposition party in the central government, with political power centralised in the hands of chiefs, co-opted headmen, and councillors. Reflecting on this, Hyden[44] observes, '[i]f local traditional patrons, for example, are able to control the state apparatus at its lower levels they may actually constitute a strong impediment to the emergence of civil society associations.'

The crux of the matter is that the existing power configurations in the Transkei region made it virtually impossible for CSOs to flourish as a result of centralisation of power and the conservative outlook of the tribal leadership. 'Civil society', says Hyden,[45] 'cannot be created from the top down. It has to grow organically from below.' The CSOs thus remained politically moribund as a result of apartheid structures in place at the local level which functioned under the TA system. The implosion of TBVC, as in apartheid South Africa, and the collapse of Bantustan administration set the stage for CSOs to develop, since it meant the breakdown of barriers which were formerly impossible for the democratisation processes to penetrate.

The Interim Phase under local government transitional arrangements saw an increase of CSOs in the Transkei. Since the Maluti district formed an integral part of the Transkei Homeland, the district too was susceptible to the democratic winds of change. A culture of negotiation politics developed between contending parties at the local level, and the transition gave a platform for

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[43] Bekker, K(1996) 'Interest and Pressure Groups as means for Citizen Participation', in 'Citizen Participation in Local Government', edt. Koos Bekker, p29. JL van Shailk Publishers, Hatfield. Pretoria.
[44] Hyden, G (1997), op cit
[45] Hyden, G (1997) op cit. p97-98.

CSOs to voice their concerns related to local democracy, participatory governance, and service provision.

3.2.1 The Maluti district: Local level politics of CSOs - some reflections on SANCO (Maluti Branch).

Despite initial opposition to the development of CSOs in the Transkei region, they emerged paramount after 1994, and they had already created an arena where demands and opinions among rural communities constituting the Maluti district could be expressed, during the Interim Phase of local government development in 1993. Certain components of CFs co-operated with the SANCO, Maluti Branch, which served as an umbrella organisation to promote political and economic objectives. Spearheaded by SANCO, civic associations proliferated at the local level and drew membership from a wide social spectrum across rural communities in the district. SANCO managed to penetrate the difficult areas left by apartheid inspired local administration and subsequently received active support from rural communities considered impervious to change. SANCO's influence on the political landscape changed mind-sets and sowed the seeds of political consciousness among rural communities. In the initial stages, SANCO co-operated with emerging rural youth organisations, winning support from the youth. The organisation, however, aroused suspicion and provoked indignation from most TA members, especially in communities where SANCO was particularly active. Chiefs, headmen, and councillors felt their positions of authority threatened. Allegations were made and became current among tribal communities that SANCO was 'out to usurp the powers of TLs, since they are everywhere in our communities'.[46]

Confirmation of the above allegation can be gleaned from a commentary made by Mr Lesaoana:[47]

> Under the new system, the progressive associations and other structures came to challenge the powers of the chiefs, the so called civic organisations. They regarded the chiefs as apartheid puppets and felt the powers of the chiefs were too much, as well as other traditional leaders. In fact these civics misinterpreted democracy. For instance they started allocating sites in our communities, functions supposed to be performed

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[46] Commentary passed by a prominent community resident during an informal interview. Name withheld for purposes of anonymity and confidentiality. 23 Oct. 1999.

[47] Mr Lesaoana, an elderly community member, currently Education Development Officer (EDO), Maluti District Education Office, interviewed 25 Sept. 1997.

by chiefs and other traditional leaders. For instance we had the Peace Forum, formed to help people address everyday concerns and problems arising out of normal social life. As the name intimates, they were formed as mechanisms of conflict resolutions. Although they had noble aims, they were not properly workshopped and their duties overlapped that of the traditional rulers. Clashes with these established institutions proved inevitable.

The intrusion of SANCO into the Maluti district exerted far-reaching consequences on the local political landscape. A wider political space was created for civic societies to proliferate and assume certain importance in local communities as it did in the Maluti district where civic organisations[48] were prominent. Reference made to civic associations as being 'progressive' implied that they aspired towards the achievement of a set of developmental goals and initiatives. Although SANCO at times overstepped their boundaries as a result of poor orientation and lack of a proper sense of direction, its presence in rural communities exerted a tremendous influence in the district. The presence of SANCO in the district resulted in serious repercussions. Local communities found themselves in a political quandary, as regards to who actually wielded authority: newly emerging 'progressive associations' or the tribal leadership which communities are known for several years? The allocation of sites in rural communities set SANCO on a collision course with the Chief and tribal leadership, given the fact that performing such duties had been the chief's prerogative. By taking this course of action SANCO, overstepped the boundaries as alleged by Mr Lesaoana, a prominent local community member.

The views of Mr Lesaoana have been challenged in varying degrees by Mr Nyamakazi[49], who refutes the allegation that SANCO 'had overstepped its bounds' by violating the rights of a constituted authority (i.e. the TA) in rural communities. He expresses the following sentiments:

> There has been a wrong perception about SANCO in our communities. There has been nowhere that SANCO has taken over the administrative and judicial powers of traditional rulers. To me SANCO in our district is helping the chiefs to develop the rural communities. SANCO as you know is concerned with people–centred developments. Its aim is to see to it that our communities are developed. They also function as watchdog over any

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[48] Civic organisations and civic associations have been used interchangeably throughout the study to carry the same meaning.
[49] Mr Nyamakazi, Chairperson, Maluti TrepC in an interview. op cit.

government which comes to power, whether local or national. With regard
to the ANC-led government, SANCO is still a watch-dog.

Considering the political position of Mr Nyamakazi[50] as local councillor in the district, one is inclined to believe that such rhetoric made in defence of SANCO was biased. It was a one-sided view which can hardly be accepted at face value. JK Jonase[51] expresses a similar sentiment:

> SANCO is a community-based organisation. Membership is drawn from various political parties. With SANCO you can get members from say the IFP, PAC and the ANC etc. but SANCO can integrate all of them despite different political backgrounds. In this way SANCO serves as a mechanism to get people together under one roof. That is all SANCO is about.

In the district, the composition and membership of SANCO is wide-ranging. It cuts across different political loyalties; given the fact that membership is drawn from various political organisations. Integrating them has allowed different views and opinions to crystallise and meet the developmental needs and expectations of rural communities. Whilst the parent organisation was exclusively ANC-driven,[52] SANCO at the local district level incorporates membership drawn from other political organisations, for purposes of unanimity in action.

These aims angered existing power-brokers in the rural communities of Maluti. The TAs regarded SANCO with hostility, believing that the organisation, under the pretext of promoting development and under the cloak of the Peace Forum (PF) initiatives, was in fact creating confusion and discord in rural communities. It was alleged in certain communities that SANCO employed issues around development as a divisive mechanism to score political points in tribal communities.[53]

In an interview with one of the youths in SANCO, [54] it was remarked that 'the youth regarded the TLs as apartheid puppets, conservative and retrogressive. They were established together

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[50] Mr Nyamakazi was also the incumbent Chairperson of the Maluti TrepC, 1995-2000.
[51] Interview with Mr Jonase, Chairperson of SANCO; Maluti Branch. 19 August, 1997.
[52] See Cloete, F (1998) op cit.
[53] Interview with a Tribal Authority member,19 Sept. 1999. Name withheld for purposes of confidentiality.
[54] Interview with one of the emerging youth leaders in the district. Name withheld for purposes of confidentiality. 19 Feb. 1999.

with the homelands. The demise of the homelands should equally seal the doom of the TLs and dictate their fate.'

The intrusion of SANCO into the local political landscape led to political struggle, distinct from its earlier conflicts, this time not between liberation movements and the apartheid state, but a power struggle in rural communities. The main contenders were the youth who formed the backbone of SANCO and the tribal leadership. It was a struggle between conservative traditionalism, bent on maintaining the *status quo* by resisting change, and radical youths who wanted change towards democracy. Change at this time was necessary, not only on higher political levels but also on the local level. The political forces in conflict led to usurpation of powers and counter-violence, abating only with the intervention of certain ANC officials to bring about a truce between SANCO and the tribal leadership in the district. Although the crisis was solved in a peaceful manner, the embers of discord continued to smoulder. The possibility of it escalating was calculated as being high.

Communities were caught between the progressive forces of radicalism (i.e. youthful elements of SANCO) who opted for change, and reactionary-conservatism (i.e. the TLs), who endeavoured to maintain the *status-quo* by resisting change. As is observed: 'politics is about tension, between individuals and society, and the resolution of that tension'.[55] In essence, political power and authority in rural communities in the district became highly contentious, an issue that faced the new local government dispensation.

3.2.2 The Maluti District Education Forum (DEF)

The Maluti DEF is composed of eight members, including two councillors, with Rev. Manciya[56] as the Chairperson. The Forum meets irregularly, especially during emergency situations, to debate issues relating to educational matters in the district. The Forum[57] strives to create a congenial atmosphere for the smooth running of education in the district; it is concerned about

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[55] Venter, A and Johnston (1991) 'Politics: An Introduction for Southern African Students'. p8. Oxford University Press. Cape Town.
[56] Ordained Minister in charge of the Methodist Church in Maluti, information transpired in an interview, 25-09-03.
[57] Objective of the Maluti Education Forum was provided in an interview with Rev. Manciya, 25-09-03., ibid.

the late delivery of textbooks, stationery, and other teaching materials from the Provincial Government because this has often occurred in the district, probably due to the distance from Bisho[58] and other logistical factors. The year 1999 was a case in point. By the middle of the academic year, no textbooks and other stationary materials had arrived in the district. The issue called for the immediate intervention of the Forum and served as a test of the credibility of the Forum and its leadership. In response, a high-powered delegation, composed of the Chairperson and four others, including the two councillors serving on the Forum, was dispatched to Bisho to meet the Provincial Member of Executive Council (MEC) for Education over the issue. A lengthy apology was rendered by the then MEC, Mr Stone Sizani, on behalf of the Eastern Cape Provincial Government, claiming that his Department was not aware of the problem. He expressed his appreciation for the concern displayed by the Forum. There was an immediate response from the Provincial Government. The MEC at once paid a visit to acquaint himself with the situation in the district. Shortly thereafter, textbooks and other stationery materials arrived at the schools.[59] Official sources alleged that the problem was caused by publishers who collected huge sums of money from the government and failed to honour their promises of early delivery of books to schools as scheduled.

The Forum also serves as caretaker and custodian of school property, i.e. infrastructure, construction of classrooms, furniture, and general surveillance of discipline in schools. In a recent memorandum to the Provincial Government at Bisho, the Forum favoured reinstatement of corporal punishment, because of the high incidence of petty crime committed by pupils, the high failure rate in examinations, both external and internal, and the general lack of discipline in the schools.[60] In the 2000 Matriculation Examinations,[61] the district was one of several others in the Province which recorded a low pass rate. This caused a public outcry, particularly since Maluti SSS is cited as being one of several schools in the district that performed dismally. It registered a pass rate of only 11, 5 % in 2000[62].

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[58] The Administrative Capital of the Eastern Cape Province.
[59] Rev. Manciya, interview; 25-09-03. op cit.
[60] Information divulged to me by Mr Jafta, councilor and a member of the Education Forum in an interview
[61] Interview with Mr Lesaoana, Education Development Officer (EDO), Maluti; 20-01-01.
[62] Information obtained from Mr Mensah, Matriculation Intervention Programme (MIP), Co-ordinator. Statistics on the 2000 Matriculation Examinations results in Maluti district.

Existing classrooms and furniture are inadequate to meet the demand of growing school enrolment rates in the district. To cope with the crisis, pupils resort to sharing chairs. It is not uncommon to find others sitting on a block of stones during lesson hours. Compounding the problem of the acute shortage of furniture in schools, is the fact that chairs and tables are subject to wear and tear. The small stock of furniture is also systematically stolen by nearby communities.[63] Further loss of school furniture occurs when nearby communities borrow it for week-end parties and funerals. A solution devised by the Forum is to step up security measures. Security personnel have been deployed to keep dawn-to-dusk watch over schools. The Forum launched an appeal whereby security personnel would be remunerated for their services by the District Municipality, rather than by parents through the School Governing Body (SGB). The issue is receiving a sympathetic hearing from the District Municipality.[64]

Since space is inadequate, many additional classrooms have been constructed to ease congestion in schools. Although these classrooms were constructed by the government through the RPD, the Forum played an active role in the choice of suitable sites, arrangement for building contractors, and employment of local workers for such projects.

Members of the Forum pay regular visits to most schools to acquaint themselves with prevailing circumstances and pass recommendations where necessary. These visits have brought about an improvement in tuition and administration. Another area where the Forum has achieved success has been its role on interview panels. It usually sends representatives during interviews for teaching appointments and other educational personnel. Academic and professional qualifications and experience in the applicant's area of specialisation are considered. Factors like tribal and political orientation of potential candidates do, however, play a role in educational appointments. Membership of the South African Democratic Union (SADTU) is also favoured.

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[63] As teacher of Maluti Senior Secondary School (SSS), I have been an eye-witness to these incidents. The fact that I have stayed and worked in the district for over a decade implies that I could easily liaise with principals and teachers of other schools for more information to substantiate the facts recorded in this passage.

[64] The District Municipality is currently known as the Alfred Nzo District Municipality, named after the ANC veteran and the first Foreign Affairs Minister in democratic South Africa, 1994. He hailed from Mount Fletcher, which together with Maluti constitutes the current District Municipality. Information obtained in an interview with Mrs Gonya, op cit.

The high incidence of teenage pregnancies among school pupils in the district has become of concern to the Forum. Addressing the problem, the Forum maintains a close working relationship with qualified nursing staff at the Maluti Health Centre (MHC) which has agreed to pay regular school visits, giving talks on safe sex and the use of contraceptives, especially condoms. The emphasis is on the AIDS[65] pandemic and on discouraging students from sliding into sexual promiscuity, which is a major cause of AIDS. The Aids Awareness Campaign (AAC), however, is not limited to pupils and students but is also extended to teachers, who rank as major casualties among AIDS victims country-wide.[66]

A section of the community residents has, however, expressed misgivings about distributing condoms in schools to combat the scourge. They reason that the exercise is likely to corrupt students into widespread experimentation. They contend that sex education and AACs in schools demand more extensive measures than giving out free packs of condoms. Nurses engaged in these campaigns are advised to highlight the negative effects of AIDS to deter students and pupils from sexual promiscuity. The fact that condoms cannot be considered a 100% safe sex device is emphasised.

The Maluti DEF has seen its efforts paying dividends in educational development in the district. The introduction of Winter School programmes for learners[67] in the district can be seen as a step in the right direction. The programme aimed to benefit registered students from disadvantaged communities whose parents could not afford private tuition in preparation for the 2004 Matriculation Examinations.

Through the good offices of the Alfred Nzo District Municipality, an amount of R 65 000[68] was earmarked to run Winter and Summer schools respectively for the 2004 academic year as a means to improve on previous years' matriculation examination results in the Maluti district,

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[65] AIDS-Acquired Immuno-Deficiency Syndrome.
[66] The information was confirmed by 'The Educator's Voice', a newspaper which serves as a mouthpiece for the South African Democratic Union (SADTU), in the March 2000 Issue. Current statistics show that more than 50% of teachers in the profession are HIV positive. This has been a growing concern for the Education Department as it loses substatial number of its workforce to AIDS every year.
[67] The term 'students', has acquired a new connotation in South Africa education discourses, under the new term 'learners', implying group of people receiving education in a school set-up, as stipulated in the Provincial Education Gazette, Eastern Cape ; Nov. 15, 1996.
[68] The amount was confirmed in an interview with Rev. Manciya, 19-06-04.

especially in schools which had obtained a pass rate of 40% or below.[69] Whilst part of the money was allocated for tuition, the remaining amount would meet logistical requirements involving ferrying learners from their homes to learning centres[70] for the programme. To facilitate the programme, Mr Letuka, principal of Mosa-Sibi SSS,[71] was appointed by the Forum as Programme Co-ordinator to see to the implementation of the programme. Teachers whose services were required to run the programme were remunerated an amount of R800[72] for the four weeks duration of the programme, which was scheduled to take place 5 to16 July in winter and 23 August to 7 September in summer. Supervision and monitoring would be maintained by officials deployed from the Alfred Nzo District Municipality together with another inspectorate team from the Maluti District Education Office.

Inspection of the above programme is another area where the Maluti DEF is directing its energies to develop education in the district. Individual learners are the major focus of attention.

The intervention of the Municipality in educational development in the district is not only a means to solve the many problems to which education has been subject but also an attempt to improve on a similar programme that took place in 2003.[73] This earlier programme failed to yield satisfactory results owing to budgetary constraints, administrative ineptitude, and a lack of understanding of local issues on the part of organisers appointed by the Provincial Department of Education. Acquaintance with local circumstances can be crucially important in development generally. The active collaboration of the Maluti DEF in running Winter and Summer Schools in the district can be seen as an attempt in the right direction, owing to the fact that the Forum

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[69] Interview with Mr Letuka, Programme Co-ordinator and Principal of Mosa Sibi Senior Secondary School, 20-06-04.

[70] Senior Secondary Schools like Moshesh, Mosa Sibi, St Margaret. Magadla, Nyaniso, Ralebitso, Mokheseng, Mnukwa, Lupindo and Phumelele have been considered as centers supporting the Winter School programme. Facts were confirmed in an interview with Mr Letuka, the Programme Co-ordinator. 20-06-04. ibid.

[71] One of the Senior Secondary Schools (SSSs) in the district which under-performed in the 2003 Matriculation Examinations' Results.

[72] The amount was confirmed in an interview with Mr Letuka, Programme Co-ordinator, 20-06-04. ibid

[73] A similar educational programme had been introduced by the Provincial Education department in 2003 to cater for learners' interests under the theme Matriculation Intervention Programme (MIP). Unfortunately the programme ran into serious administrative problems as the organisers could not fathom out events in their proper context at the local community level, hence its abandonment in 2004 seems inevitable. With the Maluti District Education Forum (DEF), as civil society organisation (CSO), operating at the local level, it is hoped matters would be ameliorated to a greater extent as a result of the close interaction it maintains with local events as they unfold.

operates at the local community level and is well acquainted with local circumstances prevailing in schools.

3.2.3 Maluti Community Policing Forum (CPF)

The Maluti Community Policing Forum (CPF) is composed of ten prominent community members who implement a strict code of discipline. The CPF aims at ensuring adequate security measures and eradication of all forms of crime in the district. The Maluti district has a relatively low incidence of crime as a result of the untiring efforts of the Forum. Crimes like housebreaking, stock-theft, and shoplifting sporadically occur. The chairperson of the Forum is Mr Ncobo, a retired security officer. His professional background has made it possible for him to steer policing matters on behalf of the Forum. The main policing objectives[74] of the Forum are as follows:

> a. To liaise with street committees to ensure that peace and security prevail in the district,
>
> b. To serve as auxiliary police personnel; the Forum can arrest people but has limited powers to prosecute offenders,
>
> c. To work hand in hand with the regular police force to combat crime in the district.

The Forum aims to eradicate corruption, bribery, and incompetence within the police service and to conduct investigations into crime-related acts committed by the police which might tarnish the image and reputation of the service. Certain unscrupulous policemen in the district have occasionally colluded with *dagga* (marijuana) traffickers to smuggle the drug[75] across the South African–Lesotho border post at Qachas Nek. This illicit trade is extremely lucrative in the Maluti district where a large market for dagga exists among the youth.[76] The effects on young people have been devastating.[77] Cases of mentally disturbed youths have reached epidemic proportions as a result of the proliferation of dagga in more recent times.

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[74] Interview with Mr Ncobo; Chairperson , Maluti Community Policing Forum. 8-11-02.

[75] According to a friend who confided in me, Lesotho cultivates high quality dagga, compared to no other countries in the world. The drug is usually exchanged for unlicensed weapons like light firearms, pistols and short guns which dagga farmers in Lesotho need for protection. The name of this friend is withheld for purposes of anonymity and confidentiality.

[76] Interview with a local community resident, 21-04-03. name withheld for purposes of confidentiality and anonymity.

[77] Streets of Maluti are often inundated with lunatics, scavenging through garbage-bins, i.e. barrels, probably in search of food items.

Stock-theft is an issue that has received attention from the Forum. The incidence has reached alarming proportions in the district. The presence of the Maluti Police Stock Unit is an indication of the scale of stock-theft and of the attempts by the government to contain the situation. While the efforts of the unit are commendable, its achievements are limited by shortage of personnel. Livestock in rural communities in the Maluti district are predominantly free-range and are therefore vulnerable to theft by stock-thieves. The Forum has achieved overwhelming support from stock-farmers as a result of its efforts to curb the practice since its inception about half a decade ago. Mr Dambuza,[78] a prominent local stock-farmer of Tsitong Location, suffered several stock losses in 1994. He lost 48 cattle to a marauding band of stock-thieves in one night.[79] Statistics[80] of other losses suffered by Mr Dambuza over the years have been recorded below:

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[78] Interview with Mr Dambuza, a local stock-farmer. 13-08-03.
[79] Interview with Mr Dambuza, 13-08-03. ibid.
[80] The figures were given to me by Mr Dambuza which enabled me to compile the above statistics.

Table 2: The extent of stock-theft suffered by a local farmer in the Maluti district.

Date	No of stock stolen	No of stock recovered locally	No of stock recovered across Lesotho border	No of stock that disappeared without any trace
1992	40	_	15	25
1993	41	_	22	23
1994	38	2	23	13
1995	35	20	_	15
1996	18	5	10	3
1997	16	_	15	1
1998	11	4	6	1
1999	20	6	8	6
2000	6	2	_	4
2001	4	2	2	_
TOTAL(10yrs)	229	41	102	91

Table 2 shows that Mr Dambuza suffered severe stock losses from 1992 to2001. He lost a total of 229 cattle, attributable to both local and across the border incidents. He managed to recover 41 cattle from nearby local farms, especially the farms owned by whites around Cedarville, and 102 from across the Lesotho-South African border. However, 91 cattle disappeared without trace.

The table indicates that there has been a sharp decline in stock-theft since 1996, except for 1999. While the active participation and involvement of the Maluti CPF in curbing stock-theft in the period from 1999 to 2001 may have brought about improvement, the fact remains that stock-theft has become systemic and intractable. To counter stock-theft, the Forum maintains a combined

operation with the Maluti Police Stock Unit[81] and patrols the district regularly. In addition, the Forum has adopted a practice of issuing permits[82] to safeguard stock-drivers against suspicion and interception in transit by the Maluti Police Stock Unit. Another attempt to strengthen existing security measures against stock-theft was the Animal Identification Act, which took effect on 15 January, 1999. The Act is not only an improvement on existing stock legislation[83] but also a complement to the efforts of the Maluti CPF. This Act involves the registration and branding of livestock with a prescribed identification mark issued by the Registrar of Stock. Application for registration of an identification mark must be submitted to the Registrar, accompanied by a fee. Compliance with the above requirements results in the provision of a Certificate of Registration and allocation of an identification mark to the applicant. A stock-farmer marks his animals with the registered identification mark.

In terms of the Stock-Theft Act, 1959 (Act No 57 of 1957), no person shall:

- dispose of or acquire an animal in any way unless such an animal has been properly marked or branded in the prescribed manner;

- acquire any animal unless the person disposing of the animal furnishes the person acquiring the animal with a document of identification referred to in Section 6;

- mark any animal with a registered identification mark which is not registered in his or her name;

- sell or deliver an animal to or slaughter an animal at a slaughter facility unless such an animal has been marked in the prescribed manner;

- mark any animal with a registered identification mark without the authorisation of the owner of such an identification mark.

The eradication of stock-theft seems a remote possibility. For instance as early as February 2003, a local newspaper[84] carried a report that 76 head of cattle had been taken forcibly by stock

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[81] A detach of the South African Police stationed at Maluti district exclusively responsible for stock-theft.

[82] Interview, Mr Ncobo ; Chairperson of Maluti Community Policing Forum. op cit.

[83] Among a plethora of existing stock laws in the country can be cited the following, the Stock Theft Act, 1959 (Act No 57 of 1959; the Livestock Brands Act of 1962 (Act No 87 of 1962; and the Livestock Improvement Act, 1977 (Act No 25 of 1977) all these Acts were meant in varying degrees to control stock-theft as country-wide phenomenon.

[84] 'The Kokstad Advertiser' , a local newspaper running news items in the Kokstad, Maluti-Matatiele and Cederville communities. 27-02-03.

bandits from a herd-boy in Mapfontein.[85] A combined operation by the Maluti CPF and the Maluti Police Stock Unit brought about the recovery of all 76 stolen cattle. This incident and several others in the district indicate that stock-theft is difficult to prevent.

Cross-border stock raiding has also achieved phenomenal growth in the district with catastrophic consequences to life and property. The 'Mail and Guardian'[86] recorded the following cross-border incidents in the Maluti district:

> They come over the mountains from Lesotho on skis every full moon, invisible in their snow suits, lethal with their AK-47s. An experienced band of five, on a good night in the virtually perennial snow that erases their trail in seconds, they will drive off at least 100 head of livestock.
> Now the farmers may not be so keen after this week's border disaster in which three men in a 25-strong Mount Fletcher cross-border recovery party died in a hail of semi-automatic rifle fire on entering Lesotho.
> Only two years ago, hundreds of blanket-clad Basotho poured over the hills, plundering, burning and looting. Police say 15 Transkei villagers in the Maluti-Matatiele district died and those Basotho raiders who were captured, as eventually revealed in court, were killed in cold blood by frustrated police.

Given the above information it can be observed that the district has become a destination for marauding bands of stock-raiders/bandits from neighbouring Lesotho. Stock-raiders usually operate in groups to carry out their clandestine activities under cover of darkness, leaving a trail of destruction on free-range cattle with low security. Since operation takes place in winter, the snow conceals their footprints within seconds allowing no traces for tracking. There is usually high casualty rate among recovery parties from the Maluti-Matatiele district in South Africa.

The above conveys a grim picture about the extent of cross-border raids taking place in the Maluti district. The implication is that both parties suffer from high casualty rates – the South African recovery party foraying into neighbouring Lesotho across the border to retrieve stolen cattle, as well as the stock-thieves hailing from Lesotho. The consequences have been grave.

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[85] Mapfontein – one of the local communities in the Maluti district.
[86] 'Mail and Guardian', newspaper, December ; 18-23 issue. 1998.

Given the extent of damage inflicted on farmers in the district the role of the Forum comes into prominence as it devises measures to combat the scourge. The incidence of cross-border stock raids is kept to a minimum by the Forum's regulation of the movement of stock. The issue of permits is effective in containing the crisis. One local farmer[87] in a recent interview remarked:

> Most stock-thefts are planned and executed with utmost caution, especially under the cover of darkness in winter. The aim is to elude their assailants, especially the Maluti Police Stock Unit who hardly comes out in such cold seasons. Also our borders with Lesotho in this part of the country are porous allowing easy accessibility by the Basothos.[88] They cross into our district to mount such raids on our stock. We have all been victims of this obnoxious practice. We suffer heavy casualties among our stock every year.

Mr Zongwana[89] comments:

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[87] Mr Phakiso, a local farmer in Maluti district; interview, 12-06-03.
[88] Apart from officialy designated boder posts, many informal border routes exist between South Africa and the Kingdom of Lesotho. See Map 1.
[89] Interview, Mr Zongwana; a local stock-farmer. 5-05-02.
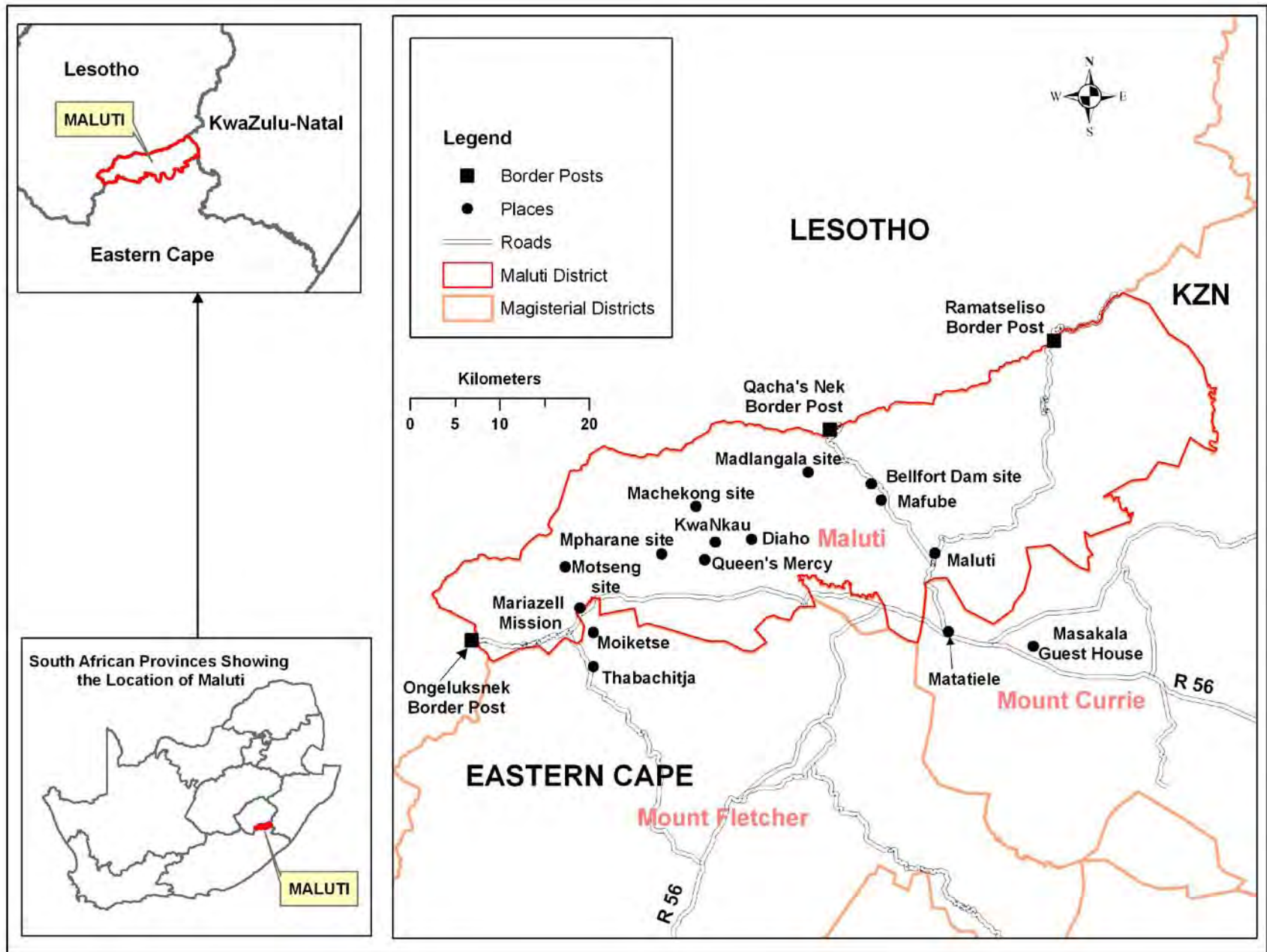
Map 1 Showing Maluti Districts and its Environs

> Most stock i.e. cattle are kept on free-rage, allowing them to wander far into the night. In the long run they get lost. In effect there is no proper supervision and care over these animals. At times farmers are also to share the blame for the loss of cattle especially, and other animals to stock-theft in our district. Otherwise the Forum is doing a very good job in our district.

Further examination of the above statement reveals two salient causes of stock-raids in the district. There is no proper supervision by stock-farmers. Secondly, the South African border posts with Lesotho are in a poor state and easily penetrated by stock-raiders from Lesotho who usually succeed in their efforts to steal hundreds of cattle. Apart from the officially designated border posts, many unofficial routes exist for stock-thieves mainly from Lesotho to make their entry across the South African-Lesotho border into Maluti to haul huge herds of cattle and other stock. [1]

Stock-theft and other social problems have prompted the holding of a meeting organised by the South African High Commissioner to Lesotho in the Maluti-Matatiele area on 9 November, 2004. Those in attendance were members of the South African Police Service (SAPS), social workers, farmers' unions, agriculturalists, members of local communities, and Non-Governmental Organisations (NGOs). The areas of concern were the huge stock-theft losses, drug trafficking, veldt fires, and other thefts. [2] The purpose was to curb stock-theft and drug abuse.

A social worker who attended the meeting lamented: 'more cases of hard drugs were noted in this area [i.e. Maluti-Matatiele]. There was an increase in cases of youths being sent to mental hospitals because of drug affecting the brains'. [3] In another incident of cross-border drug trafficking, 'a Lesotho citizen, Motheki Tele, was sentenced to ten years imprisonment in the Matatiele Magistrate's court for importing dagga into South Africa'. [4] Both stock-theft and drug abuse can be seen as cases potentially not South African but internationally motivated. As a result of numerous unofficial routes between South Africa and Lesotho, sidestepping border

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[1] See Map 1. The three officially designated border posts are the Ramatseliso, Qacha's Nek, and the Ongeluksnek border posts.
[2] This report was made public by the 'Kokstad Advertiser', a local newspaper running events in the Kokstad, Maluti-Matatiele and Cederville areas. 25-11-04.
[3] Ibid.
[4] Ibid.

posts, perpetrators are able to commit the crimes of drug trafficking and stock-theft despite the threat of harsh prison sentences.

The Forum also patrols the township of Maluti and rural communities at night, where through their representatives they receive information about people suspected of crime. Strangers can be interrogated and, if enough evidence exists, can be arrested and arraigned before street committees for further interrogation. A formal report can then be lodged with the police, requesting the immediate arrest of the suspect. In this way the Forum is able to control the incidence of crime in the district.

Explaining the incidence of crime in the district, Dr Ganusah[5] of the Maluti HC comments:

> Crime involving stab-wounds, has gone down drastically these days. Before then we could go to the clinic to stitch especially over the week-end an average of 15 to 20 people. These days we can only have an average of 4 people. Violence in the district has really come down. However we get occasional assaults. The only crime related incident which has not decreased proportionately is cases of rape. Rape cases in the district have gone up tremendously.
> General stealing and house-breaking have also gone down. Previously thieves used to break into our cars and houses. These days I even do not lock my garage at times at night. One time, thieves broke into my car four times, despite the fact that it was locked in the garage. Several car owners in the district fell victim to these thieves. But these days all these incidents have gone down in Maluti.

From the above statement, it is clear that crime in the district is relatively low, with the exception of rape which has reached alarming proportions. This information was supplied by a medical officer. Generally, views of doctors in rape cases are legally treated with respect. They determine whether there is enough incriminating evidence to be used against perpetrators. Rape cases are relatively high, probably because of the rural background, where tradition and customary practices are deeply entrenched. Traditions and customary practices have not regarded rape as a serious criminal offence.[6] However, the low level of crime recorded in the district with the exception of rape, can be attributed to the untiring efforts of the Forum and also the fact that

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[5] Dr Ganusah, Medical Superintendent, Maluti Health Centre; interviewed, 4-08-04.
[6] Interview, Mr Dambuza, a local community-farmer op cit.

most potential criminals have gone to the cities, where greater opportunities exist for criminal practices.

3.2. 4 The Welfare Action Committee (WAC)

The Welfare Action Committee (WAC) has been in operation since 1997, chaired by the Rev. Spengane, a councillor of the district, together with nine other members. As a former Councillor of the Maluti TrepC, Rev. Spengane worked closely with the Maluti TrepC, a transition body, and was vocal in support of the committee. In support of his views, he asserted that 'welfare is a very sensitive issue and demands a degree of brilliance, humanitarian spirit and foresight, as a result of widespread poverty in our communities because of apartheid'.[7] The Committee is profoundly concerned with sensitive areas, especially in matters concerning the survival of needy community members. The Committee has been functioning in the following sphere of activities:

- The registration of the elderly for pension benefits,
- The recommendation of old age people to the Welfare Department for social grants,
- The recommendation of physically disabled people and invalids, i.e. community members paralysed and bedridden, for social grants,
- The recommendation and registration of orphaned children for social grants. Such children up to the age of 14 receive R140 monthly.[8]

The WAC co-operates with the Department of Social Welfare to carry out its responsibilities. It acts as a communication channel between local communities and the Department of Social Welfare. It helps to articulate concern over issues at the local community level and directs these concerns to the Department of Social Welfare for solution. If delays are encountered in accessing grants, the intervention of the WAC helps to expedite matters. It also helps to root out corrupt practices involving social grants and pension pay-outs. A recent case in point involved Mr Voyu[9], a pensioner, who received a printed computer pay-out slip as an indication that his monthly pensionable grant of R740[10] had been deposited into his account with The First National

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[7] Interview, Rev, Spengane, 14-05-01.
[8] Information was divulged to me by Rev. Spengane in an interview. Ibid.
[9] Information disclosed to me by Mr Vuyo, a local community resident of Maluti; a pensioner; in an interview. 31-05-04.
[10] This amount is likely to be increased in future to take care of inflationary pressures in the country.

Bank, Matatiele Branch. When he went to the Bank to make a withdrawal on the 3rd of May 2004, he discovered that no funds had been deposited. He immediately approached the Maluti WAC. Prompt intervention by the WAC in the matter subsequently led to the arrest of three men in Bisho suspected of operating a syndicate and manipulating government computers at the provincial office of the Department of Social Welfare, Bisho, aimed at defrauding people of their pension pay-outs. At the time of writing this report, the three men have been placed under police investigation pending court appearances.

3.2.5 The Maluti District Church Ministers' Forum (CMF)

Commenting on 'Religion, Transformation and Development', J K Coetzee[11] claims that 'No analysis of directed social change (or development) in South Africa will be complete without focussing on the significance of religion, particularly the Christian religion as Christians are in the majority in South Africa.' His statement is based on the following:

- Much of the political and social leadership (among all groups) has emanated from the ranks of the churches.
- Over the years church leaders have been prominent in the broad political arena.
- The major churches have a long record of social and political involvement in South Africa.
- Churches have created an infrastructure which can facilitate any programme aiming at social reconstruction and societal transformation.[12]

Religion and politics are inextricably linked. Religion identifies the conditions prevailing in communities and helps translate these into concrete fulfilment of their economic, social, and political needs. In other words, churches attempt to give a broader interpretation of spiritual liberation to communities, even in matters beyond the domain of religion. Hence Liberation Theology (LT) has become important in South African political discourse. Archbishop

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[11] Coetzee, JK 'Religion, Transformation and Development' in 'Development People', p301. edited work. Southern Book Publishers(Pty)Ltd. Halfway House. Cape Town.
[12] Coetzee, JK (1994) 'Religion, Transformation and Development', p103. ibid.

Njonkonkulu Ndungane,[13] justifying the involvement of religion in politics, expressed the following sentiment at a recent conference:

> It is indeed our [clerics] responsibility to identify with the poor, the oppressed and the vulnerable and to provide valuable teachings that guide and inspire our own followers and others to bring about change. It is the premise on which Liberation Theology was built. Going back a lot further - to a time when religion was far more dominant - it was the premise, on which many a democratic principle and modern western philosophies and principles were built.

The implication of the above statement is that since religion, ie Christianity is meant to offer a set of principles to live by , democracy can also do the same for oppressed people kept in an unjust and fairly undemocratic system. In this respect, Liberation Theology and democracy are inter-connected. They parallel one another with similar objectives. Based on this picture, the Maluti district CMF promotes community development and welfare on the principle that religion can be closely related to democracy. Archbishop Ndungane[14] said further: 'We in the faith communities [i.e. Church organisations] and NGOs reach deep into communities and we operate at all levels.'

The Maluti CMF features as one of numerous CSOs operating in the district as a result of democratisation and its accompanying transformation processes at the local level. It is comprised of 20 church leaders across a spectrum of Christian church ministries and missions, with Rev. W Mahlasela as Chairperson and Rev. WV Manciya[15] as Deputy -Chairperson. It has been a major preoccupation of the forum to rally leaders from all denominations, including Pentecostal church leaders. The inception of the Forum has allowed the views of church leaders to be articulated and has exerted a profound influence on the socio-economic issues confronting local communities. The interventionist approach adopted by the local churches under the auspices of the CMF can be seen as a continuation of churches' policies and their work as agents of liberation in the apartheid era.

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[13] Ndungane, N (2003) 'Social Activism and Socio-Economic Rights'. p17-19; an address by Archbishop Njongonkulu Ndungane at IDASA's 'Deepening Democracy in South Africa in Conference', held in Cape Town. <u>NEW AGENDA</u>: South Africa Journal of Social and Economic Policy, Issue No 12. 4th Quarter.
[14] Ndungane, N (2003) ibid.
[15] Rev. Manciya also chairs the Maluti Education Forum.

Taking strong exception to abortion, the CMF views this practice as tantamount to murder of innocent unborn babies, despite the fact that it has been legalised by central government. It views the practice as a gross violation of inalienable right to life. In furtherance of other aims the CMF co-ordinates efforts to meet the spiritual commitments of needy community members, i.e. the sick, disabled, and spiritually down-trodden. In order to organise special prayers for these people, the CMF representatives pay regular visits to hospitals and clinics, not only to pray for speedy recovery but also to offer spiritual comfort.

The Forum also offers condolences to bereaved families in moments of sorrow and desperation and assists them to come to terms with the loss of family members and close associates. In this regard, the CMF plays a leadership role by organising memorial services in honour of deceased community members. It also assists in the burial arrangements.[16] The CMF encourages community members to attend church regularly. Another major preoccupation of the CMF is the offering of training to young aspiring pastors and evangelists who lack adequate theological training. Rev. Manciya[17] observes:

> We have scheduled our time-table to coincide with the school holidays to give theological and seminar tuition to pastors and evangelists in the district, since some of these pastoral trainees also are school teachers. The holidays give enough space for these teachers to orientate themselves for such spiritual training.

In terms of the theological viability of the training, Rev Manciya[18] comments:

> The exercise has achieved positive results. Most pastors, evangelists and even lay-preaches know how to conduct proper sermons and to handle funeral services and also to organise Easter Conventions. These ones are benefiting a lot from these training programmes.

In addition to attending to spiritual matters at local community level, the CMF focuses attention on prisoners in the Maluti prison. Free Bible courses in pastoral and evangelical studies are

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[16] Rev. Manciya, interview, 25-09-03. op cit.
[17] Rev. Manciya, interview, ibid.
[18] Rev. Manciya, interview, ibid.

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offered as well as training facilities for art and craft, painting, tailoring, dress-making, basket weaving, and several other activities geared towards equipping prisoners with a profession. Such programmes are likely to equip the prisoners for life outside the prison-walls.

Spiritual transformation is needed to eradicate practices which might undermine the development of communities. Bribery and corruption and under- and over-invoicing are practices that have become widespread in rural communities and that undermine service delivery. The Maluti CMF's relief programmes can be seen as another achievement of the Forum.

Acting as a charitable organisation, the Forum assists victims of natural hazards, like fire outbreaks, especially dangerous to thatched homes which are exposed to uncontrolled veldt fires in winter. 'The Informer'[19] reports that seven lives were lost to veldt fires in Maluti and 329 homes destroyed in 2002. The Forum works in co-operation with the 'Disaster Management Centre' established at Maluti by the Municipality. The aim of this centre is to deal with the effects of natural disasters like flooding and fire outbreaks. In summer, some communities are at risk as a result of heavy downpours. Geographically, the Maluti district lies in a marshy region, interspersed with deeply incised valleys. Flooding is a frequent occurrence, and the effects pose a major challenge to the Forum. Relief workers supply donations in the form of blankets, food parcels, and medical supplies. Erecting shacks as temporary means of accommodation for worst affected communities has also been a major concern of the CMF. In 2001, due to heavy summer rains, communities like Malubelube, Sibi, Magadla, Queen's Mercy, and Mzongwana[20] were submerged by floodwater. Although the fatality rate was minimal, damage to physical property like homes and personal belongings was high. Most affected communities received supplies of blankets, food, and medical items from the Forum, acting in collaboration with some NGOs and soliciting active co-operation and support from other NGOs.[21] In this manner, the Forum succeeded by directing attention where it was financially difficult for it to make a significant impact.

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[19] 'The Informer', - A local newspaper commenting on events in the Maluti district, as well as other districts in the Municipality. 11-06-04 Issue. Friday.

[20] As community resident, I was an eye-witness to the devastating effects of floods in the district in 2000. In addition, the effect of the floods received wide coverage in several newspapers in the district.

[21] As a community resident, I was an eye-witness to all these events as they unfolded.

Bringing councillors into a closer working relationship with the Forum has promoted participatory democracy at the local level level and has helped to realise the aims of inter-governmental relations and co-operative governance as stipulated by the 1996 South African Constitution and subsequently, The White Paper on Local Government, 1998.

3.2.6 The Drakensberg Disabled Peoples Organisation (DDPO) of the Maluti district

The fall of apartheid in 1994[22] and the subsequent legislation for a non-racial society in South Africa have not resulted in the abolition of social discrimination against people with disabilities, especially at the local community level, as the statement below indicates:

> Oppressed people share a common goal towards the eradication of discrimination and the creation of a just society and the only way of effectively challenging this and changing people with disabilities' destiny was to form a united front first and foremost as people with disabilities. People with disabilities therefore started organising themselves into local organisations of disabled persons or self help groups.[23]

The above statement reinforces themes generally articulated by disabled people, leading subsequently to the formation of the Drakensberg Disabled Peoples Organisation (DDPO), in Maluti district. The aim of the DDPO is to address the needs and concerns of disabled people in Maluti district. The implication is that such an organisation would serve as mouthpiece to challenge social discrimination inflicted against disabled persons by the society at large.

Disabled persons are still subject to social discrimination, despite the new democratic order. They yearn for a just society. The South African Government's White Paper on Disabled People,[24] declarations by international organisations, human rights movements, and NGOs all aim at addressing issues of concern to disabled people. The roles played by the United Nations Organisation (UNO) and the Organisation of African Union (OAU), now the African Union (AU), have been highly commendable. Both organisations aim to achieve international

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[22] The advent of a new democratic dispensation was crafted to replace the apartheid system which has outlived its usefulness in 1994.

[23] Disabled People South Africa (2001) 'An Empowerment Tool: Pocket Guide on Disability Equity'. Published by DPSA, Parliamentary Office on Disabled People. p83-84.

[24] The South African Government's White Paper on an Integrated National Disability Strategy'. Rustica Press. Cape Town.

recognition for disabled people. In the 1970s, a Declaration on The Rights of Mentally Retarded Persons was adopted by the General Assembly of the UNO. A decade after that, 1981 was declared the International Year of Disabled Persons (IYDP).There was a campaign for a comprehensive programme of action at 'national, regional and international levels; with the emphasis on equalisation of opportunities, rehabilitation, and prevention of disabilities'.[25]   A major outcome of the IYPD was the World Programme of Action (WPA) adopted by the General Assembly in December 1982 which aims at the integration of persons with disabilities into the stream of normally structured society. To give the WPA the international seal of approval, 1983-1992 was declared the United Nations' Decade of Disabled Persons (UNDDP) 'in order to provide a time frame during which governments and organisations could implement the activities recommended by the WPA'.[26] Part of the WPA is the Standard Rules - a programme drawn up by the UNO to protect the rights and opportunities of persons with disabilities.

Parallel to the UNDDP is the OAU's Decade of Disabled Persons (OAUDDP), Africa's version of the Decade of Disabled Persons, and regarded as a milestone in the campaigns for disabled people. Although the two entities are organised by different international bodies, they tend to converge rather than diverge in their political interpretations, significance, and application.

On 5 December 1999, President Thabo Mbeki launched the South African Chapter of the Decade on Disabled Persons in recognition of the UNDDP and OAUDDP, under the theme 'Disability Renaissance – from Poverty to Social, Economic and Political Empowerment in Africa'[27], popularly known as the 'Disability Renaissance'. Most of the provisions contained in the 'Disability Renaissance' are based on a White Paper[28] released by the Government. In terms of the 'Disability Renaissance', the South African government commits itself to work together with Disabled People South Africa (DPSA)[29] in pursuit of the needs, rights, and aspirations of disabled people in the country, as specified in the South African Constitution, 1996. Given this commitment, the DPSA serves as a communication channel through which policies and

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[25] Disabled People South Africa. p50. op cit.
[26] Disabled People South Africa, p51. op cit
[27] See 'Disabled People South Africa, p80. op cit.
[28] South African Government's White Paper on Disability. ibid.
[29] An umbrella organization formed in 1984 to shelter splinter disability peoples' organisations in the country. It advocates equity and equalisation of opportunities for disabled people in South Africa, essentially cutting across racial barriers, gender, language, religion and class distinctions (2001) p 88.

programmes emanating from the government filter down to organisations for the disabled like the DDPO, operating as a satellite organisation at the local community district level of Maluti.

3.2.6.1 Formation and aims

The DDPO was formed in 1999, under the leadership of Petros Nkungu Sipho.[30] Mr Sipho has ever since been the driving force of the organisation which has achieved a great deal for disabled people in the Maluti district. He is now one of the executive members of the organisation. While the work of the DDPO can be seen as attempt by disabled people to come to grips with the problems they face, its existence fulfils the principles of the new democratic order which allows CSOs to flourish. The main officers of the organisation include the following: chairperson - Miss Zodwa Ndarane; vice-chairperson-Mr Petros Nkungu Sipho; secretary-Mr Nkosinathi Kwaaiman; vice secretary-Miss Nokwanda Ndobe; treasurer-Mr Xolani Khokotho. The above office-bearers of the organisation were democratically elected. Their terms of office and duties have been stipulated in a constitution, which at the same time sets a limitation on the powers and authority bestowed upon them.

Miss Zodwa Ndarane, as the chairperson, demonstrates that the organisation is gender sensitive. She is supported by Mr Petros Nkungu Sipho as vice-chairperson, through whose efforts the organisation was brought into existence. Most office-bearers have been formally educated as far as high school level, and others have continued their education in special needs educational institutions. A survey of the organisation demonstrates that members possess talents and skills waiting to be used for purposes of self-empowerment. Mr Xolani Khokotho,[31] an executive member of the organisation, is also a ward committee member in the Maluti district. A strong link can therefore be established between the DDPO and local government structures at community level. The DDPO has the following aims:

- To uplift the image of disabled people[32] in the district thereby inculcating a spirit of self-help, self esteem, and unity among disabled people in the district,

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[30] Mr PN Sipho is the deputy chairperson of the Disabled Peoples Organisation (DDPO).

[31] Information gleaned from the Constitution of the DDPO, made accessible to me by Miss Zodwa Ndarane of DDPO, in an interview, 31-07-04.

[32] The terms disabled people or disabled persons   have been used interchangeability in this part of the study to convey similar meaning.

- To uphold the principle of unanimity and build consensus in all decision-making processes at all times,
- To foster a sense of pride in disabled people by forging closer working relationships with the government at all levels in the latter's efforts aimed at changing attitudes and mind-sets towards disabled persons,
- To work towards bridging social and physical gaps between disabled people and normal persons through concerted efforts,
- To eradicate all forms of social discrimination and stigmatisation meted out to disabled people in the district,
- To demonstrate the inherent skills and natural talents of disabled people.

To further the above aims, Petros Nkungu Sipho[33]   adds:

> Disabled people can do something that even normal persons cannot do. We can do things but the way we do things is usually done in our own way by applying different strategies and methods. But the fact remains that we will do what we want to do. For instance, if I want to plough a garden I will do it in a style suitable for me, although it might be different from the method a physical normal person will apply. But the end result will be one and the same.

The destiny of the organisation lays in the hands of its members, hence the slogan 'nothing for us without us'.[34]

3.2.6.2 *Achievements of the DDPO*

Despite the lofty aims spelt out by the DDPO in its constitution, the organisation has had a chequered history, and its development has remained stunted and slow. Many problems still confront the DDPO. However, the DDPO remains undaunted by its problems. A critical evaluation of the achievements of the DDPO is presented here.

The existence and the general recognition of the organisation in the district can be considered an achievement in itself. It creates an opportunity for researchers to consult with its members[35] and

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[33] Interview; P N Sipho, Deputy-Chairperson; DDPO. 24-07-04.
[34] The slogan transpired at an interview with Sipho N Petros. 24-07-04. op cit.

for government officials to obtain information to support academic programmes similar to the one currently in place. The DDPO provides a forum through which disabled people in the district can rally themselves for the attainment of recognition, the discussion of everyday problems, and the diagnosis of appropriate solutions. Constructive inputs on a number of problems can be generated and offered by diverse characters in different age groups, who fall under the broad category of disabled persons. Views are mobilised through concerted efforts, in a spirit of partnership, participation, and conciliation. Partnership is about dialogue and mutual respect and provides opportunities for the recognition of the contribution which all parties can make. The DDPO upholds the principle of egalitarianism, a major component of democratic governance. Despite the diversity among group members and the opinions registered, each accords respect to other's viewpoint at meetings.[36] Disabled people in the district believe their destiny lays in their own hands, hence the expression, 'nothing about us can succeed without us'. Mr Sipho [37] states the following:

> If you speak something without the people concerned it will not be the right thing to do, because it will not be directly said. It will be indirectly said or indirectly represented. All said and done it is we disabled people who know the best out of every worst situation we constantly face. We therefore see our problems as personal and not for any person or group of persons.

It is clear from the above that:

- The involvement of disabled people in matters that affect them is crucially important.
- Without their involvement, the possibility that they could be quoted indirectly and wrongly is quite high.
- Disabled persons are in a unique position to know their problems.

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[35] In this study, I was privileged to consult the DDPO, and interviewed some prominent leaders and other members at various stages of the programme. All-important documents pertaining to the organisation were made accessible to me like constitution of the organisation, minute books, etc. However these and several other primary sources of information were written in the local dialect. The need to decipher and translate them proved a costly exercise. However with the help of some members of the organisation, things were made relatively easier for me in all my endeavours, especially by those members who could read and write. Through them, I managed to consolidate my findings in writing.

[36] The writer was privileged to attend several meetings of the DDPO. The facts presented here were based on an eye-witness account.

[37] Interview, P N Sipho, 24-07-04. op cit.

Executive members of the organisation often make themselves available for conferences[38] where they make constructive inputs based on views collected from members. While these conferences enable the executive to acquaint themselves with current information regarding the status of disabled people, they create opportunities for disabled people from different social backgrounds and organisations to exchange constructive ideas for self-empowerment and self-enhancement. Executive members disseminate these ideas to members at their meetings.

The importance of conferences cannot be overstated. They provide opportunities for disabled people to maintain close contact with other organisations for the disabled. They are able to see themselves as belonging to a well-defined social entity from which they derive satisfaction, comfort, and inspiration to confront the challenges of life. December 3rd is set aside every year in the Maluti district for celebration of Disabled Peoples' Day. This day, which is officially observed in South Africa, coincides with the International Disabled Peoples' Day, established by the UNO.

In an interview with Sipho, [39] he said, regarding 3 December:

> It is an important occasion in the lives of disabled people. It enables us to co-ordinate our efforts and maintain a harmonious relationship with other Disabled Peoples' Organisations, like the Mount Currie Disabled Peoples' Organisation (MCDPO) in Kokstad, under the leadership of Mr Leonard Gregory. We also regard this day essentially as 'Awareness Day'. It enables Disabled People to know that the government cares for them. Topical issues that carry greater depth of importance are discussed on this day, since at times Government Officials, Cabinet Ministers and MECs are invited to deliver speeches, especially about our needs, rights and obligations as disabled people. It is a grand occasion that brings disabled people from different districts and provinces together, not only to celebrate, but to learn from one another.

Liaising with other organisations like the Mount Currie Disabled Peoples' Organisation (MCDPO), has proved to be highly beneficial for the DDPO. Viable communication channels have been created. Before 1994, the possibility of disabled people's organising themselves into

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[38] In my interviews, I was made aware of numerous conferences which executive members of the DDPO attend, especially in Pietermaritzburg, Kokstad and Umtata.
[39] Interview, Petros N Sipho, Deputy-Chairperson of the DDPO. 24-07-04. op cit.

an association seemed remote. Other areas where the organisation has achieved significantly will be highlighted in the next section.

The organisation launched a full-scale protest action against authorities at Bedford Hospital near Umtata, Eastern Cape, where assistive devices[40] for disabled persons are manufactured and distributed to other parts of the province. Its operations suddenly came to a halt, when its workers embarked on a 'go-slow'[41] protest action campaign for several weeks. This was directed against perceived administrative ineptitude and unethical practices at the work place. The DDPO used the situation as an opportunity to agitate against: among other things, poor service delivery, the distances disabled people were forced to cover to secure equipment from Bedford Hospital, a distance of about 400 kilometres from Maluti, and the preventable inconveniences they suffered as a result of their inherent disabilities. The DDPO campaigned for the transfer of services to Kokstad in the KwaZulu-Natal province to ensure proximity and accessibility of equipment and efficient service delivery. Other reasons motivating the protest action can be gathered from the following statement:

> Previously we used to get our equipment from Bedford Hospital, Umtata, where a workshop had been built for that purpose. Unfortunately that workshop went bankrupt due to corruption and administrative mismanagement. The offices had to be closed down. We faced acute problems getting our equipment. We protested about the state of affairs and dispatched a delegation to Bisho. Now, we get our shoes and other equipment from Kokstad, in KwaZulu-Natal.[42]

The campaign achieved its desired objectives; hence it can be counted as being a major success for the DDPO. It served as an eye-opener for introducing members to opportunities for better conditions of service and for the alleviation of inconveniences that disabled people have been subjected to. It also signals a victory for the organisation over administrative inefficiency and moral degeneration.

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[40] Assistive devices are very important tools used by disabled people to overcome the barrier of movement, like wheelchairs, walking frames, clutches, orthotics, and prosthetics like splints, calipers, especially manufactured shoes and artificial limbs, etc.

[41] 'Go-slow', is a form of industrial action embarked by workers to slow down the pace of work, in protest against poor working conditions. 'Go-slow', is a common phrase among South African working class, carrying much connotation.

[42] Interview, PN Sipho, op cit.

The DDPO has also been successful in securing residential accommodation for members. For instance, most disabled people have residential facilities at Area-C, [43] near Matatiele at no extra cost. The project can be seen within the broader framework of the government's policy of providing low cost housing and free accommodation facilities for old age pensioners and disabled people, as stipulated in its White Paper.[44] Disabled people maintain regular interaction with able-bodied persons, i.e. competing for transportation services and other social facilities in Area-C. The assumption is that social integration with normally functioning or able-bodied people will occur. The stigmatisation to which disabled people are often subjected due to ignorance is likely to dissipate at the local community level when this integration occurs. The DDPO from the beginning has canvassed and lobbied for transportation benefits, like subsidies to enable members to access equipment in Kokstad, since the disability grants paid out to them are low.[45] In particular, a petition addressed to the local council yielded positive results, with members being granted substantial transportation benefits. Unfortunately, the disabled people abused the scheme, with the result that the scheme was indefinitely suspended. The incident created an unpleasant atmosphere and has tended to discredit the organisation. Mr Sipho [46] comments on the incident:

> Through the efforts of the organisation we received travelling subsidies in the form of ticket to board taxis. It was very helpful, but some of our members misused the opportunity. They sold these tickets to the public for money, whereas the tickets were not for sale. The scheme was therefore cancelled, because of some of our members. Now there is no more ticket, no more transport subsidies, just nothing.

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[43] 'Area-C' comprises of newly constructed low cost houses, as a means to meet the government's commitment to provide accommodation facilities for disabled persons, old age persons, and pensioners. Most residents complain that the houses have been built below acceptable standards, without adequate buildings? like church halls. It thus poses severe financial burden on disabled people who depend on disability grants for survival to meet cost of blocks and labour to partition these houses into reasonable rooms. 'Area C' is also known s the Harry Gwala Informal Settlement.

[44] The Government's White Paper on Integrated National Disability Strategy, 1997.

[45] Current disability grant stands at R740. This amount is likely to increase in future to take care of inflationary pressures and high cost of living.

[46] Interview, Petros N Sipho, interview; 24-07-04. op cit.

This unfortunately tends to cast a slur on the image and reputation of the DDPO. It weakened the confidence placed on the organisation by higher authorities. The above episode demonstrates the degree of corruption which has become a growing concern at all levels of South African society.

3.2.6.3. Challenges, expectations and prospects of disabled people[47]

Disabled people face problems as they struggle to cope with the challenges of everyday activities. These are most conspicuous at the local level. The information which the writer has collated from field research is based on the perceptions of disabled people themselves, with whom the writer established a degree of rapport through interviews and questionnaires administered to them. An analysis of challenges facing disabled people revealed the following issues.

3.2.6.3.1 Lack of current statistical records

Accurate current statistics on disabled people are lacking. Although research estimates that between 5% and 12% of South Africans are moderately to severely disabled,[48] there are little statistical data on disabled people at the local level. Data on disabled people in newly demarcated districts like Maluti after the establishment of democracy are elusive. The figures also suffer from serious distortions. Concerning the poor statistics regarding disabled people in the Maluti district, Mr Sipho[49] complains:

> At present moment the government is not sure of the number of disabled people we have in our district. No statistics have ever been compiled to know the number of disabled people as categorised under different classification of disabilities. Statistics would enable our government to know the number of albinos, number of disabled people using clutches or wheelchairs, disabled people mentally disturbed, the blind, deaf, dumb, and so on as well as children born with serious deformities like club feet. By compiling statistics of the above disability persons, the government will be clear about where to start in terms of service provision. The government will know for certainty the type of equipment desperately required by disability people, even medication for disabled people. I think

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[47] Information collated to compile this report is based on fieldwork I conducted through administering interviews and questionnaires to some members of the DDPO. The views expressed in the study do not represent the views of a single interviewee or respondent. However, they represent aggregate or composite views that cut across wide range of DDPO membership in the district.

[48] T M Mbeki – Forward : The White Paper on An Integrated National Disability Strategy, (1997; i).

[49] Interview, PN Sipho , 24-07-04. ibid.

if the government could work out things that way through compilation of statistics on disability people, she could have done more than enough for us.

The White Paper on Disability[50] supports this view:

> Since 1994, the data and information sector has begun moving away from researching the needs of the elite to poverty-focused research and data collection that can be used to implement programmes to alleviate poverty and create opportunities. This has unfortunately, not necessarily led to the inclusion of data and information on people with disabilities. This is demonstrated by the total exclusion of the relationship between disability and poverty in the report on Key Indicators of Poverty in South Africa, 1995.

In addition to lack of statistics, there is no empirical research conducted on disabled people at the national level. The argument is that the situation at national level has filtered down to local communities. In the absence of such statistics and research, development schemes remain skewed towards the needs of able-bodied persons who constitute a favoured group at the expense of the disabled people in the distribution of resources. Most public utilities like educational institutions, staircases, roadways, pavements, pedestrian crossings, and toilet facilities have been designed for able-bodied persons. Disabled persons are thus handicapped further.

To update statistical records on disabled people is crucially important, because 'lack of reliable information impacts severely on the planning and development of services and intervention strategies aimed not only at preventing disability, but at creating an enabling environment for the equalization of opportunities'.[51]

3.2.6.3.2 Waging a campaign of community/public awareness

The terms used to categorise disabled people have tended to classify them invidiously in society. Stereotyping the disabled often occurs in language, especially in rural communities. In this way, the social rights of the disabled are often affected. In rural communities, disabled people have to overcome barriers caused by the misuse of language. These names are resented by disabled people, because they carry derogatory connotations. In essence, language is a vehicle for social

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[50] The White Paper on an Integrated National Disability Strategy, p35. op cit
[51] The White Paper on Disability, ibid.

classification, which serves as a yardstick for distinctions among disabled people themselves and between the disabled and able-bodied persons. Ms Disemele Nokwanda[52] discusses the matter as follows:

> The communities around us still have problems understanding disabled people. They usually harbour negative perceptions and ill-feelings towards us. We see this through verbal attacks they often launch against us. They call us funny names all the time, like 'squala', 'nkau' etc implying physical disability or serious deformity. They call you the way you look like, by the deformity you carry. For instance with one squeezed hand they call you by the local name, with one eye or an albino they have specific name to confer upon you. Usually these names carry wrong impressions about disabled people. We are always looked down upon.

Labelling, stereotyping, and discriminating against people with disabilities ultimately creates a culture of non-acceptance of diversity'.[53]

The White Paper[54] identifies the social malaise disabled people face:

> One of the greatest hurdles disabled people face when trying to access mainstream programmes are negative attitudes. It is these attitudes that lead to the social exclusion and marginalisation of people with disabilities. Negative attitudes are continually reinforced. Disability is portrayed as a 'problem'. People with disabilities are viewed as helpless and dependent; as ill and in constant need of care and medical treatment, or as tragic victims.

It is considered the responsibility of government to change mind-sets and perceptions concerning disabled people. Government at all levels should embark on a comprehensive programme of civic education aimed at creating a culture of public awareness concerning disabled people, especially in rural communities where discriminatory practices are prevalent. The media, both electronic and print, should be employed to publicise issues related to the image and status of disabled people. Since language plays an important role reinforcing values and attitudes that lead to discrimination and segregation of particular groups in society, it can be employed as a mechanism to facilitate change and bring about social integration.

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[52] Interview, Disemele Nokwanda ; member of DDPO. 27-07-04.
[53] Disabled People South Africa : An Empowerment Tool , 2001, p15 .
[54] The White Paper on Disability, 1997; op cit.

Another problematic issue to contend with is the fact that 'there is as yet no disability-specific legislation' despite the fact that the rights of people with disabilities have been given prominence in the South African Constitution.[55] Changes in the law may be necessary but insufficient to guarantee the rights of people with disabilities. Mechanisms like civil education, use of the media, and distribution of pamphlets can be employed to support legislative measures targeting disabled people.

3.2.6.3.3 Education and job security

Education for disabled people has been prioritised by both the RDP[56] and the South African Constitution.[57] According to the RDP 'education and training needs of the disabled and other marginalised groups should be catered for as part of a process of facilitating access to facilities and to the economy, so that disadvantaged groups are seen as an asset - by themselves and by the society at large.'[58] The Bill of Rights[59] section 29 (1) of The South African Constitution states that:

(1) Everyone has the right

    (a) to a basic education, including adult basic education;

    (b) to further education, which the state through reasonable measures must make progressively available and accessible.

The South African Schools' Act[60] sees education as sufficiently 'necessary to advance the democratic transformation of society and to combat racism, sexism and other forms of unfair discrimination. Only through proper education can people understand and exercise their fundamental human rights and respect the rights of others. A culture of human rights can only be established through education'.[61] Although the Act addresses the issue of discrimination, it does not specifically make reference to disabled persons. The White Paper[62] comments as follows:

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[55] The White Paper on Disability, 1997; p 4 ibid.
[56] The RDP , ANC Policy Framework, 1994 ; p63-64.
[57] The South African Constitution, 1996.
[58] RDP - ANC policy framework, 1994 ; p63-64. op cit
[59] The South African Constitution. 1996. Chapter 2 on the Bills of Right. Section 29.(i)
[60] The South African Schools' Act was passed by parliament to regulate the relationship between pupils and teachers. The Schools' Act seeks to abolish corporal punishment in all South African Schools.
[61] The South African Schools' Act, 1997 p7. ibid.
[62] The White Paper on Disability ; 1977, p37. op cit.

The limited capacity of special schools, particularly in rural areas, has resulted in the majority of learners from these areas being excluded from education opportunities altogether, as the environment in regular schools does not facilitate integration. It is estimated that almost 70% of children with disabilities of school going age are presently out of school. This naturally results in illiteracy and low skills amongst adults with disabilities, contributing significantly to high levels of unemployment.

The implication of the above is that a 'lost generation', a group of illiterates has been created which extends into rural communities. Rural communities around Maluti are no exception, experiencing a high incidence of illiteracy among people with disabilities due to lack of special schools. This places severe limitations on job opportunities. The educational needs of disabled persons continue to be woefully neglected by government. The existing situation contrasts sharply with the policies and provisions enshrined in the South African Constitution and the RDP. Ms Disemele Nokwanda[63] comments as follows:

Our thirst for education, especially special needs education for we disabled people knows no boundary. But none exists here in Maluti. This has been one of our basic problems. Most of our disabled younger brothers and sisters are stark illiterate. They are always seen roaming the streets of Maluti and Matatiele for just sweet nothing.

The solution lies with the encouragement of disabled persons in Small, Medium and Micro-Enterprises (SMMEs). At present, SMMEs are high on the national agenda, but they demand a level of business acumen which must be acquired through education. Whether the scheme can offer opportunities for disabled people in rural communities will depend on their acquisition of a level of education. Failure by the government to address the educational needs of disabled people would imply that they remain a dependent group as has always been the case in rural communities.

The urgent need for special schools is evident because of the high illiteracy rate among disabled people in rural communities and the concomitant high unemployment rate. The provision of skill-centres and workshops would also provide training for disabled people who have studied through special schools elsewhere. Skills like dress-making, tailoring, carpentry, sewing,

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[63] Interview, Disemele Nokwanda ; member DDPO, 27-07-04.

needlework, carpet-making, bag-sewing, knitting, weaving, pottery-making, television, radio, watch, fridge repairing might be taught.

Such programmes could combat the unemployment crisis disabled people face in the district and would serve to rehabilitate disabled people. Education will be perceived not only as empowerment tool but also as a means to bridge the gap of social inequality. Disabled people are increasingly willing to be involved in economically viable schemes. These programmes and schemes are meant to overcome boredom and psychological problems related to unemployment, to inculcate a spirit of self-sufficiency, and to achieve a sense of recognition. Economic empowerment is likely to open up additional sources of income to supplement meagre disability grants which have proved inadequate to meet financial commitments towards medication and other health necessities. Disabled people in the district are not exempt from paying towards medical health services .Although most disabled people resent these payments, several meetings with officials of health departments in the district have proved futile. Payment is exacted for health services whenever a disabled person visits the Out Patient Department (OPD) of the Maluti HC. According to one health official,[64] there is no legislation exempting disabled people from paying fees. In response to the above, Mr Sipho[65] has commented:

> We do pay for medical services whenever we visit the hospital or the local clinic. Although the government talk of free health services which took a centre stage in their campaigns, but like all others we do pay for medical services. These are the things not properly followed in our communities. This is just unfortunate for us.

The introduction of free medical care by the government in 1994 was threatened when it became apparent that the scheme was susceptible to abuse by unscrupulous community members. Community members and their families flooded into HCs and Clinics, and, it was claimed, took undue advantage of free medical services to procure drugs for sale (see Chapter 6) Dispensaries in the district ran out of medical stocks within a short space of time as a result of the excessive demand. The scheme had to be abandoned and a fee-payment scheme reinstated.[66] Disabled

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[64] Name withheld for purposes of confidentiality.
[65] Interview PN Sipho , Deputy-Chairperson of DDPO. 24-07-04. op cit.
[66] Information gleaned from an interview with a senior health employee, Maluti Health Center, 22-09-99. Name withheld for purposes of confidentiality.

people were severely affected. The government can therefore be exonerated from perceived blame regarding free health facilities. Workers, both able and disabled, pay for health services whenever they visit the hospital and clinics.

3.3 CONCLUSION

The operation of CSOs in the Maluti district has been examined in this chapter. A cross-section of existing CSOs was discussed to demonstrate the various strategies and methods used to achieve objectives and aims. These strategies and methods have at times included dialogue, negotiation, lobbying, collaboration, boycotts, violence, direct confrontation, and all forms of civil disobedience. Although some of these acts are perceived as repugnant and are resented by governmental bodies, they serve as mechanisms to achieve the desired aims and objectives. Some CSOs can be conceived of as being based entirely on self-interest and designed to advance or defend the material interests of only their members. The implication is that the common good is at times undermined in favour of personal enrichment. This is in line with the argument that CSOs essentially aspire towards *partiality,* signifying that no group in civil society seeks to represent the whole of a person's or a community's interests. Different groups represent different interests.

The CSOs in the Maluti district, nevertheless, broaden participatory democracy at the local level, so that participation is generally not confined to periodic elections but is an ongoing process, even though membership of CSOs is restricted to a segment of the community. CSOs supplement the role of political parties in stimulating participation thereby increasing the political efficacy and skills of citizens. They are able to do this because they are independent of the state, although they inter-relate/interact with the state. Furthermore, CSOs are necessary to fill the political space between one general election and the next. They maintain a vigilant check on government, directing attention to particular political issues, and ensure responsibility and accountability of the leadership.

Despite the crucial role played by the CSOs in the Maluti district, they are hampered by the restriction of membership to particular interest groups in the community, which means that their aims and objectives do not transcend the bounds of their organisations. Their aims can therefore

be conceived of as being fairly narrow and confined to their domain of influence. Given the fact that membership is not open to all community residents, open democracy is impaired. The role of the CSOs in local politics can be conceived of as being *indirect* rather than *direct*. Non-members, on the periphery of CSOs, are excluded from decision-making processes. There exists a need for mechanisms to facilitate direct participation in governance.

In the next chapter, there is discussion on institutional and electoral mechanisms as building blocks of participatory democracy to support indirect participation (i.e. the role of CSOs), in governance whereby community members, irrespective of their interests or political creeds, become involved in a wider geo-political entity. This is done through demarcation processes and ward establishments at the local level. These mechanisms are not intended to undermine the efforts of CSOs but to ensure that indirect participation in governance is effectively complemented by direct participation of local community members, leadership responsibility, and accountability.

CHAPTER FOUR

DEMOCRACY AND INSTITUTIONAL PARTICIPATION IN GOVERNANCE: THE WARD SYSTEM OF LOCAL ADMINISTRATION IN MALUTI DISTRICT

4.0 INTRODUCING THE WARD SYSTEM IN LOCAL ADMINISTRATION

Democratic governments - whether local, provincial, or central have three essential elements - representative governance, accountability, and participation.[1] The presence of these elements is the means by which democratic government is measured. However, their absence is notable in non-democratic systems viz. authoritarian or centralised administrations. The past local government system introduced in the Transkei was deficient in these political virtues. However, since 1994, local government has systematically started to incorporate these essential features, i.e. representative governance, accountability, and participation.

Supported by many legislative instruments, these political elements are necessary for local government to be and to progress toward a mature stage of consolidation and service delivery. For instance, the passage of the Municipal Structures Act (1999), popularly known as the Structures Act, and the Municipal Systems Act (1999), also known as the Systems Act,[2] is regarded as a step in the right direction. While these legislative instruments changed the profile or complexion of local administration, they also supported the establishment of wards.

The introduction of ward systems by both Acts provided a mechanism through which representative governance, accountability, and participation could take place at the local level. Both Acts created the legal and institutional framework sympathetic to participatory democracy. But while the Structures Act provides the basis for a ward system of local administration, the Systems Act devotes considerable attention to community participation.[3] The implication is that

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[1] See 'Making Law, a Guide to Municipal Council, 2000. p24-25.

[2] de Visser, J (1999) 'Municipal Structures Act', *Local Government Law Bulletin, p 8-11. vol.1 No 1, April.*

[3] Steytler, N and Mettler, J (2001) 'Ward Committees', from Local Government Law Bulletin, vol. 3 No 1, April p2-5. see also de Visser, J(2001) 'The Municipal Systems Act and Community Participation', *Local Government Law Bulletin, vol. 3 No 1. April, p8-9.*

community participation could hardly take place in the absence of a ward committee (WC) which is the nucleus of ward administration.

Local government has universally been called the 'government closest to the people'.[4] Importance of ward administration therefore emerges prominently when viewed against the notion that it is the basic qualification for participatory democracy.

The national statutory framework allows municipalities to develop 'a culture of municipal governance that complements formal representative government with a system of participatory government'.[5] This requirement is in line with the demands of Section 152 of the South African Constitution, 1996, which establishes representative democracy and participatory democracy as two objects of local government. Germane to this discourse is the Government's White Paper[6] which charges DLG to build participatory democracy and encourage community participation, since local government is the most direct interface between the national government and the community. A defining characteristic of the new local government system is the opportunity it offers ordinary people to participate actively in governance. For instance, a municipality 'comprises not just the councillors and the administration, but the local community as well'.[7]

The hypothesis introduced in this chapter addresses institutional mechanisms through the ward system which offers wider scope of participation by local community members. Introduction of the ward system of local administration as an offshoot of the demarcation process has been focused on in the present study. It can be viewed as an attempt to deal with the insufficiencies and deficiencies inherent not only in the TA system but also the TrepC, which subsequently replaced the former as a new system of local administration at the community level. The demarcation programme which evoked negative response from local TLs, chiefs and headmen, has also been given fair coverage in this study. What was conceived as crucially important is an attempt to build on the limitations identified in the CSOs in the district.

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[4] Mawhood, P (1993)'Local Government in the Third World-The Experience of Decentralization in Tropical Africa'. Preface p v-xii. African Institute of South Africa. op cit. See also Thornhill, C (1995) 'Local Government: Government Closest to the People'. HSRC. Pretoria.

[5] The Systems Act, 1999 ; Section 16, (1).

[6] The White Paper on Local Government (1998); Ministry for Provincial and Local Government. Government Printers, Pretoria. op cit.

[7] Carrim, Y(2001) 'The New Local Government System', *New Agenda, Autum, p111-122.*

4.1 Ward administration as decentralisation in local democracy

Under democratisation and transformation processes in local government, a major trend towards greater community participation is secured through decentralised structures or institutions. Crucial to such institutions is the establishment of wards. Hence wards were established in some provinces, notably KZN, probably for experimentation purposes during the transition timetable.[8] A strong motivating factor was the need to address political limitations and make concessions at the local level. While the establishment of wards enabled elected representatives to maintain direct relationship with a given constituency, the absence of such local government institutions implied that interaction between electorates and elected representatives never existed.

The situation is exacerbated under the PR and PL systems, as the major electoral modes of representation in democratic South Africa in which adherence to the party creed remains an essentially supreme political virtue. Despite the fact that these electoral systems ensure adequate minority representation in governance, electorates constantly suffer from the chronic effects of alienation from the decision-making process and from the formulation of viable economic policies and programmes. Wards tend to overcome the limitations inherent in the PR and PL systems of electing representatives. Despite the prospects offered by wards in local administration, in the Eastern Cape they remain a new creation of local municipal administration and were introduced by the Municipal Demarcation Board (MDB)[9] in 1998.

Given the fact that wards are established from the lower strata of communities, they lay the foundations on which democracy of the Athenian style of governance can be realised. Wards engender a bottom-up process in democratic governance in which the *'demos'* or masses form the 'backbone' rather than 'back-benchers' in the democratic system.

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[8] Polunic, J(1999) 'The Transformation of Local Government in KwaZulu-Natal', PhD Thesis. University of Natal, Dept.of Politics. Unpublished. op cit.

[9] The Municipal Demarcation Board(MDB) was established by an Act of Parliament, the Municipal Act(MDA), in 1998 most salient aspects of the Board has been outlined in the South African Constitution, 1996 : Section 155, (93). The Board was established as independent non-partisan body, charged wit the responsibility of determining Municipal inner and outer boundaries of the entire country to accommodate the 2000 Local Government Municipal Elections which ushered in a truly democratic local government dispensation. The demarcation process enabled a Municipality to fulfill its constitutional obligation to 'provide for a democratic accountable and effective local government that would deliver equitable and sustainable services'.(see Jubie Matlou, 'Mail and Guardian' Newspaper ; 3 February, 2000.

While direct democracy can ensure adequate community participation, indirect or representative democracy does so in a different way with all its shortcomings. In every political system, the people who constitute the majority are supposed to play a prominent role yet are lamentably marginalised and alienated from influencing the government in policy formulation and decision - making. Ward systems have been devised to compensate for the insufficiencies and limitations of such political arrangements.

Participatory democracy, often described by buzzwords and sloganeering as 'peoples power', and 'the people shall govern', has found more meaningful expression than any other forms of decentralised structures or local administration. This is so because of the establishment of wards. The ongoing argument demonstrates that wards produce a major shift from a centralised administration in which authoritarianism prevailed to a more localised administration.

Failure of successive governments prior to 1994, whether the apartheid regime or the Bantustan administration, to articulate community views through the establishment of wards rendered the practice of local administration undemocratic. Local government was largely a hybrid or quasi-participatory democracy in the absence of wards. Participation in this context existed by mere default and was narrowly confined to a select few at the helm of local affairs. Democracy in action requires strong commitment to widespread community participation.

Participation at the local level is also desirable on the grounds that it was at the 'local community level that the apartheid legacy is probably most visible and lasting of all levels of government',[10] thereby attracting a concerted effort to bring about its demise. Also, because 'central and provincial governments are too remote from the people and because local government directly affected their day-to-day lives, the assumption is that, the local sphere is the main channel through which popular participation can be exercised'.[11]

4.1.1 The Maluti district and the decentralised ward system

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[10] Cloete, F (1998)'Local Government: Cradle or Death of Democratic Development ?' in State of the Nation, 1997/98. HSRC. Pretoria.

[11] Polunic, J (1999)'The Transformation of Local Government in KwaZulu-Natal'. PhD Thesis. Unpublished. op cit p290.

Decentralisation reinforces citizen participation at the local level. However, without proper management it fails to yield satisfactory results. Participation is more effective when proper mechanisms are put in place through some decentralised organs. The assumption that, decentralisation breaks down barriers, that constitute a major impediment to citizen participation in governance cannot be overstated. Ward administration has been devised as a viable option to enhance citizen participation in local governance. In this respect, WCs serving as decentralised institutions of local administration created sufficient avenues for recruiting councillors and promoted widespread community participation in governance.

The absence of wards in the Interim Phase of the transition order in local administration obviously presented a daunting challenge for the Maluti TrepC to maintain proper and effective consultation with local communities. The situation can be analysed from two perspectives.

To begin with, although the CSOs featured prominently as collaborative mechanisms to articulate certain aims and objectives, these never transcended the domain from which they operated. Invariably their focus of operation was confined to specific community issues, i.e. education, welfare, disability etc, taking cognisance of the fact that most of the issues fall under the banner of associational groups. Interests of these associations emerged paramount and took precedence over general issues confronting local communities in the district. The common good was thus relegated to the background in favour of parochial self-centred interests.

The extent to which CSOs achieved meaningful participation of communities was limited bearing in mind that membership was not opened to all community residents.

Leaders who spearheaded local CSOs were accountable and responsible to their respective organisations, and not the entire community of which they formed an integral part. Essentially, CSOs acted on the mandate of their particular organisations.

The absence of WCs in the Maluti district during the transitional order significantly compounded the problems of the PL system and rendered it less effective as an electoral method of recruiting political leadership and ensuring broader participation in local democracy. Consideration of geo-political exigencies of the district was woefully neglected. It was not uncommon to find two or more councillors indirectly appointed through the PL system as members of the Maluti TrepC

from a particular locality as a result of the absence of a viable political constituency. Such distortions arose as a result of the influence wielded by candidates in the inner circles of their political organisations.

Most surveys conducted in the form of questionnaires and interviews demonstrate the general feelings of dismay at the fact that councillors who formed the core of TrepC were not the popular choice of local communities as a result of the absence of ward constituencies.[12] Decentralisation in the form of the TrepCs thus failed to yield satisfactory democratic results during the local government transition order. The PL system became a bargaining chip through which such distortions occurred. It is true that the Maluti TrepC endeavoured to come to grips with the challenges and the prospects of achieving viable local administration in the absence of proper organs of participation. The TrepC did this by promoting some degree of community participation in governance. This was however not a viable solution to the problem since the institutional weaknesses were obvious.

In order to enhance citizen participation, Bayat et al[13], suggest:

> Local authorities will be the voices of the communities in the areas of their jurisdiction and, as such must provide citizens with opportunities to participate in their affairs...... Thus, suitable structures and positive support must be provided to encourage individuals and groups to participate in the decision-making and policy-making processes if and when they wish to do so, and also to sustain their involvement beyond the initial processes, of voting. The argument is not whether citizens should be involved in these processes, but rather that there should be avenues for their involvement in local authorities.

It is incumbent upon local authorities to provide ample opportunities for participation. In this milieu, participation is not confined to periodic elections but goes beyond the voting processes. However, the capacity of local authorities to realise such fundamental objectives has become an issue of much debate. Given the fact that local authorities operate as subordinate units to higher governmental institutions, i.e. central or provincial, their efforts to achieve meaningful political

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[12] Interview; Mr Lesaoana, EDO and a local resident; 1 Oct. 2004. Questionnaire issued to Cecilia Thoko, also confirms this assertion. April, 2004.

[13] Bayat, S (1999) 'Local Government Management', p110-111. op cit.

objectives have been inhibited. In the light of ongoing debate, the need for decentralisation emerges paramount as a means to give local authorities a measure of autonomy, to provide avenues for participation, and to establish structures considered politically viable for participation. Conditions in the Maluti district support decentralisation as a political paradigm. Geographical barriers, lack of effective communication networks, and language problems in the Maluti district[14] essentially support the policy of decentralised structures through ward demarcation at the local level. However, in the absence of a proper and effective policy of delimitation of the district into meaningful constituencies in the form of wards, the gains of decentralisation remain doubtful and unattainable.

It cannot be gainsaid that participation during democratisation and transformation demands the adoption of radical decentralisation. Broad-based participation and decentralisation can be conceived of as twin elements. In the words of Aryee,[15] participation is the 'ability of disadvantaged groups in society to influence decisions affecting their lives aimed at their empowerment'.

Rasheed[16] states unequivocally that 'effective participation is a function of the ability of the poor to be effectively empowered economically, politically and socially'. In other words, decentralisation gives power to previously marginalised communities ensuring a degree of participatory democracy. Decentralisation in this context can be seen as a means to an end and not an end in itself. It is a means to fulfil a broader definition of democracy, whereby participation is not confined to periodic elections but corresponds to an active process, enabling everyone significantly to contribute to the reconstruction and development of the country.[17] By ensuring broad based participation in local administration, decentralisation is seen by advocates and proponents of transformation as an empowerment tool and as a democratisation process through ward establishment. To this end decentralisation is considered a *sine qua non* in local governance.

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[14] Maluti district is supported by a conglomeration of ethnic tribes like Sotho, Xhosa and Zulus. Multi-lingualism seems to hold sway over the political and ethnic landscape.
[15] Aryee, RJA(1996) 'The Management of ecentralization – The Ghanaian Experience, 1988-92'. *African Affairs,(95) p31-50.*
[16] Rasheed, S(1996)'Development, Participation and Democracy in Africa'. p68. African Institute of South Africa(Publishers), Pretoria.
[17] Polunic, J (1999) p293. op cit.

A fundamental principle of the ANC government is its commitment to that of decentralisation, as a means to ensure maximum degree of community participation in programmes and decisions that affect them. Given the fact that this could be achieved through a bottom-up process, the establishment of WCs fulfil a vital role in the 'decentralised governments'.[18] 'Government closest to the people'[19] also finds eloquent expression in WCs in the promotion of local and consultative democracy.

The WCs lay strong foundations for local administration. They serve not only as by-products, but also end-products of decentralisation. Without the establishment of WCs, the application of decentralisation falls short of required expectations. The establishment of WCs signals a departure not only from a centralised local administration but also authoritarian democracy in which democracy at whatever level or sphere of government seems to have been invented from above and forcibly imposed on local communities. When democracy is cast in an authoritarian mould, it significantly loses its moral and political credibility. It ceases to be participatory, especially in governance, degenerating further into 'democratic hybridisation'[20] or 'democratic centralism'.[21] In this manner, democracy exists by mere 'default'.[22]

4.2   Profiling the ward system in the Maluti district

Local government in the new political dispensation begins at the ward level. A well-defined geographical area is demarcated into wards. Wards are essentially boundaries that give meaning, purposefulness, and interpretation to internal municipal administration. Consideration is given to demography which serves as yardstick in delineating wards. Wards are demarcated in such a way that members of community residents are more or less equally distributed among them.

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[18] Mawhood, P (1993), aptly refers to local government as 'decentralised government'. pvii. op cit.

[19] Thornhill, (1995), op cit.

[20] The development of a hybrid regime combines elements of autocracy and democracy. See Johnson et Schlemmer (1996) 'Launching Democracy in South Africa - The First Open Election. Schmitter, PC (1994) 'The Dangers and Dilemmas of Democracy', advances the theory further and places it under 'dictablanda'. *Journal of democracy. Vol 5 No 2 . April, 1994. p58-74.*

[21] Ansah-Koi, K (1987) 'A Historical Outline of Democracy in Ghana', in 'The Search for Democracy in Ghana. A case study of Political Instability in Africa', edts. Kwame Ninsin et Drah, FK. p62. Asempa Publishers. Accra. Ghana.

[22] Bratton, M and van de Walle(1997) 'Democratic Experiments in Africa-regime transitions in Comparative Perspective. Cambridge University Press. UK.

Emphasis is on ensuring that elected representatives i.e. ward councillors, represent approximately equal numbers of community residents in a particular ward.

The size of a ward is crucially important for democracy because ward councillors are obliged to report back to communities in a particular ward and to maintain close contact. Large wards geographically and administratively will be too cumbersome and onerous to ensure proper representation. On the other hand, wards that are too small may mean effective representation and service delivery but undoubtedly will result in too much representation, and a possible burden on the financial capacity of municipalities regarding salaries, allowances, and other fringe benefits reserved for councillors. Too many wards may be less politically viable, hence could be counter-productive in local administration. Given these limitations, equitable distribution of population among wards remains crucially important in order to take care of reckless dissipation of funds and increasingly to discourage the tendency of gerrymandering, i.e. drawing wards so as to favour one's own chances in future elections.

Although wards serve as the lowest rung of local administration, they enable 'government closest to local people' to take place, in the process promoting participatory democracy.[23] Wards enable local administration to be built progressively from lower strata. A cluster of wards constitute a local municipality represented by elected ward councillors. Two or more local municipalities form a District Municipality, whose mandate is to see to the socio-economic welfare and development of the district.

The thrust of the demarcation programme saw Maluti conveniently delineated into 15 wards, a departure from the existing 10 Tribal Authorities that constituted the district under the defunct magisterial administration. Efforts of the Municipal Demarcation Board (MDB) can be regarded as a political watershed in local administration. Emphasis is on not only breaking ties with the debilitating past but also taking advantage of ward administration by coming to grips with governance at the local level in the new political dispensation.

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[23] Thornhill, C(1995) op cit.

The introduction of the ward system in the Maluti local administration has been hailed as a political milestone, ultimately aimed at evoking widespread community participation and the consolidation of local democracy. Each of the 15 wards is represented by a ward councillor democratically elected by popular vote in the December 2000 LGMEs.

Table 3: Ward Councillors, their gender and political parties they represented in the 2000 Local Government Elections, in Maluti district

WARD N0	GENDER	ELECTED COUNCILLOR	POLITICAL PARTY REPRESENTED
10	M	J. Z. Munyu	ANC
18	M	S. S. Baleni	ANC
20	M	T. S. Gebashe	ANC
21	M	M. J. Mzozoyana	ANC
22	F	N. A. Ganya	ANC
23	M	D. S. Jafta	ANC
24	M	M. M. Nyamakazi	ANC
25	M	S. A. Sello	ANC
26	M	N. S. Mafokeng	ANC
27	M	V. C. Sigalelana	ANC
28	F	M. M. Popokhane	ANC
29	F	A. N. Ndiwa	ANC
30	M	W.B. Mfulana	ANC
31	M	R.M. Lebelo	ANC
32	F	N. Mdingi	ANC

NOTE : F = Female (4)   M = Male (11)

The presence of four female councillors elected by popular vote to represent their wards in the Maluti district in the 2000 LGMEs is an indication that the electoral system considered gender. Although the number of elected male councillors outweighed that of elected female ward

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councillors, the presence of female councillors is an accomplishment and a major breakthrough in democratic governance which serves as a departure from previous local government administration which favoured patriarchal dominance.

4.2.1 The composition, structure, and functions of WCs in the Maluti district

The Local Government Municipal Structures Act[24] empowers metropolitan or local municipalities to establish Ward Committees with the aim of promoting participatory democracy in local government. Other stipulations of the Act provide for the composition of a ward committee as follows: A ward committee consists of 2(a) the councillor representing the Ward who must be the chairperson of the committee and 2(b) not more than 10 other persons.[25]

In line with the above stipulations set out in the Local Government Municipal Structures Act, 117 of 1998, the Maluti district formed 15 ward committees for the 15 wards established by the MDB (see Table 3). Each ward consisted of an elected ward councillor as chairperson and 10 residents of the ward also democratically elected, albeit by show of hands-a far cry from the electoral rule of secret balloting etc. Serving in the capacity of chairperson, the ward councillor is mandated to call a ward committee meeting, whenever he/she feels it necessary and expedient to do so.

The composition of WCs in the Maluti district is wide-ranging, cutting across a broad social spectrum of numerous rural communities. Apart from the ward councillor being the *de facto* and *de jure* chairperson, other members of WC 21[26] are indicated in table below.

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[24] See Local Government Municipal Structures Act, 1998. Part 4 ; Section 72.
[25] Local Government Municipal Structures Act, 1998.ibid. section 73. 2 (a) and 2 (b).
[26] Interview; Mrs Gonya, PR Councillor of Maluti district. 16-07-04.

Table 4: Composition by organisations of a Ward Committee in Ward 21 of Maluti district

BODY/ASSOCIATION	REPRESENTATION	GENDER
Disabled Persons	1	F
Old Age Persons	1	F
Adult Population	1	M
Minority Parties(UDM,IFP,PAC)	1	M
Teacher Unions(SADTU, NAPTOSA)	1	F
Health Personnel(Doctors, Nurses etc)	1	F
Taxi Associations	1	M
African National Congress	1	F
District Education Forum	1	M
Traditional Leaders (CONTRALESA)	1	M
TOTAL	10	

F=Female (5)   M= Males (5)

As much as the composition of Ward 21 shown in Table 4 above cannot be said to replicate the representation of WCs in the district, it serves as a model for an ideal ward composition, aimed at creating adequate room for broader representation of all groups.

The above WC cuts across a wide spectrum of interests. This is in fulfilment of the requirements stipulated under the Local Government Municipal Structures Act,[27] which demands 'a diversity of interests in the ward to be represented'.
The fact that all interest/associational groups are accorded representation in WC 21 implies that inputs can be generated across diverse views and that dissenting opinions will be respected. Despite the diversity of interests of members, functions of the WCs are limited in scope, narrowed to the confines of acting in advisory capacities, especially on matters affecting the ward.

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[27] See Local Government Municipal Structures Act (1998) Section 117.op cit.

WC meetings take place once every month-end, on Sundays. Views that are represented at such meetings are likely to differ from ward to ward due largely to the peculiar needs and expectations of a particular ward.

As a rule, a preliminary caucus meeting is held between the ward councillor and WC members before subsequent meetings are held with ward residents. Preliminary meetings of WCs generate debate enabling inputs to be registered on salient political issues, which are mainly developmental. Mrs Gonya[28] comments:

> The WC has an ample role to play in the ward. The ward councillor is supported by a secretary who keeps record of every issue that transpires at ward and committee meetings. Role of the committee have been very elaborate among several others. To be more developmental, the committee collects statistics of the ward. These statistics cover residents, people living with disabilities, children, adults, men, women, old age pensioners, etc. They also solicit for needs of all category of ward residents, for instance irregular pension pay-outs, disability grants etc. All these diverse demands are collated and brought to the attention of the ward committee for scaling along preferential and utility needs and expectations of ward residents. To do this, we have a steering committee within the ward committee whose basic function is to evaluate and weigh each demand on its own merit.

The above offers insight into the functionality of a WC operating in the Maluti district. The implication is that the WC endeavours to meet a wide range of needs based on the diverse demographic profile of a particular ward constituency. The establishment of a steering committee makes it imperative for the WC to achieve its objectives. Also the compilation of statistics would ensure equitable distribution of resources among diverse elements living in a particular ward. In this context, the need to compromise on a wide range of ideas and opinions is considered imperative in ward administration, thereby placing extra responsibility on the shoulders of the steering committee. The role of the steering committee is considered to be sensitive by both local and district municipalities. These communities tend to exert a profound influence on wards under their jurisdiction.

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[28] Interview, Mrs Gonya ; op cit.

A basic objective of WCs is to solicit views from ward residents and have these views distilled and crystallised by the steering committee. Eventually, these views are channelled through municipal council meetings by the ward councillor, as the officially designated chairperson of the ward committee. Essentially, the ward councillor serves as the channel of communication between the respective ward and the local or district municipality.

Views conveyed to municipal councils by ward councillors enable opinions to be formulated on them. These are later translated to form the basis of IDP and LED policies which filter down to the community based on its needs and expectations. Primarily, these inputs are generated through WC meetings. In an interview, Mrs Gonya[29] confirms all the above in the following:

> Members of ward committees in Maluti district usually convey to ward residents issues that transpired at ward committee meetings and at the same time solicit for their views and opinions on very important topical issues. In this way participatory democracy is enhanced and promoted on a large scale.

In addition, ward committees can also absorb community agitation and listen to grievances. Ward residents can lodge complaints through the WC which constitutes a forum for communication between the ward councillor and the ward community. Ward residents are increasingly brought up to date about current issues, policies, and programmes affecting developments and service delivery in the ward.[30]

Apart from primary functions, mentioned above, ward committees feature essentially as agents of mobilisation for community action and projects. For example, a campaign like 'Masakhane'[31] can promote efficient participation of ward committees, because officials would be dealing with relatively smaller segments of the population in the form of ward residents. In the Maluti district, the Masakhane campaign is making significant progress in the sphere of non-payment for services.

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[29] Interview, Mrs Gonya, ibid.

[30] Response to a questionnaire administered to Mr Frans Rakaibe, Maluti. Chief Education Specialist (CES). District Education Office, and a resident of Maluti. 3-02-05.

[31] A governments' policy aimed at promoting a culture of payment towards service delivery by local communities in the country.

Given the functions undertaken by WCs, they need to guard against certain excesses, like trespassing on the territories of other institutions. To begin with, WCs cannot replicate or duplicate existing configurations of power dynamics pertaining to elected municipalities or councils, because the WCs feature essentially as a communication channel for ward residents.

WCs, ideally, must maintain strict political neutrality by refraining from overt practices considered inimical or prejudicial to its functionality. It is therefore considered crucially important for WC members to refrain from involvement in issues likely to develop into serious friction between themselves and elected ward councillors.

As agents of communication, WCs should avoid the obvious temptation of campaigning in defence of governmental policies. Such duties are reserved for elected ward councillors. Further, WCs should not allow themselves to be manipulated or used as pawns in the hands of candidates, especially previous councillors who conceded defeat only to renew controversy over municipal election results.

Provision has been made for minority parties to articulate grievances and other issues through appropriate structures in the system of PR. WCs should not be used as platforms to settle scores by incumbent opposition party members. Criticisms about performance and conduct of councillors should be channelled through appropriate quarters.

A serious misgiving raised against some WCs in the district is that most of them have fallen prey to laxity, political paralysis, and ineptitude. Especially in remote rural areas, community residents entertain the notion that ward committees exist by mere rhetoric rather than deed. The state of affairs is described in the following statement:

> I was appointed as a WC member after the 2000 Local Government
> Elections to serve my ward. By then we used to meet occasionally, to
> attend to emergency issues. These days about two years now, we do not
> meet regularly as we used to do in the past. We hardly even interact with
> our ward councillor. He is just too busy looking for development projects
> to bid. These days money comes first in life.[32]

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[32] Information gleaned from an informal interview with one of the ward committee members in Maluti
District. Name withheld or purposes of confidentiality. 5-01-05.

The need for WCs to maintain regular consultations with ward councillors for purposes of addressing community demands and expectations has not been fulfilled. The truth is that 'most ward councillors are busy enriching themselves with development projects',[33] as lamented by a respondent. In this respect, the interests of ward residents seem to have been relegated to a level of secondary importance. The impression given by most elected ward councillors whom I interviewed is that the system is working effectively. However, community residents with whom I maintained regular interaction in the field present a contrasting view-point. They contend that this is an exaggeration and that, while the system is working in some wards, in others it is just not working as it should at all. According to most respondents, some WCs in the district have degenerated into incompetence and are languishing in a state of political inertia. The point is that WCs have been established throughout the district without effective mechanisms of political supervision to monitor their operations and conduct. They have been left to their own devices.

4.2.2 The WC, gender equality, and participation: re-appraisal

A condition laid down by the Local Government Municipal Structures Act[34] gives an injunction, 'for women to be equitably represented in a ward committee'. The data presented in Table 4 demonstrate that the gender ratio is equal. The ratio can be perceived as an adaptation of the ANC policy on a quota system of representation which reserves 50% of local government seats for women. This provision has filtered down not only to district and local municipalities but also to the local level through the WC.

A cross-section of WC in Ward 21 have appointed women as WC members (see Table 4). Emphasis is on ensuring a degree of gender equality and on respect for dissenting opinions which should cut across the gender divide. Female participation in WCs obviously endeavoured to avoid male dominance, which is a departure from traditionally stereotyped patriarchical preference for males over females in governance.

The TA system of local administration obviously did not endorse female participation in public affairs. Tradition has very often thrived on the basis of feminine exclusion from political and

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[33] Response to a questionnaire introduced to Mr Frans Rakaibe, Chief Education Specialist, Maluti District Education Office, and a resident of Maluti. 3-02-05.op cit.
[34] Local Government Municipal Structures Act, 117 of 1998, 73 Section 3(a) I.

administrative offices. Whenever, women played any significant role in public affairs, albeit in very exceptional circumstances, they acted as regents for minors.[35] Tradition has frowned on the notion of feminine participation in tribal administration and the courts. Traditionally, women were stigmatised as being inferior because of their gender.

The election of females as councillors in the Umzimvubu Local Municipality[36] of which the Maluti district forms an integral part can be conceived as a departure from the traditionally stereotyped concept of feminine inferiority. The new local government dispensation aimed to reverse such obsolete traditional political practices. Participation in this sense means the 'ability of disadvantaged groups in society to influence decisions affecting their lives aimed at their empowerment'.[37]

According to Mr Nyamakazi[38] 'virtually all the WCs operating in the Maluti district adhere to the 50% allocation of seats for women'. This is in compliance with ANC policy commitment towards gender equality in all institutions of governance. The statement of Mr Nyamakazi can be contested against other sources to establish its validity. Mr Nyamakazi might be acting more on hearsay rather than drawing on personal experiences regarding WCs operating in other parts of the district. Secondly, his statement can be considered to be a generalisation. The possibility that he maintained the required quota of women in his WC based on the ANC policy stipulation, although commendable, cannot be used to generalise the practices of other WCs operating in the district. His limited knowledge about other parts of the district adds doubt to his contention. Lastly, Mr Nyamakazi might have been motivated by sentiment rather than reason or logic to respond in a hasty and ill-conceived manner. As part of the local government functionary it is not a matter of coincidence or accident that Mr Nyamakazi made such a statement, in his capacity as Ward Councillor and Chairperson of a WC.

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[35] See Hammond-Tooke, WD (1995) 'Command or Consensus: The Development of Transkei Local Government. David Philip. Cape Town.

[36] The Umzimvubu Local Municipality was formed by the districts of Maluti, Mt Frere, Mt Ayliff and part of Mt Fletcher, after the 1998 Demarcation exercise. Together wth the Umzimkhulu Local Municipality, the two Local Municipalities formed the Alfred Nzo District Municipality. Interview, Mrs Gonya, PR Councillor of Maluti district. 16-07-04.

[37] Aryee, JRA(1996) 'The Measurement of Decentralization : The Ghanaian Experience, 1998-92'. *Africa Affairs, 95, p35. op cit.*

[38] Interview Mr Nyamakazi, Councillor of Ward 24 of Maluti district. 24-08-03.

Similar views to Mr Nyamakazi's are expressed by most elected ward councillors, whom I interviewed. They strongly believe the system is working effectively by following the ANC quota system of representation. However, ward residents presented a contrasting point of view. They contend that issues have been distorted by elected ward councillors.

The crux of the matter is that gender representation has been widely distorted and has given unfair advantage to a certain category of membership. Also, there is no effective mechanism to monitor the establishment and operations of the WCs. They have been left to their own political and administrative devices the deficiencies that this entails.

A survey conducted in some wards in the district revealed that most WC membership tilts in favour either of male or female members. The gender status of the ward councillor undoubtedly governs or regulates the membership of the WC, hence the over-representation of either men or women in a WC. The practice is becoming an acceptable rule, rather than the exception, across most WCs in the district. For instance, in Ward 28 in the Maluti district there are more females than males in the membership. Thus, the WC membership leans in favour of females, probably because of the presence of a female at the helm of local affairs as Ward Councillor in the person of M M Popokhane.[39] The state of affair has evoked criticisms of varying degrees. Mr Lesaoana,[40] a ward resident of Ward 28, has been vocal in his condemnation of the prevailing political system at the ward level. He expressed indignation about the current state of affairs:

> For eight out of the ten ward committee members are female, mostly of
> her (Ward Councillor's) own choice. Although these women represent our
> ward they are not truly direct representative of our ward residents in the
> ideal sense of democratic governance.

The political profile of the above WC demonstrates that gender representation has tilted disproportionately in favour of women at the expense of men. The gender status of the Ward

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[39] MM Popokhane is the female Ward Councillor of Ward 28 of Maluti district. See Table 5 showing Ward Councillors of Maluti district.
[40] Mr Lesaoana EDO, and a resident of Ward 28 of Maluti district. Interview, 1-10-04.

Councillor seems to have been a major determining factor in the election of the WC and it seems that favouritism and other unethical political practices have played a role.

A general outcome of a survey conducted in the district gave an indication that very few WCs subscribe to the democratic rule in which appointment by election rather than nomination dictates the membership of WCs.

A new draft[41] proposal on WCs has been submitted for public scrutiny and comment. Introduction of this draft shows the importance attached to ward committees as means through which participatory democracy or local democracy is promoted.

Among other things, the 'Guidelines'[42] aim to clear up possible ambiguities and obscurities surrounding the role and establishment of WCs and their internal operations.

Prescriptions of new roles to supplement existing ones include the following:

- advising ward councillors on policy matters affecting wards,
- identifying the needs and challenges that wards face,
- receiving complaints from residents about municipal service delivery, and
- Communicating information to ward councillors on budgets, IDPs, and service delivery options.

From the above, it can be seen that the newly prescribed roles and functions of the ward committees are wide-ranging, transcending the limits of their initial roles. However, WCs usually strive to operate at the discretion of municipalities as higher institutional bodies. Given the fact that institutions tend to be more dynamic than static, it is reckoned the new roles and functions would fit within the broader framework of the WCs operating in the Maluti district.

4.2 .3 Remuneration of Ward Committee members

The Structures Act (1999) leaves it to the discretionary powers of the local municipality to make administrative arrangements to enable WCs to function effectively. While no remuneration is to be paid to ward committee members, this does not prevent the council from reimbursing

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[41] Draft Guidelines for the Establishment and Operation of Municipal Ward Committees, briefly known as 'Guidelines'. See *Local Government Law Bulletin, 2004. vol. 6 No 1, p1-3.*
[42] Ibid.

committee members for travelling and other expenses. In the Maluti district, the municipal council is charged with the responsibility of providing assistance such as secretarial assistance, venues for meetings, etc.

The Systems Act stipulates that councils must allocate funds annually in their budgets to cater for community participation, with the inclusion of funds for WCs. In fact, the 10 WC members in the district as officially designated do not receive any form of pecuniary benefits like monthly stipends or otherwise, despite their contribution to WC meetings. However, according to Mr Jafta[43] 'WC members are remunerated R70 for every sitting, since some of them have to cover long distances to attend ward meetings.' This is an internal policy for travelling allowances. Considered as a form of inducement, this internal arrangement was initiated by the local municipality. In a broader context, it can be conceived of as being a major limitation since it does not have legal backing. A suggestion made is that the practice be supported by a legal instrument whereby WC members could be compensated more than for a mere travelling allowance. This might encourage WC members to perform their duties in a more satisfactory manner to the best of their abilities. It is likely that WC members could feel reluctant to attend meetings, thus the WC misses gaining views from them, especially in municipalities where payment for travelling allowance is lacking. Also, WCs could lose potential members due to financial constraints causing poor attendance at committee meetings.

Given the fact that councillors are paid monthly salaries, an extension of this benefit to WC members can be seen as a step in the right direction. The assumption is that the exercise will consolidate the position of WC members, their role in participatory governance, and decision-making processes in general at the local level.

4.2.4 Accountability and local governance of the ward system in the Maluti district.

'Accountability' is defined as the 'requirement for representatives to answer to the represented [i.e. electorates] about the disposal of their powers and duties, act upon criticisms or requirements made of them, and accept responsibility for failure, incompetence or deceit'.[44]

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[43] Interview, Mr DS Jafta, Ward Councillor of Ward 23, Maluti district. 26-07-04.
[44] See Maclean, I (1996) 'Oxford Concise Dictionary of Politics'. p1.

Accountability implies answerability. It is an indication that one has to explain or account for something to someone who has authority to assess the account and allocate praise or censure.[45] In effect, accountability carries an obligation, and means that one is answerable for carrying out assigned duties and exercising discretionary powers.

In the context of public service, the concept and practice of accountability is expected to make public officials responsible for their actions or lack of action.[46]

A further elaboration of the notion of accountability is given by Rasheed[47] in the following:

> Within the framework of the modern state, accountability is supposed to make government transparent, emphasise and enhance governmental responsiveness and legitimacy, and improve public service efficiency and policy implementation.

Accountability ensures that councillors become 'sensitive and responsive to the needs and conditions of citizens'.[48] The ward level is unequivocally meant to address the issue of accountability. However, it has been destroyed by virtue of the fact that membership in the WC is mostly the popular choice of ward councillors, rather than ward residents. In a more recent interview, Mr Lesaoana[49] of Ward 28 makes the following claim:

> We have a Ward Committee. However there is a serious flaw in that committee in that members were hand-picked by the Ward Councillor, especially people of her favourite. They were never elected. Actually there was nothing democratic about representation since members of the ward committee were never the popular choice of the community.

The implication of this state of affairs is far-reaching. The establishment of a WC is meant not only to promote participatory democracy at the local level but also to render members accountable to their ward residents. However, the political virtues of participatory democracy and accountability can only be realised if members of a WC are democratically elected by the ward residents. Given the current scenario, it can be stated unequivocally that accountability has

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[45] Aryee, RJA (1987) op cit.
[46] Rasheed, S (1996) p128, op cit
[47] Rasheed, S (1996) p 130. ibid.
[48] Bayat, et al (1999) p 34 op cit.
[49] Mr Lesaoana, EDO and a local resident of Ward 28 of Maluti district. Interview, 1-10-04. op cit.

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remained a remote possibility since membership was never a democratic outcome, governed by the democratic principle of an election. Since membership remains subject to the choice of the ward councillor, members of the WC are likely to become accountable more to her rather than to the ward residents whom the members are supposed to represent democratically. The WC could become a manipulative tool of the ward councillor to further her political ambitions. Essentially, WCs could become bodies containing only political 'yes-men'.

Constructive criticism and its use in political debates is rare, especially in the area of dispensing basic services. Representation and accountability are important elements which can either make or mar democratic governance at the local level. Further probing into the issue of accountability and representation revealed an acute sense of political apathy in local communities. They were not very co-operative and responsive to numerous calls to gear themselves for an election of potential candidates to form a WC. When all avenues to exploit consultative mechanisms had failed, the Ward Councillor was forced by necessity, rather than choice, to resort to nomination as the only option for the appointment of members of the WC.[50] Be that as it may, as long as local communities remain apathetic and less responsive to shoulder their civic responsibilities that involve political issues, debates, and discussions, participatory democracy with its concomitant consultative democracy will remain a pipe-dream. In this respect, democracy would exist by mere default, comprehensively flawed.

In recent times, international attention on governance has focused primarily on the issue of accountability and responsibility. NGOs stand accused if they fail to discharge their duties as watch-dogs over the conduct and performance of politicians and other public officials entrusted with responsibility. As politicians and other public officials discharge their duties, they should endeavour to meet some basic requirements. Deviation from these requirements implies failure. To merit acceptable standards, ethics demands that public officials uphold a degree of accountability. Accountability thus carries with it a moral obligation. In addition, accountability renders governments at whatever level transparent in their day-to-day interaction with the electorate.[51]

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[50] Information divulged to me by MM Phophokane, Ward Councillor of Ward 28 of the Maluti district.
[51] Rasheed, S (1996) p130. op cit.

Accountability of government enables it to come to grips with everyday challenges confronting rural communities on how to devise tangible solutions in the form of economically viable policies and programmes to meet these challenges. Accountability is thus indispensable in effective governance. It serves not only as a major indicator or index to measure acceptance of governmental policies and programmes but also demonstrates in practical terms how political leadership responds to the needs of its constituencies.

A corollary of political accountability is responsibility. Accountability renders leaders responsible and less likely to ignore election promises, which would become meaningless otherwise. Bratton and de Walle[52] refer to unfulfilled promises as 'empty electoral rituals.'

The Local Government Municipal Structures Act, 1999, makes provision for built-in mechanisms of accountability and responsibility, which find expression in the establishment of wards. The ward system is made more effective with the adoption of decentralisation as the national policy for local administration which creates the possibility for councillors to render themselves accountable to ward constituencies.

Proximity to ward communities is deemed sufficient to enable interaction to take place on a regular basis between ward residents and ward councillors.[53] Such meetings or face to face interactions present significant opportunities for ward residents to question actions of ward councillors. The communication gap between ward residents and councillors is essentially narrowed.

Given the fact that ward councillors are drawn from the ranks of ward residents, it is vitally important that councillors attend meetings regularly. At such meetings, dissenting opinions can be exchanged, eventually forming the basis of consensual decision-making. Consensual decision-making is the underlying factor, or criterion for good local government. Built-in mechanisms like *izimbizo* (face to face interaction between ward councillors and ward residents held at least once

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[52] Bratton, M et de Walle, (1997) op cit.
[53] Section 73(23) of the Municipal Demarcation Act (1998) , op cit.

a month)'[54] in some wards in the district tend to promote a degree of accountability and responsibility.

Espousing a degree of traditional governance, ward systems can be equated with the *kogtla* and the *ibandla, or imbizo,*[55] in which systematically consensus building takes place after a prolonged and sustained debate by all interested parties at a gathering[56]. To accommodate traditionalism in the modernisation processes in governance, the ward system of local administration takes into consideration diversity and dissenting opinions and views. In this way 'formal procedures are played down in favour of popular enthusiasm'.[57]

The ward system of administration upholds the principle of the importance of government closest to the people, and answers the criticism that 'leaders seemed too remote, they could not be controlled and they did not consult or inform the electorate before they acted'.[58]

A parallel institution of governance patterned alongside South Africa's ward system are the Village Development Committees (VIDCOs) and Ward Development Committees (WDCs) of Zimbabwe and Botswana respectively, established to facilitate greater community participation and co-ordination of development. VIDCOs and WDCs are also referred to as Village Assemblies especially in Zimbabwe.[59] As established institutions of governance, these bodies function under the auspices and custodian of the traditional leadership who 'preside over elected VIDCOs and WDCs'.[60]

Significantly, the presence of TLs as presiding officers of these committees largely undermines the prospect of democratic governance. The state of affairs has proved to be counter to democratic mechanisms. However, a closer look at the Zimbabwean system demonstrates a

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[54] Response to a questionnaire by Mr Frans Rakaibe, 3-02-05. op cit.
[55] Assemly of communities organised under the auspices of the chief in which important messages are discussed. Ibanda or kogtla, could also mean the traditional court, in Xhosa and Tswana languages, respectively.
[56] Hammond-Tooke, WD (1995) op cit.
[57] Bayat, et al (1999) op cit
[58] Hill, DM (1974) 'Democratic Theory and Local Government'. London, George Allen and Unwin Ltd. p37.
[59] Keulder, C (1998) 'Traditional Leaders and Local Government'. HSRC, Pretoria.
[60] Keulder, C (1998), p289. ibid

hybridisation or blend of traditionalism and modernisation processes at work in local administration i.e. elected members and the traditional leadership who derive their source of authority by ascription rather than electoral rule. An intricate balance is thus maintained between traditionalism and modernisation processes albeit in a very precarious and delicate manner in which so - called democracy is operates under a centralised authority, the very antithesis of democracy and a decentralisation paradigm.

The presence of traditional leadership playing an important role in local administration also suggests that the Zimbabwean system is largely quasi-democratic. A general perception is that it compares less favourably with the South African system in which WCs are predominantly composed of elected members chaired by elected Ward Councillors under the new local government dispensation.

Under the new South African local government administration, the adoption of certain key traditional concepts like the *imbizo*[61] emerges paramount in governance. They serve as an integral part of the new local government functionary.

Another area of concern is that in South Africa, wards are stigmatised, even though they are statutory bodies which are decentralised and have constitutional safeguards. Paradoxically, the Zimbabwean system of local government institutions demonstrates that they are largely non-statutory bodies with their activities extensively curtailed and constrained by 'lack of decentralised authority and power'.[62] Evidently, there is widespread central control which has been a major cause of discontent. Given the fact that most elected local councillors are direct appointees of the ruling government headed by Robert Mugabe, the implication is that local government operates under orders of the incumbent government. Councillors in such institutions of governance like the VIDCOs and WDCs at the local level obey the government's wishes. Excessive central control has become the hallmark of local governance in Zimbabwe which renders democratic self-government impossible.

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[61] Political gathering which gives local leaders the opportunity to interact with communities in a face to face approach. It is an attempt by local leaders to diagnose the problems confronting local communities.
[62] Keulder, C (1998)'Traditional Leaders and Local Government'. HSRC. Pretoria. p294. op cit.

4.2.5. The Ward Committees: checks from higher authorities and balances from below

The Local Government Municipal Structures Act[63] empowers metropolitan or local municipalities to establish WCs with the aim of promoting participatory democracy in local government. In pursuit of its objectives, the Structures Act of 1998[64] charges metropolitan or local municipalities with the responsibility to make administrative arrangements for WCs to perform their functions in an effective manner. Notwithstanding the functions and roles, WCs are subject to direct control by municipalities to the extent that they could 'dissolve a ward committee if the committee fails to fulfil its objectives'.[65] The implication is that the powers of WCs cannot transcend certain limits; otherwise they run the risk of a possible dissolution by municipalities. The provision that, ward councillors are appointed *de facto* and *de jure* by the chairperson, of WCs leaves much to be desired. To begin with, very powerful and influential ward councillors can exert profound influence over committee proceedings and deliberations at meetings by means of unconventional and unorthodox methods through cajoling, persuasion, lobbying, or engaging in acts of demagoguery ostensibly with the aim of deflecting/diverting the course of decisions in their favour. In this way, the mechanism of community participation in the affairs and issues that affect them is considerably undermined or seriously jeopardised. In the long run decisions are arrived at in a biased way and consensus-building fails to reflect the general will in ward communities. Decentralised decision-making fails to achieve the desired results and becomes rare. A suggestion is that an alternative arrangement could be put in place in which ward councillors play a ceremonial role, i.e. the role of overseers or umpires on WCs. They would be observers more than participants. Appointment of an approved member by election as chairperson from the rank of the WCs on a rotation basis should be given a priority.

 WCs possess certain overriding powers. As governed by organisations and other interest groups, WCs could put pressure on ward councillors. WCs together with ward residents acting in a concerted effort could force ward councillors to resign by exercising a vote of no confidence as indicated by Steytler and Mettler.[66] The appointment of a ward councillor is revoked, prompting the need for holding a by-election to elect a substitute to fill the vacant position created.

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[63] The Structures Act, 117 of 1998; Part 4; ss72-78.
[64] The Structures Act, ibid.
[65] The Structures Act, ibid.
[66] See *Local Government Law Bulletin, vol. No 1. April, 2000.*

Limitations placed on the tenure of office of ward councillors imply that they should maintain harmonious working relationships with WCs and ward residents based on mutual respect for others' viewpoints in democratic governance.

So far, built-in mechanisms of checks and balances ensure that both councillors and WCs maintain a degree of goodwill and integrity in governance at all times. None is in a stronger bargaining position to override decisions of the other in governance.

4. 3 Participation of PR councillors in WCs

The Structures Act[67] makes it crystal clear that a PR councillor has no formal standing in the WC, and may not be a member of such a committee. The ward councillor as a chairperson is in charge of the committee. However, at the discretion of the council (i.e. the local municipality) a policy setting out the participation of PR councillors as non-members in the WC may be conceived. For example, should a council decide to allocate a PR councillor to a ward, it may determine that such a councillor participates in an ex-officio capacity in the proceedings of the WCs. The emphasis is placed on avoiding duplication of duties and functions between the PR councillor and the ward councillor.

The ward councillor as the elected representative of the ward should have a major say in the affairs of the community without interferences by the PR councillor. The guidelines of inter-governmental relations should be adhered to at all times at all levels of government. This would ensure democratic governance since PR councillors are appointed by nomination through the PL system rather than election by local communities. Mrs Gonya[68] gives further clarification:

> The ward councillor represents the ward and serves as chairperson of ward committees, but the PR Councillor who serves in an ex-officio capacity represents the political party. He or she is answerable to all matters pertaining to this political party in the ward committee. His presence in the committee is very important.

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[67] See Local Government Municipal Structures Act, 1999.
[68] Mrs Gonya, op cit

The views that have been presented above are a clear indication of the shades of difference between a Ward Councillor and a PR Councillor. While the Ward Councillor is elected directly by ward residents in a particular community, the PR Councillor is elected indirectly through the PL system.

In South Africa, the importance of ward administration can be judged by the composition of local municipalities. A prerequisite qualification is that local municipalities be composed of 50% ward councillors, independent or nominated, and 50% PR councillors.[69] The emphasis is not only on striking a balance between appointment by nomination through the PL system and appointment by election but also ensuring that minority parties are also given representation in municipalities through the PR system of electoral management.

The mechanism promotes widespread community participation not only from a monolithic political party but also from all parties which participated in the election through the PR system, based on their voting strength in the election.

4.4 The Maluti district and ward administration: resistance, confrontation, and some compromises

Resistance to ward administration is inextricably linked to the demarcation programme initiated by the MDB for the 2000 December LGMEs. Although the LGME is over, agitation occurring at the time continues, albeit in the background. Lack of co-operation in the face of demarcation has continued, far into the post 2000 LGMEs in some wards in the district. Measuring the levels of resentment and resistance that chiefs and other TLs felt against the demarcation exercise has become a major preoccupation of this section. Although some compromises have been achieved in certain respects, perception of demarcation is largely negative in the minds of chiefs and other TLs.

The Maluti district as a case study fitted well within the current discussion, given the fact that its rural background allowed the TLs to play a significant role in the apartheid inspired local administration of the Transkei under the BA system.

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[69] de Visser, J et al (2000)'Electing Councillors – A Guide to Municipal Elections'.

Before the introduction of demarcation, the Maluti magisterial district consisted of 10 TAs. Heads of TAs were *de facto* either chiefs or headmen, known collectively as TLs. The demarcation programme in the Maluti district resulted in the district being delineated into 15 local government units called wards. Taking cognisance of the fact that administratively, 10 TAs were reconstituted into 15 wards, the implication is that wards were demarcated in such a manner that they cut across rather than followed tribal boundaries. This raises a strong possibility that some wards have overlapped TA boundaries. A political residue of the exercise is that some chiefs are likely to experience considerable erosion of their powers and authorities because they stand to lose a substantial number of locations or localities.

Expressing his misgivings, Chief Sibi[70] said:

> Demarcation exercise that is taking place will reduce one's responsibility and powers because some of the localities that used to be mine have been transferred to another chief. Yes it will reduce the powers of chiefs and other traditional leaders because community residents will not know where to draw the border line. They will have no options but to rely on local government for services previously rendered by their chiefs. Demarcation is an attempt to reduce our status and responsibilities as chiefs.

Growing dissatisfaction by chiefs and other tribal leaders with demarcation can be seen in this context. Anxiety on the part of chiefs can hardly be dissipated when viewed against the background that the power chiefs wield is measured by the numerical strength of localities they operate in. The greater the number of localities, the greater the latitude of chiefly powers and authorities in rural communities. Subsequently, reduction of the number of localities by whatever means implies a corresponding reduction of powers of chiefs as perceived under ward demarcation.

Miss Lulama[71] reflects the aggregate views chiefs harbour towards demarcation:

> The resistance of chiefs towards ward demarcation I sincerely believe is based on fear of their powers and the boundaries of their areas, i.e.

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[70] Interview conducted with Chief Sibi of Maluti district, Nov. 2000.
[71] Assistant Administrative Officer, Maluti TrepC, 1994-2000.

locations and administrative areas. They fear that their powers would be taken away and their boundaries altered by demarcation.

Chief Sibi again says: 'The demarcation exercise that is taking place is reducing ones's responsibility and powers, because some of the localities that used to be mine have been transferred to another chief '.[72]

The above confirms the assumption that demarcation has affected the position of TLs by reducing their powers. In essence, 'locations which held together the strand of constituted administrative authorities under the magisterial system of local administration have significantly lost ground in the face of the new local government dispensation'.[73] The unity of tribal entities has been significantly impaired.

On the possibility that Chiefs and tribes could benefit from the new political arrangements taking place under demarcation the response of Chief Magadla[74] was negative:

> I do not think Chiefs and tribes will benefit from the demarcation process. The only thing will be lot of confusion among our people. Instead of benefiting they will lose their tribal identity because they will feel like strangers in a foreign land forced to serve under those new Chiefs.

As a result of ward demarcation, seeds of distrust were planted in the minds of chiefs. But Sutcliffe the chairperson of the MDB maintains that 'demarcation is about the determination of the jurisdiction of municipalities, not about the redrawing of political borders over traditional land '.[75] However, the chiefs do not agree with Sutcliffe. Chiefs have generally been sceptical and apprehensive of demarcation and doubted its wisdom. They considered demacartion to be a smokescreen to conceal the real intention of the new administration and its attitude towards the TLs.

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[72] Interview conducted with Chief Sibi of Maluti, Nov. 2000. op cit.
[73] Interview, Mr Andile Gwiji, a Tribal Authority councilor. An ardent supporter of the Tribal Authority system. 5-04-00.
[74] Interview, Chief Magadla of Maluti district, 3-05-00.
[75] See Jubie Matlou, 'Chiefs face Thabo Mbeki over Traditional Lands'. *Mail and Guardian' newspaper. January 28- February 3, 2000.

The word 'demarcation' has thus attracted mixed responses from different quarters despite its universal application to contemporary South African local government development. To different people the word conveys different meanings and substance. Within the rank and file of democratically minded youth, i.e. potential ward councillors, the word gained much currency and attracted rhetoric. They regarded demarcation as a safeguard against entrenched traditional authority which in most cases has been thoroughly authoritarian. For TLs 'demarcation' became a hated term by chiefs acting collectively through CONTRALESA,[76] as an umbrella organisation.

Fears, apprehensions, and doubts by chiefs and TLs cannot be construed as being misplaced. They perceived demarcation to be a major erosion or curtailment of their power, as substantial evidence from history has clearly demonstrated.[77]

Chiefly grievances can be summarised in the following way: TLs feel somewhat marginalised, hence not sufficiently equipped with adequate mechanisms for consultation through which they could air their grievances and put forward views and opinions on demarcation. Hence they

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[76] CONTRALESA : An abbreviated form of 'Council of Traditional Leaders of Southern Africa'. See Bekker(1991); *African Insight, Vol 21, 1991*; Keulder, C(1998).

[77] Historical evidence sufficiently supports the fact that **demarcation** is not a new invention in local administration. Its origin can be traced down to the Council-Magisterial system of local government development during the second half of the early 19th Century when the Transkei was progressively annexed by the British. See Breytenbach, WJ (1976). In fulfillment of certain basic tenets in local administration conscious efforts were made by the colonial authorities in the Transkei to '**demarcate** locations as basic administrative areas, and to appoint paid headmen in them, in a deliberate attempt to destroy chieftainship'. Jackson (1975) p1. As emphasised by Appiah, GWK (1994) the location featured as a 'demarcated area, in charge of a headman who was first elected by community members'. Charton, N(1976) also subscribed to the notion that 'the essential unit of the local government was the "Location", in charge of an elected Black headman'.

From the views so far articulated, the phrase "elected" headman emphasized that **democracy** was the underlying factor in the Council-Magisterial system of local administration. Given the importance attached to **demarcation** and **democracy** in the Council-Magisterial system, their application registered a profound impact on the powers and authorities of Chiefs. For instance, the application of demarcation in the face of the Council-Magisterial rule significantly 'did not coincide with the erstwhile chiefdoms but cut across their boundaries'. Charton, N (1976). Like the current local government restructuring, both **demarcation** and **democracy** have since become an abominable neologisms in the vocabulary of the chiefs.

Under the new local government restructuring, **demarcation** and **democracy** have been looked upon as constituting the backbone of the old Council-Magisterial system, meant to destroy their powers, thereby relegating them to a position of insignificance. To the Traditional Leaders (TLs), **demarcation** constituted the old Council-Magisterial system in disguise - the proverbial old wine in a new bottle, a subterfuge to dislodge them from power. Viewed against this background is the fact that **demarcation** could cut across chiefdoms and locations, i.e. Administrative Areas (AA), through the application of the **ward system,** as **decentralised** units under the new local government transformation along **democratic** lines. Suffice it to say, as headmen became the preferred option in local administration under the Council-Magisterial system, so would **democratically elected** ward councillors in contemporary local government transformation.

considered it 'within their powers to demand further consultation'.[78] The implication is that the government through inner demarcation i.e. ward demarcation, has waged a campaign of witch-hunting behind the scenes, aimed at ostracising and alienating the chiefs from levers of local administration. In addition, there was a growing fear of political insecurity which implied loss of authority, influence, and social prestige. Chiefs rejected the 20 % representation offer accorded them by the government, though it meant a substantial increase from the existing 10% representation in local administration during the transition order. Given the fact that TLs had co-operated with 10% representation, it was surprising that the 20% representation was rejected, as was the case with the Maluti TrepC. Chiefs were probably nursing strong feelings of optimism that the post-transition era would articulate their concern and interests. They felt disillusioned when the processes involved in the LGMEs were revealed and matters proved contrary to their expectations. The TLs never hesitated to scorn the 20% proposal by the government in terms of representation, when they became apprehensive that the post-transition era would usher in a fully-fledged democratically elected local administration without direct participation of the traditional leadership.

In the turmoil there was an ugly exchange of words, especially between demarcation officials and the traditional leadership. This culminated in reported cases of intimidation and scores of assassination attempts which eventually succeeded in claiming the lives of six people in the Flagstaff and Lusikisiki areas of the Eastern Cape Province.[79] In the Maluti district, although there were no obvious incidents of assassination, the sudden death of some leading members of SANCO in very strange circumstances was alleged to have been engineered by the traditional leaders through casting spells on them.[80]

The TLs looked upon SANCO as constituting a major threat to their political aspirations in the district. They had initially accused the SANCO leadership in the district of co-operating with demarcation officials. On several occasions these accusations resulted in open confrontations.

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[78] Mcebisi Ndletyana, 'Chiefs in a quandary', *SOWETAN, newspaper. 14-02-00.*
[79] See 'Mail and Guardian' Newspaper, January23-February 3, 2000.
[80] Among the dead was Mr Jonase, the chairperson of SANCO, Maluti district Branch. Information gleaned in an informal interview with a local resident. Name withheld for purposes of confidentiality. 24-03-02.

The amount of hostility TLs nursed towards demarcation by the chiefs cannot be overstated. Popular opinion had it that chiefs were merely hiding behind demarcation not only to protest their loss of power and territory (i.e. constituency), which conceivably is the direct consequences of demarcation but also to use the demarcation programme as a reason to demand more constitutional powers. The position or status of chiefs remains a constitutional matter, demanding the introduction of amendments to the constitution.

To shed further light on the issue, Sutcliffe, the Chairperson of the MDB, intimated in an interview that the concerns raised by traditional leaders that new municipal structures would undermine their authority related more to the position of chiefs as a constitutional matter and less to demarcation. Venting anger and ill-feeling against demarcation by the TLs is not only a misinterpretation of facts but also a misdirection of energies towards a wrong cause.

The crux of the matter is that chiefs were not the only people who seemed to have been profoundly affected by demarcation. Some prospective candidates for the 2000 LGMEs were affected by ward demarcation in the Maluti district. In an interview with Mr Clifford Mabutyana[81] the following views transpired:

> You see, initially I stood on the ticket of Ward 23. Unfortunately towards the run-up to the LGMEs my constituency was divided under the demarcation programme. I lost my supporters, hence I lost as an Independent candidate because I became a total stranger in the new Ward where I eventually stood as a candidate. But you see, it was one of those dirty tricks played out there by the ANC.

The argument that ward demarcation had limitations is valid as demonstrated by the views expressed by the incumbent political actors with whom the writer established contact. Demarcation in certain respects profoundly altered the outcome of the 2000 LGMEs as the case of Mr Mabutyana[82] clearly demonstrates.

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[81] Interview with Mr Clifford Mabutyana; an Independent Candidate of the LGMEs, 2000. He contested the LGMEs, December 2000 in Ward 23 of Maluti district. At a later stage Ward 23 was changed to Ward 22. He conceded defeat, possibly as a result of the sudden changes introduced by the Municipal Demarcation Board (MDB). 8-01-01.
[82] Interview with Mr Clifford Mabutyana, 8-01-01. ibid.

Chiefs in the new dispensation in South Africa are likely to lose a substantial amount of respect and status. Notwithstanding the fact that chiefs have been playing a pivotal role in local administration for 150 years,[83] local communities continue to exhibit signs of poverty, want, and socio-economic deprivation. The perception of a ward councillor[84] recorded in an informal conversation about chiefly resistance to the demarcation programme is that 'chiefs fear democracy and development. Our communities are still less developed, a fact that chiefs and other tribal leaders do not want to accept'.

As a major preoccupation of present local administration, councillors believe that the situation of underdevelopment in rural communities can be addressed through democratisation of local administration. Democracy and tradition have, however, repeatedly been referred to as being incompatible. The two institutions cannot operate effectively in the same political environment especially at the local level. One should take precedence over the other. The situation is tantamount to the proverbial saying: ' Two bulls cannot live in the same kraal, they will always fight for supremacy'.

Given the fact that chiefs allowed themselves to be pulled into the orbit of the apartheid local administration, they are very vulnerable to the emerging democratic transformation at the local level. Transformation and democratisation imply the mobilisation of all structures and institutions to ensure adequate consolidation. The process will be considered incomplete if certain institutional structures remain outside the democratic system. In the face of ongoing democratisation and accompanying transformation processes, it is vitally important that chiefs become more integrative and adaptive to the changing political environment.

A turning-point in the political landscape is the positive role chiefs are playing by co-operating with newly elected ward councillors as recent development has confirmed. Concerning co-operation, Mr Nyamakazi[85] states:

> At ward level our chiefs have voting rights. They have been participating
> fully in the decision-making process by exercising their democratic rights
> to vote on all issues. After every ward meeting, we (i.e. the ward

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[83] Marlianne, M(2000) 'Mail and Guardian', newspaper, April 6. 2000.
[84] Name withheld for purposes of confidentiality.
[85] Interview, Mr Nyamakazi, Councillor of Ward 24; 24-08-03. ibid.

councillor together with WC members) have a caucus meeting with our Chiefs and Headmen. The aim of such meetings is to clear ill-feelings. TLs in our community may harbour (what?) towards the new local government system and governance at the local level.

The above statement indicates that chiefs in Maluti district have become part of the decision-making process by voting on issues. Co-operation with ward councillors has been good.

However, the attitude of CONTRALESA towards the new stance taken by chiefs in the district has been quite negative. Chief Magadla[86] in the district expressed his dissatisfaction in the following way:

> At both Provincial and National levels Chiefs and Headmen have been co-operating with the government at all levels. There is no sense in why we should be made a scapegoat and be advised not to co-operate with the government at the local level. We see this as tantamount to naked betrayal of the confidence bestowed in the CONTRALESA leadership.

It is clear that chiefs and the tribal leadership in the Maluti district believe co-operation of chiefs at the national and provincial levels should translate itself into co-operation at the local level. They contend that the question of co-operation should not be sacrificed at the expense of chiefs at the local level but that in its broader context should filter through all levels of the administration, national or provincial. That CONTRALESA leadership is seen as reactionary and a stumbling block in the progress towards the achievement of co-operation with the government at the local level, cannot be gainsaid. Analysis reveals that chiefs and the tribal leadership in the Maluti district have been co-operating with the new government at the local level through their elected ward councillors, albeit against the wishes of CONTRALESA. The emphasis is on ensuring democracy and development at the local level. Co-operation of the chiefs and the TLs in the Maluti district can be seen as a major break-through in democratic governance at the local level.

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[86] Interview, Chief Magadla, 3-05-00. op cit.

The assumption is that co-operation from the chiefs and their rallying behind ward councillors will change mind-sets and re-draw the political contours of the district and transform it in terms of governance and economic development. A strong possibility is that economic development can thrive best in a congenial political environment.

It certainly seems that the politics of confrontation between the chiefs and the demarcation programme that took centre-stage on the local political scene is giving way to politics of negotiation and consensus-building at the local level after the 2000 LGMEs. Despite the negative perceptions of demarcation in the minds of TLs, it seems to have contained certain benefits.

To begin with, demarcation created quite a conducive atmosphere for inclusion of other political parties in the district to freely canvass for support during the December 2000 LGMEs. Previous 'no-go-areas' regarded as the exclusive preserve of some political parties in which some chiefs acted as custodians on behalf of these parties, were able to record significant achievements in competitive politics. The breakdown of such political barriers as a result of wards cutting across rather than along tribal boundaries has enabled multi-party competitive politics to flourish. The demarcation exercise thus succeeded in largely neutralising anticipated forces of conflict and laid a foundation for a way forward in the process of local government development.

The above substantially explains why the December 2000 LGMEs recorded far fewer or no instances of intimidation, repression, and politically motivated assassinations in potentially volatile areas in the country compared with the first local government elections of 1995/1996 when the political environment was marked by many intimidations and assassinations, especially in certain parts of the Eastern Cape and KZN.[87]

The success of the 2000 LGMEs can partly be attributed to the demarcation exercise.

4.5 CONCLUSION

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[87] Johnson, RW et Schlemmer, L (1996) edts. 'Introduction: The Transition to Democracy', in 'Launching Democracy in South Africa – The First Open Election, April 1994. op cit.

A number of objectives proposed by the Windhoek Declaration stipulates the following on 'African's vision on Decentralisation': [88]

- Decentralisation should be to sub-national governments which are representative of and accountable to all sectors of the local population, including marginalised and disadvantaged groups.

- Decentralisation should be to the levels of sub-national governments and institutions which enable effective community participation in sub-national governance.

- Government to, by, for, and with the people at sub-national levels is considered one of the pillars stabilising and sustaining democracy in society.

- Decentralisation as a principle should be entrenched in the constitution.

As a constitutional construct, the establishment of wards in the new local government dispensation fulfils a substantial part if not all the objectives envisioned by The Windhoek Declaration.

In addition, the establishment of wards best reflects the most intriguing questions often asked about governance and the challenges raised by it at the local level, especially in the new dispensation. To this end wide coverage has been given in this chapter on wards as indispensable local government entities based on the conceptual framework of democracy, decentralisation, and participatory governance.

 In fulfilment of these functions, wards ensure sufficient local participation and also engender widespread interaction between elected ward representatives and communities in a more democratic and sustainable manner. Wards can be seen as a radical departure from erstwhile TA systems in which tribal leaders dominated the local political landscape at the expense of community participation, failing in the process to promote local democracy and development.
In addition, wards create conducive environment for communities to contribute to local action in managing their own development, claiming their legitimate rights, and exercising their responsibilities, thereby inculcating a culture of self-reliance. Wards also aim at addressing the backlogs in development left by apartheid in the field of effective planning at the local level

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[88] See 'Local Government Law Bulletin', vol 2 No 2; June 2000.

which to all intents and purposes feeds into spatial municipal planning systems like the IDP and LED formulations.

Numerous references made to ward administration in the chapter not only reinforces the importance of the system but also implies that evolution of a viable local government entity should take cognisance of local concerns, both economically and politically, thereby stimulating a bottom-up process in which decentralised decision-making emerges paramount in local governance.

In support of the views postulated above, it can be said that the introduction of wards in the local government invariably resulted in certain positive rewards, subsequently leading to many challenges for MDB. As a body mandated with the responsibility of drawing ward (inner) boundaries throughout the country, the MDB found it extremely difficult to meet the challenges and demands imposed by the chiefs and TLs since these demands fell within the authority of the constitution, hence demanding constitutional solutions.

Failure on the part of the MDB to meet community demands changed perceptions about the entire demarcation programme, especially regarding issues around the revision of existing apartheid borders which were found to be a handicap, and reminiscent of events of the ugly past. Confidence inspired by the MDB at the early stage of its operation began to fade. On several occasions, the Board chairperson defended the MDB, not only to instil public confidence which had seemingly dissipated but also to direct attention to other issues confronting the board.

Matters reached critical proportions when some disgruntled communities took the law into their own hands. The flashpoint was the assassination of six men caught in border skirmishes in the Bizana-Lusikisiki-Flagstaff districts of the Eastern Cape, an event which captured media headlines.[89] The bloodshed that accompanied ward demarcations depicted to a large extent how local politics could at times turn ugly based on misconceptions or misinterpretations of government policies, especially in the face of a transition order. In Maluti, factional groups

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[89] See Kirk, P et Matlou, J (2000) ' Boundary clashes leaves six dead'. 'Mail and Guardian' newspaper, January 21-27, 2000.

emerged in a power struggle and were bent on tearing apart existing tribal communities as a result of opposing views and perceptions projected about demarcation.

Traditional rulers were not left unscathed. Like their subjects, they joined the fray to oppose demarcation. Apart from complaining about loss of territory, power, and prestige they regarded themselves as innocent victims being pushed from the core to the periphery of local administration. This notion was reinforced by the fact that the MDB laid strong foundations for democracy and decentralisation in local governance. Superimposed on decentralisation and democracy is development which would feature essentially as by-product of the two elements.

The key concepts - demarcation, decentralisation, and democracy can be conceived of as being building blocks of the new local government dispensation, and they are likely to offer potential support for local government development. However, the development of these institutional structures of governance, were resented by the traditional leadership in the initial stages of the demarcation programme. A commonly held belief was that democracy and traditionalism, i.e. chieftainship, are incompatible.

A suggestion that can be put forward is that traditionalism should undergo a process of rejuvenation to become more adaptive and accommodating to meet the demands and challenges of the transformation and democratisation processes currently taking place in South Africa. Traditionalism has been under difficult condition during the present transformation and democratisation processes as will be discussed in the next section of the study.

Traditional rulers viewed ward demarcation and democracy as political anathema to tribal authority systems which bolstered their position as key functionaries in local administration. Through CONTRALESA, they were very critical of the MDB and threatened to boycott the 2000 LGMEs. Given the urgency of the matter, governmental intervention was considered the best option not only to save the LGMEs from degenerating into anarchy but also to maintain wide consultative mechanisms in a free democratic environment. A series of meetings organised between government officials and CONTRALESA ended in numerous deadlocks, and a solution seemed a remote possibility. Although TLs and their communities participated in the LGMEs

without any electoral problems, the underlying problems remained systemic and intractable. The chiefs and other TLs in the district rallied round CONTRALESA and threatened to boycott participation in the local government structures including ward institutions.

Given the above shortcomings and problems faced by the MDB, it achieved notable success by laying a strong foundation for the 2000 LGMEs through the establishment of wards. Above these wards, the Independent Electoral Commission (IEC) could conduct the 2000 LGMEs with optimism. Wards do not only fulfilled electoral requirements as voting stations but also created congenial platforms for candidates to contest the elections either as independents or party nominees.

In the next chapter, the focus is on the preliminary preparations made towards the conduct of the 2000 LGMEs. Some of the salient issues to be tackled will be 'Voter Education,' considered to be crucially important for the electorate, especially rural communities. Whilst emphasis was on ensuring free and fair elections devoid of fraud and other malpractices, generally the election was a step closer to consolidation of local government in the Final Phase of local government transition devised by the LGNF in 1993. In this context, the creation of wards can be seen as the democratic structures through which local government consolidation could progressively occur.

CHAPTER FIVE

DEMOCRACY AND ELECTORAL PARTICIPATION IN GOVERNANCE: REFLECTIONS ON THE 2000 LOCAL GOVERNMENT MUNICIPAL ELECTIONS IN THE MALUTI DISTRICT

5.0 INTRODUCTION

The Municipal Demarcation Board introduced far-reaching changes in the political landscape of the Maluti district through its process of inner (ward) demarcation. The Board laid a strong foundation for the 2000 LGMEs to take place, based on ward delimitations. It enabled communities to stand for elections as ward or PR candidates and to keep local communities politically conscious of their role as 'political animals'[1] by participating in local elections. In this way, the election was meant to conclude a chapter in local government development that began almost a decade after its inception in 1993.

The hypothesis of the chapter is set against the background of the above and other related issues by reviewing elections, methods, and strategies employed to lay a formidable groundwork for the December, 2000 LGMEs that took place in the Maluti district. Most of the facts presented in the study have been generalised. The approach is to draw specific evidence from broad generalisations and their application to local level politics in the district.

An election as an important political phenomenon comes into sharper focus, as a means to present programmes and policies of various contesting parties to the electorates and as a means through which community participation is promoted in local governance. Before the election - day ground rules are laid down by the IEC. The role of the IEC at this juncture assumes greater public importance. In the study, the attempt by the IEC to engage potential voters and offer orientation programmes in voter education aimed at creating an atmosphere of voter consciousness is given much consideration.

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[1] Aristotle: 'The Politics. Translated with an Introduction by Sinclair, TA (1977). Penguin Classics, p28.

In the final part of the study, the notion is put forward that an election is perceived not only as a means to translate votes into seats but also as a means to translate policies of political parties into concrete fulfilment of the needs and expectations of rural communities through service delivery. The winning party at the local level is thus confronted with the huge responsibility of delivering services as promised. The assumption is that finally the incumbent government is measured by what it can offer rural communities in terms of tangible and concrete fulfilment of service - delivery promises.

5.1 ELECTIONS, VOTER EDUCATION, AND THE VOTING PROCESS

5.1.1 Election and the democratisation project

An essential feature underlying the recent democratisation crusade in Africa has been a recourse to the ballot box, signalling a departure from the rule of the 'khaki boys' (i.e. the military regimes epitomised by the bayonet or barrel of a gun), and one-partyism, which held most countries to ransom for almost three and a half decades. African regimes acquired a notorious reputation in a continent traumatised by scores of human right abuses, political instability, and economic decay. Volumes of publications in recent times highlight the extent of the irreparable damage inflicted on the continent by unpopular regimes, the cost of which has been incalculable.

A solution to the list of problems confronting the continent demands careful introspection into its ugly past. An interesting observation is that the repressive apartheid system in South Africa coincided with repressive authoritarian one-party regimes and military juntas elsewhere on the continent, fuelling and orchestrating a continuous struggle for political change, undoubtedly along democratic lines.

The need to inculcate a democratic culture seems unarguable, since its rejection has had devastating consequences. The call for a return to the ballot box, i.e. elections through multi-party democracy, has attracted fresh attention not only as a means to peaceful regime change but also as a means to political and economic recovery. Currently, Africans have come to the realisation that fundamentally, governments nurtured and articulated through the ballot box, i.e.

through democratic elections hold the key to the solution of systemic political and economic problems confronting the continent.

Serving as independent entities, elections are also regarded as being 'indispensable in measuring public support; and it is through electoral verdicts that power is given and revoked'.[2] In theory then, elections provide the arena for broad participation of the citizenry in the legitimisation of public authority.[3]

Recourse to the ballot box has demonstrated that Africa can survive undemocratic systems, and that there is a glimmer of hope and expectation. Following this viewpoint, is Africa's attempt to follow the advice of various CSOs, international NGOs, donor countries and institutions - all suggesting that Africa must revise her geo-political landscape along democratic lines. Invariably, the type of government advocated by democratically minded entities (i.e. CSOs, NGOs, donor countries, and financial institutions, like the World Bank and IMF approximates what Robert Dahl refers to as 'polyarchy'.

'Polyarchy' denotes a system of government that meets three essential requirements : meaningful and extensive *competition* among individuals and organised groups (especially political parties), for all effective positions of government powers at regular intervals; excluding the use of force, a highly inclusive level of *political competition* in the selection of leaders and policies at least through regular and fair elections, so that as no major (adult) group is excluded; and a level of civil and *political liberties* freedom of expression, freedom of the press, freedom to form and join organisations, sufficient to ensure the integrity of political competition and participation.[4]

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[2] Breytenbach, W (1997) 'Democratisation in Sub-Saharan Africa: Transitions, Elections and Prospects for Consolidation'. African Institute of South Africa. Pretoria. p57.

[3] Jallo, M (2002) 'Voting for peace and democracy in Sierra Leone'. *African Insight, vol. 32 No 4, p59-63.*

[4] Diamond, L (1990) 'Politics in Development Countries-Comparing Experiences with Democracy'. p6-7. Lynne Rienner Publishers. Boulder & London. See also the works of the following writers: Laasko, I (1995) 'Whose Democracy ? Which Democratisation'? from 'The Democratisation of Disempowerment: Third World and Africa', Hippler, J edt. p211. Pluto Press. Padstow. England; Slabbert van Zyl, F (2002) 'The Quest for Democracy:South Africa in Transition'. P1-9; Kershoff, GJ et Mccarthy, CI (1995) 'Democratisation and Economic Policy-The Experience of Selected Countries'. *Politikon vol. 22 No1. p36-49.*

Regarding 'polyarchy', Olusegun Obasanjo[5] was explicit in his evaluation of what he considers to be the bare minimum standard of democracy:

> Periodic elections of political leadership through the secret ballot, popular participation of all adults in the election process; choice of programmes and personalities in the elections; an orderly succession; openness of the society; an independent judiciary; freedom of the press to include freedom of ownership; institutional pluralism, a democratic culture and democratic spirit; and fundamental human rights.

The above views endorse elections as the key to democracy. Democracy that operates independently of any of the above variables like periodic elections, open campaigns to ensure transparency by contesting parties in elections, promotion of voter consciousness etc, cannot be considered ideal. In effect such democracies operate by mere default.

Appeals by international communities, NGOs, donor countries, and financial institutions (predominantly the IMF and World Bank) to unpopular regimes in Africa have in effect been a call for electoral rule. Elections are mechanisms for peaceful regime change, and the means through which participatory democracy can occur in electorates which exert some degree of control over representatives. In this respect elections create 'a feeling that power and authority come from the people'.[6]

In classical political theory, power emanating from the people is conceived as being 'political sovereignty', or 'sovereignty of the people, expressed through universal suffrage'.[7] Whilst the electorates exercise political sovereignty, legal sovereignty rests with ruling elites, i.e. the government or cabinet, and their power and authority is bargained for or mandated through the electoral process. Existing by popular will, and ruling by consent of the electorate, legal sovereignty (enshrined in governmental authority) is periodically subject to withdrawal or cessation at the expiry of the term of office by ruling elites when fresh general elections take place.

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[5] Submission made by Olusegun Obasanjo, on behalf of the United nations Organisation (UNO), at the Conference on the Democratic Revolution, sponsored by the National Endowment for Democracy, 1-2 May, 1998. Washington DC, USA. p34.

[6] Venter, A et Johnston, A edts. (1991) 'Politics-An Introduction for Southern African Students'. Oxford University Press, Cape Town, p169-170.

[7] Ball, AR (1988) 'Modern Politics and Government'. p115. Macmillan.

Elections thus are essentially a means by which confidence of the government can be tested, restored, or withdrawn, especially if the integrity of the government or its capacity to govern effectively and efficiently is considered doubtful or disputable. Government thus exists by popular expression of the people, through elections in which there is universal adult suffrage.

In Africa, the preponderant effect of election was recognised in the 'flag down flag up'[8] scenarios - to signal the exit of colonialism.

The importance of elections is appreciated as being a means to signal the advent of a new era in African politics epitomised by the re-democratisation project. The 1994 elections of South Africa which ushered in a regime change along democratic lines can be conceived as signalling the demise of the undemocratic apartheid regime.

Other motives for elections are that they serve as a means of accountability, recruitment of leaders, and representation of popular demands, giving the people a feeling of participation and achieving international legitimacy.[9] Elections can be declared by a team of experts, (international observer teams and NGO's) as 'free and fair', 'free but not fair', or 'not free or fair', in the latter case, especially, where violence, intimidation, and vote rigging characterise most elections, in the wake of the re-democratisation[10] project in Africa.

5.1.2 The electoral system
The electoral system has emerged as a critical factor in the new political dispensation in South Africa not only as a means to correct past electoral distortions, like fraud and injustices, but also

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[8] Slabbert, van Zyl, F (2002) 'The Quest for Democracy: South Africa in Transition', p1-9.Creda Press. Pretoria.

[9] Barango, Y edt. (1983)'Political Science in Africa'. op cit. Zed Books Ltd. London, UK.

[10] Decalo, S (1991) 'Back to square one: The re-democratization of Africa', African Insight, vol. 21, No 3, 1991. a political neologism employed by Decalo, S (1991)as paradigm shift in the political configuration in Africa towards a more idealistic option as against authoritarian one-partyism and military adventurists parading the corridors of the political landscapes by sheer greed and lust for power, in the process inflicting irreparable damages on the economies of most African states who found themselves languishing under the firm grip of military regimes.

In a more recent usage of the concept, see Breytenbach, W (1997) 'Democratisation in Sub-Saharan Africa: Transitions, Elections and Prospects for Consolidation'. Second Edition, p34. African Institute of South Africa. Pretoria.

as a means to create a just society, with a government based on popular will devoid of past apartheid ills. Venter and Johnston[11] hold the following viewpoint on the electoral system:

> It covers the legal and practical realities of voter registration and election administration, as well as the precise rules for translating votes into seats. The extent of the franchise, the method of casting a vote (secret or not) as well as the apportionment or size of electoral district or constituencies are all covered by the term 'electoral system.

In the contemporary New World Order, governments given authority through free and fair elections achieve universal approval and recognition. However, governments that fall short of this qualification are greeted with a cold reception. A recent case in point is Zimbabwe's General Elections of 2002. The election was conducted under massive vote rigging and electoral fraud. The consequences have been grave, with serious economic and political repercussions which have wreaked havoc ever since in the country. The economy has been thrown into serious recession characterised by instability and runaway inflation.

To qualify as free and fair, elections should meet the following prerequisites. There should be:
- universal adult suffrage,
- regular or periodic elections within prescribed time-limits,
- every substantially adult group in the population must be given the opportunity of forming a party and putting up candidates; this ongoing condition pertains to groups of contending parties presenting their views in the form of policy programmes to the voting public and soliciting for its support,
- fairness of voting that is guaranteed by such procedural arrangements underlying secret ballot and open counting devoid of vote-tampering, rigging, electoral fraud, and other malpractices, violence or intimidation under whatever circumstances, and
- provision made for candidates who receive the proportion required by law to be duly installed in office until their term of office expires and a new election is held.[12]

5.1.2.1 Elections and popular participation in South Africa

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[11] Venter, A et Johnston, A (1991) p 163. op cit
[12] Venter, A et Johnston, A (1991), p 171. ibid.

South African political history depicts in varying degrees the crucial role played by elections, and the entire anti-apartheid movement was orchestrated around free and fair elections. Elections became a major issue because they afforded the right to whites exclusively to exercise control over the ballot box, at the expense of other racial groups: Africans, Indians, and Coloureds. Although elections could be labelled 'free', especially within the predominantly white enclaves, they remained largely unfair, since they discriminated against other racial groups.

Elections in South Africa, whether local or general, did not enjoy legitimacy among the greater proportion of other racial segments owing largely to the existing apartheid system before 1994. Although elections created partial legitimacy for the apartheid government within the geo-political entity of South Africa, their political credibility and efficacy fell short of international expectations and recognition. Elections somewhat disguised the authoritarian apartheid system. By creating more problems than solutions, the form, content, and style of apartheid elections at all levels of government evoked criticism of varying degrees. Conceived as a divisive mechanism, the South African electoral system emerged comprehensively flawed, distorted, and skewed in favour of a minority white group. The system imposed severe limitations on popular participation. The state of affairs has been described as incompatible, untenable, and contemptible by the current democratisation crusade. An attempt to overhaul the electoral machinery for all racial segments, irrespective of skin pigmentation, has achieved phenomenal success.

A call by international communities, governments, NGOs, and popular organisations directing and venting their anger at South African political excesses, was in effect a call for free and fair elections that ultimately resulted in a democratic system of government. That free elections remained an integral part of the democratic transformation in South Africa cannot be over-emphasised. It spelt the end of the unpopular apartheid regime in which the ballot box lost legitimacy. However, while elections remained dismally distorted in apartheid South Africa, in the Transkei and other Homelands, (before their ultimate re-integration into the wider South African geo-political entity in 1994) elections seemed a more remote possibility. Elections were a rarity rather than a reality at all levels of government, with far-reaching consequences. Thus, the resilience of electoral institutions through which representative functions could be carried out

and mass participation expressed in an integrated South Africa demonstrated the weaknesses and limitations of the apartheid system. Given the fact that apartheid created unfavourable conditions for democracy to nurture popular elections, its reversal is considered to be imperative as a means to foster democracy.

To exercise the vote by every citizen is regarded as a fundamental and inalienable right that is enshrined in the constitution. The South African Constitution of 1996 has made adequate provision for elections and the voting rights of every citizen. Section 19 (2) and (3) of The Bill of Rights stipulates the following:

(2)Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution

(3)Every adult citizen has the right:

a. to vote in elections for any legislative body established in terms of the Constitution and to do so in secret; and

b. to stand for public office and if elected to hold office.

Added to the above constitutional provisions is the White Paper on Local Government which also emphasises participatory or local democracy in which elections play a crucial role. The White Paper views the promotion of local democracy as being the central role of municipal government in which 'citizens can participate in decision-making to shape their own living environments, and exercise their democratic - social economic and political rights.' To this end, the local sphere is 'seen as critical for enhancing participative democracy because citizens may have greater incentives to participate at the local level.' The argument is that 'an individual is more likely to exercise some influence over a policy decision in a smaller, local institution close to home'.[13] This can be promoted through elections, which serve to encourage the development of local democracy.

Germane to the above viewpoint is that the 'developmental role of local government identified by the White Paper is to build participatory democracy, and encourage community participation

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[13] The South African Governments' White Paper on Local Government(1998), issued by the Ministry for Provincial and Constitutional Development, p62.

since local government is the most direct interface between the government and the community.[14]

The RDP policy framework also endorses local democracy considering the fact that '[d]emocracy requires all South Africans to have access to power and the right to exercise their power. Empowerment means, in the first place, one person one vote - and the extension of equal citizenship rights to all'.[15]

Adequate measures were taken by the South African government to offer voter education (VE) programmes to ensure that potential voters were enabled to successfully discharge such an important civic responsibility as vote casting, especially during the build up to the 2000 December LGMEs. The VE programmes have remained an important aspect of the current democratic government of South Africa.

In the next section, considerable attention is devoted to voter education and its importance in the new democratic dispensation.

5.2 VOTER EDUCATION (VE) AND 2000 LGMEs

5.2.1 VE and the democratic process

To safeguard democracy, in free and fair elections, voters elect either at the local or national levels, those who governed them. Given this requirement, the ballot box is considered a true egalitarian device 'where equality becomes a reality and not a mere slogan'.[16] There is no weighted voting - the president, his driver, bodyguard, steward-boy, garden-boy, domestic servants - all have equal power at the polls as the president himself, his deputy, members of the Judiciary machinery, legislators, the governor of the Reserve Bank, MECs, and others.

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[14] Van Niekerk, S (2001) 'A Commitment to Developmental Local Government'. *New Agenda, Summer; p64-72.*
[15] ANC (1994) 'Policy Framework on Reconstruction and Development Programme(RDP). p120. Umanyano Publications, Johannesburg.
[16] Okudzeto, S (1996) 'Safeguards for Democracy-The Role of People', in 'Problems and Prospects of Democratic Governance', p34. Proceedings of a symposium organized by the Ghana Academy of Arts and Sciences in collaboration with the Friedrich Ebert Foundation, held in Accra, Ghana; from 3-5 June, 1996.

The power of the domestic servant, the homeless, and the destitute who roam the streets in towns and cities very often living in filth and squalor and even prisoners and convicted criminals in South Africa - all have voting rights. Their voting power at the polls can unseat the president and several politicians in the top echelons of the ruling government. Since the ballot box is for everyone, the people need to be educated properly on its use and misuse. Further importance of VE can be illustrated by the following anecdote:

> The story is told by Plutarch of the great Athenian statesman, Aristrides the Just, who was ostracised in 482 BC. He offended the friends of the military leader Themistocles, by proposing that the silver from Laurium be distributed to the populace at large. Themistocles however needed the silver to construct a new fleet for war with Persia. Each statesman tried to ostracise the other by lobbying to get a large number of citizens to support him. Themistocles' men however out-numbered those of the 'Just Aristrides. Plutarch said one illiterate citizen, not knowing who Aristrides was, asked the great man himself to etch 'Aristrides' onto his ostrakon (a pottery stand used to ballot for sending unpopular figures into exile). Aristrides obliged and inquired what he had against this fellow. The irate citizen implored: I am sick and tired of hearing him called Aristrides the Just all the time.[17]

The above anecdote illustrates that an uneducated or ill-informed electorate can be a danger to the exercise of political power through vote casting where emotions rather than logic could dictate voter choice.

The importance of VE can also be gleaned from Anthony Downs' Rational-Choice Theory and the Mobilisation Theory on voter participation.[18] Simply stated, these theories stipulate that 'potential voters as well as floating voters are more likely to vote if encouraged to do so'.[19]

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[17] ibid, p34.
[18] Anderson, JE (1994) 'Public, Policy Making: An Introduction', p32. Mifflin Company, Publishers, 2nd Edition.
[19] Owusu-Ampomah, K (1994) 'Instilling Voting Culture in South Africa: Reward Voters and Punish Non-Voters ?' from 'Transformation to a successful Democracy: A series of papers and discussions centred around current political debate in South Africa, December, 1999. *Democracy Development Programme. Konrad Adenauer Stiftung. p5-6.*

VE helps to overcome voter apathy. Given the fact that a vibrant democracy is measured by voter turn-out at elections, VE is an important political factor. The fact is that most political scientists acknowledge that a healthy democracy is measured by the level of voter turn-out at elections.[20]

South Africa faced a daunting task in its VE programme during the December, 2000 LGMEs. Given the fact that apartheid confined and channelled the voting process to a select few, other racial groups - Africans, Coloureds, and Indians, ironically in the majority, were increasingly marginalised and during this time were ignorant as to voting procedures. Questions about the election occupied the minds of first time voters, which signalled an important milestone in local administration and ensured that the December, 2000 LGMEs were free from much abuse or ignorance.

Taking cognisance the fact that participatory democracy begins at the local level ideally by a bottom-up process, the VE programme that took place prior to the 2000 LGMEs was crucial.

To highlight the importance of VE in the 2000 LGMEs, Brigalia Hlope Bam[21], expresses the following sentiment:

> Voter Education is an important part of the electoral process. Through voter education we can help our communities acquire the knowledge and skills that they need in order to participate actively and meaningfully in a South Africa that has a new democratic order. It is through voter education that we begin to develop these values and attitudes that will help us entrench our democracy.

Because the majority of South Africans were excluded from voting under previous authoritarian systems, neither the Bantustan administration nor the apartheid Republic of South Africa, made knowledge about the voting process available to all its citizens. It is important that VE not only ensures participatory (or local) democracy through skills acquisition and nurtures a deeper meaning of democracy by shifting mind-sets, attitudes, and values. In the long run, VE is meant

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[20] ibid.

[21] Brigalia Bam-The Chairperson of the Independent Electoral Commission (IEC) of South Africa, in a 'Message from the Chairperson'- An Introductory note on 'Voter Education for the 2000 Municipal Elections'. Training Manual, published by the IEC, South Africa. p3 of 77.

to inculcate a strong sense of voter consciousness and to arouse enthusiasm for voting. The political maxim, 'Your vote is your power' can best be realised when electorates are well-informed through VE programmes. This is where the role of the IEC features most significantly.

Composed of the Chairperson and five[22] other members, the IEC is elevated above partisan interests. This political neutrality is of paramount importance to enable the IEC to discharge its duties judiciously devoid of partisan prejudices or solidarity with any group.

5.2.2 Voter Education (VE) techniques and application in the Maluti district

The VE techniques adopted by fieldworkers in preparation for the 2000 LGMEs was characterised by 'interactive, participative, face to face techniques of imparting knowledge and skills',[23] based on balloting information and reasons for casting the vote in the elections. Considered as unique, the election was regarded as more complex than any other that the electorate would ever face. The importance of the election lay in the fact that it marked the 'end of transitional local government structures and the beginning of a transformed local government based on a constitutional democracy'.[24]

A personal observation is that while the December 2000 LGMEs marked the conclusion of a chapter in local government development that begun in 1993, it created avenues where all three spheres of government were involved in a co-operative arrangement of governance.

The VE programmes undertaken by the IEC aspired to:

- promote a political climate conducive to free and fair elections,
- promote an understanding of the new structure of local government,
- increase knowledge and understanding of the electoral system, a dual electoral system of proportional representation and single member constituencies, and
- Increase the levels of interest and participation in the elections.

To achieve the above aims the VE programmes aspired to meet the following challenges:

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[22] ibid, p14 of 77
[23] ibid, p71 of 79
[24] ibid, p9 of 77

- The December 2000 LGMEs were considered to be, legally, organisationally, and logistically, more complex than any other election the electorate had to face up to that date.

- The programme of restructuring and redrawing of municipal boundaries required voters to carry with them 2 or 3 ballots depending on the category of the municipality s/he found her/himself in.

- A combined PR and Ward Representation electoral system was to be applied.

- There was to be statistical evidence indicating a high rate of voter apathy towards local government elections.

To further the above, fieldworkers were trained by the IEC to undertake the following:

- Explain the laws governing the LGMEs of 2000,

- Explain the importance of local government, why, and how, local government had been democratised,

- Explain the significance of the LGMEs of 2000 in the process of democratising local government,

- Explain and illustrate the voting system employed in the election ,

- Inform communities about what they need to do to vote,

- Inform the community about what would take place in the voting stations during the voting process,

- Motivate registered voters to vote, and

- Explain the importance of a person's vote.

The conclusion one can draw is that the VE programme launched by the IEC in 2000 went beyond mundane information about the ballot. This is discussed in greater length in the next section.

5.2.3 The VE Programmes in the Maluti district: methods and strategies

The strategy adopted by fieldworkers in collaboration with the Municipal Field Co-ordinators (MFCs) was wide - ranging, based on a face to face method of presentation. Instead of extending invitations and organising rallies in a jamboree fashion, typical of political parties to attract attention before presentations of VE programmes, fieldworkers with the active co-operation of

MFCs, adopted the opposite method. As a starting point, they identified community activities already in progress during which presentations were made. In this manner, the services of the Municipal Electoral Officers (MEOs) featured prominently in the VE campaign. They located areas considered to be crucially important for presentation like areas that had had high incidents of spoilt ballots, low levels of voter turn-out, and registrations of less than 60% of voters and areas where districts had experienced a split during the process of redrawing municipal boundaries.[25] These areas became important targets for VE. Other places and occasions targeted by VE workers were traditional meetings i.e. *izimbizo, lekgotlas*, religious gatherings, pension pay-out days, clinics, and hospital waiting rooms.[26]

Apart from the officially designated areas in the Maluti district, bus and taxi ranks, and institutions of learning like Senior Secondary Schools (SSS), became major foci of attention where information on VE programmes was disseminated. For instance, several VE fieldworkers paid visits to the Maluti SSS where students reaching the prerequisite voting age group of 18 years, were rallied for the delivery of VE programmes[27]. Upon further enquiry it was learnt that similar programmes took place in other SSSs in the district. Given the fact that these institutions of learning were dispersed throughout the district, some in very remote places, dissemination of the VE programmes quickly filtered through the social fabric of rural communities. No sooner had the programmes been launched than the district burst into voter frenzy with IEC flag and posters found everywhere signalling the dawn of a new era in electoral politics at the local level.

The much awaited LGMEs of 2000, after all the setbacks experienced, quite incredibly became a major topic of discussion in the district. Special mention should be made of TLs who, under the auspices of CONTRALESA, threatened to boycott the election throughout the country. Their actions resulted in the LGMEs suffering three postponements by the government in an attempt to resolve the issue[28]. (see Chapter 4) Given the fact that such decisions were a reflection of consensus-building, TLs in the Maluti district agreed to the decision taken by CONTRALESA.

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[25] Interview; District Electoral Officer, Maluti. 10-10-00.
[26] Nomonde Valashiya; VE Field-Worker, interview; 20-11-00
[27] As a teacher of Maluti SSS, the information presented here is an eye-witness account.
[28] See the 'Daily Dispatch Newspaper, October 9, 2000.

Funerals also played a vital role in the VE programmes. Funerals generally draw attendants from far and near. They nurture community solidarity. Significantly, funerals created channels for the transmission of VE programmes. Given the fact that most funerals in rural communities (even in towns and cities) were organised on weekends, especially on Saturdays, there was the possibility of attracting big audiences. Fieldworkers sacrificed their weekend leisure hours for the VE programmes, given the time constraint of 3 months duration scheduled for the completion of the VE programmes.[29]

At meetings and gatherings posters were employed as teaching aids to illustrate voting stations, the system and method of voting, when to vote, and other essential issues relating to the process.[30] In addition, it transpired that the VE programme went beyond this information, and:

- Voters were made aware of their protected right of conscience and beliefs, freedom of speech and expression, freedom of association and peaceful assembly, freedom of movement, and of the right to participate freely in peaceful political activities.
- VE workers ensured that voters were informed about the role of political parties and the media in the voting process.
- Voters were informed that the LGME of 2000 was designed to promote democratic pluralism and inculcate a culture of political tolerance.

For the effective delivery of their message, VE workers were obliged to maintain the following code of conduct:

- To act in a neutral and impartial manner in every facet of activity concerning a political party, candidate or voter, and
- To do nothing that would indicate partisan support for a candidate or political party.

In a questionnaire[31] introduced to ascertain the effectiveness of alternative VE methods employed to supplement the existing VE strategies in place as a means to educate rural electorates on the 2000 LGMEs, a respondent had the following to say:

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[29] Interview, District Municipal Officer, Maluti, 10-10-00.
[30] Informal interview with Samuel Sokhutu and Sabello Boxa; VE Field-Workers, 14-11-00.
[31] Miss Nomonde Valashiya, VE Field-Worker in charge of Maluti district. Interview, 20-11-00. op cit.

> We made use of broadcasting method by using audio-visual acts and explanatory methods. Well, our listeners (i.e. electorates) were very attentive. They asked questions for further clarification. We believe those methods we employed were very effective You see there was high voter turn-out in the Maluti district. This is an indication that our methods were very effective.

The VE campaigns proved to be very demanding, taking into consideration the geographical size, poor terrain, and predominantly rural background of the district. Since only 75 fieldworkers assisted by 15 MFCs[32] were employed, it is clear that the VE programme could have been handled in a more effective and efficient manner within the prescribed time.

Each of the 15 wards in the district was allocated 5 fieldworkers who operated under the supervision of the MFC.

At the disposal of the IEC District Office in the Maluti Township were some IEC vehicles which ferried fieldworkers across the mountainous ranges to distant rural communities to present the VE programmes. This practice became a daily routine for VE workers throughout the period from 1 September to 30 November 2000.[33]

Fieldworkers could employ various methods to transmit information in the VE programmes. Given the fact that these methods were varied, VE workers could make the appropriate choice, out of several options for whatever circumstances or place in which they found themselves.

Although the VE programmes in the district were considered to be a success, they were not without problems, several of which nearly derailed the voting process. The next section catalogues the problems.

5.2.4. Voter Education (VE) in the Maluti district: problems and challenges

As already mentioned, the VE workers had to contend with numerous problems despite a vast array of strategies at their disposal. While these problems cut across a range of issues, general perception suggests they cannot be treated in isolation from problems that confronted other districts which had similar strategies in their VE programmes. The problems, viewed with

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[32] District Electoral Officer of Maluti. Interview; 10-10-00.
[33] Miss Nomonde Valashiya, VE Field-Worker. Interview 20-11-00. op cit.

concern, varied in intensity and type from one district to the other, yet displayed a common *leitmotif* that was relevant to the opposition waged against transformation politics the country had been experiencing since 1995/96, when founding elections for transitional municipal structures took place. Before the official launch of the VE programme, the prevailing political climate in the country was characterised by confrontations between TLs and the government over demarcation and delimitation of locations into voting blocks i.e. electoral wards.[34]

TLs viewed these developments with grave concern and as an attempt by the government to relegate them to a level of secondary importance in the new political dispensation, especially at the local level. Several attempts to broker a peaceful initiative and achieve common ground of understanding proved to be futile. The threat of boycotting the 2000 LGMEs sporadically flared up like veldt-fire in winter. The political climate in the rural communities was volatile and like a time-bomb which could explode at any minute. Interest in the 2000 LGMEs gripped the nation, there was a cloud of uncertainty, and the future looked bleak. It seemed that the political climate was not congenial to sustain a meaningful election. It was this mood of political pessimism and uncertainty that the VE workers had to brace themselves against.

The atmosphere of presentiments far superseded or outstripped the prospects of constructive engagement in the situation that eventually unfolded. The TLs grouped themselves into pockets of opposition to the VE programme in certain communities of the Maluti district.[35] They went to the extent of instigating their subjects to chase the VE workers away from traditional gatherings and assemblies like *imbizos, kgotlas* etc, especially when such opportunities were used to deliver VE programmes.[36]

The above information is confirmed in a questionnaire I administered to a team of VE fieldworkers in the district:

> We as VE field-workers were chased away by a group of local tribesmen
> when we embarked on our usual routine voter education programme in
> these locations. We had already managed to attract a substantial number of

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[34] For detailed information, see Chapter 4, sub-section 4.4
[35] Samuel Sokhutu and Sabelo Boxa, Field-Workers in Maluti. Interview, 14-11-00. op cit.
[36] Ibid.

community residents in the middle of the programme when the incident occurred. We learnt later that these men were acting on the orders of the local chief and some headmen. They believe the ongoing electoral exercise will turn their people against them and hence undermine their authorities.[37]

The fears of the traditional leadership can, however, not be dismissed as being unfounded, taking into consideration that democracy and traditionalism had often been viewed as relatively incompatible. The TLs feared an imminent usurpation of their powers by future democratically elected leaders.

Maluti serves as a nodal point for most surrounding rural communities. Connecting Maluti and the surrounding rural communities, i.e. the locations, are numerous road networks that cut through the hills and valleys of the Maluti Mountains and the Drakensberg ranges. Unfortunately most road networks in the district are in a very bad state mainly due to poor maintenance and seasonal weather variations. The roads are mostly not tarred and poorly gravelled, and dusty conditions prevail especially in winter. In summer, as a result of heavy downpours, most roads are cut off by severe flooding with several bridges either washed away or submerged under the deluge. Few roads withstand these natural hazards, and most of them have deep potholes constituting death-traps for unwary motorists. All of these severely limited the volume of traffic and transportation. This was the time the VE workers were employed to intensify their campaigns to deliver the VE programmes.

Coupled with the above physical problems were also logistical issues. The usable vehicles at the disposal of the IEC offices in Maluti were inadequate[38] which put severe strain on the VE campaigns. VE workers at times were forced to look for alternative means of transportation to reach very remote rural communities.[39] In short, too few official IEC vehicles coupled with poor road networks posed a major challenge for the VE programme.

The media engaged diligently in the presentation of VE programmes, both electronically and in print by dealing with issues on daily basis. Newspapers, radio, television and the Internet all

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[37] Ibid.
[38] Maluti district Electoral Officer, interview, 10-10-00.
[39] Moso Cosmos, VE Field-Worker, interview, 17-10-00.

featured prominently as mechanisms to propagate the VE programmes. They gave the VE programmes a special place in their daily routine programmes. Radio and television stations, for instance, transmitted VE programmes in all 11official languages in the country irrespective of racial and ethnic barriers. The emphasis was on accommodating all language groupings country-wide. Daily and weekly newspapers gave a good account of the VE programmes, supported by numerous advertising campaigns.

In addition, posters carrying party logos and main leadership were displayed at convenient public places like post offices, street corners, shops, bus and taxi ranks, gates leading to schools, petrol filling stations, and several others public places in the district. Government offices and departments at the district level like magistrate offices, police stations, revenue offices, district education offices, health centres, and the Maluti Development Centre were other convenient places which displayed posters of political parties. Posters were also displayed on electricity and telegraph poles. The emphasis was not only on giving the VE programme wide coverage and publicity but also on creating voter awareness/consciousness in the district.

However, the use of the media as a viable strategy to advertise the VE programmes fell short of expectations. They were essentially directed at urban areas, towns, cities, and district centres like Maluti. Remote communities suffered the limitations and consequences of this strategy. In addition, the issue of poverty and the high rate of illiteracy tended to prevent any prospect of enjoying the VE programmes either electronically or in print by rural communities. The 'face to face' approach would have been a better option, but was also obstructed by severe opposition waged by tribal warlords in some communities in the district.

Despite the litany of problems and challenges that confronted VE officials, they managed to crown their indefatigable efforts with success. Quite undaunted, the officials' efforts paid huge dividends and paved the way for the 2000 LGMEs to take place in the district.

5.3 VOTING IN THE MALUTI DISTRICT: SOME THEORETICAL CONSIDERATIONS

Critical to the study of elections and election outcomes in more recent African elections, local or national, legitimated by the re-democratisation project, has been the voting pattern or behaviour, voter output, participation, and turnout. The question that looms large in the minds of political scientists and political analysts is: What motivates A to vote for B and not C or D? Why did B win and C lose? Responses to these questions have provoked a great deal of methodological and theoretical considerations demanding a careful analysis of elections and election outcomes.

Although such a study has been considered a central issue in politics, 'it is a much neglected topic not only in South Africa but in other competitive party systems in Africa'.[40] However, with the intensification of democratisation politics in Africa, a fresh focus of attention is on this topic. Regarded as being evidence of a paradigm shift, election studies which were previously the exclusive occupation of disciplines like Anthropology and Sociology at the moment, also enjoy widespread importance in the field of Political Science.[41]

Underlying the theoretical and methodological issues of elections are certain factors employed not only as analytical tools but also as interpretative variables to throw further light on the study of elections. While these variables do not operate as independent or separate entities, they are closely interwoven.

5.3. 1 Voting patterns / behaviour in South Africa

Horowitz[42] has characterised elections in deeply divided societies as being ethnic censuses, especially where competitive politics have been transformed into the politics of identity. Several African countries suffer from this electoral *malaise*, given the fact that African communities are ethnically heterogeneous.. Homogenous ethnic groups in African societies are rare. Factors like

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[40] Venter, A et Johnston, A (1991), p172. op cit

[41] Cohen, DL (1983) 'Elections and Election Studies in Africa' from'Political Science in Africa: A critical Review'. Yolamu Barango edt. p72-93. Zed Books Ltd.London. UK.

[42] Harowitz, DL (1985) 'Ethnic groups in conflict'. Berkeley,University of California Press.

language, traditions, mores, ethnicity, tribal affinity, blood-ties or relationships, exert a profound influence on voting choice, behaviour patterns, and outcomes in Africa.

Commenting on South African election patterns, local and national, Mattes et al[43] state:

> In these societies (i. e. ethnically divided societies), elections are the result of 'ascriptive voting', voting determined (or at least largely shaped) by birth or descent, rather than a conscious consideration of party programmes or incumbent performance.

Ascription and its qualifications are perceived to be a major determinant in voting processes in Africa. In essence 'voters do not register choice, but identity'.[44] Underlying the identity syndrome is ethnicity. It has served as a strong motivating factor in recent South African elections. Voting in this respect is predictable. In essence, voting goes beyond an individual's choice or preference among alternative candidates or parties.

Conceivably, ethnicity is mapping out the geo-political contours of South Africa. The slogans 'Zulus for IFP' in former Kwa-Zulu entity and 'Xhosas for the ANC' in the former Transkei and Ciskei Homelands respectively bears out the idea that ethnicity is of importance in contemporary South African politics, especially at the local level. In addition, where tribal groups existed, they voted in support of their 'tribally' oriented political parties, in support of their group identity.

The outcome of the 2000 LGMEs in Maluti showed that the few Zulus in the district voted almost exclusively in support of the IFP. The IFP, however, managed to garner few votes as a result of the insignificant number of Zulu communities living in the district.
Cohen[45] states:

> The most important theoretical principle underlying most African election studies has been a consensus that African voters tend to make their election choice as communities rather than as individual. Taking the key

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[43] Mattes, et al (1999) 'Judgement and Choice in the 1999 South African Elections', *p236 Politikon(1999), 26(2) 235-247..*
[44] Ibid.
[45] Cohen, DL(1983) p80. op cit.

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community of orientation to be an ethnic one for the great majority of Africans, most observers have seen this group identity as determining the individual's choice; electoral contests as being a vying for ethnic community support; and electoral success as usually based on ethnic coalition.

In summary, ethnic arithmetic can be employed as a powerful calculation to measure voting patterns in Africa. This can easily be manipulated by politicians to advance their own interests. In this manner the chief who serves as the embodiment of a tribe emerges as a powerful figure in the dynamics of African politics. Further to the argument, Berman[46] observes:

> The chiefs embodied the principle of 'tribe' as the basis of social organisation, custom as the basis of individual behaviour, and the maintenance of what administrators regarded as pre-colonial (and also post-colonial) ethnic identities.

The implication of the above is that the chief serves as a 'soft target' for politicians. Appealing for chiefly support is in reality an attempt to solicit community support. Individuals play a less decisive role than chiefs do in the electoral equation. Another reason for community or tribal dominance in voting patterns is the fact that the ethnic community has continued to be the most stable source of material benefit and security for most voters. Consequently they decide, as individuals, to support a common choice 'as [the] best means of protecting and advancing their individual material interests'.[47] In some strong ethnic societies in Africa, community choice in electoral politics is thus individuated, taking precedence over individuals' preference.

The fear or uncertainty that has been built around elections in more recent times can be attributed to the fact that the 'ongoing process of democratisation in Africa may release the politically disintegrative potentialities of ethnicity'.[48] Mishake Muyongo, leader of the opposition party the Democratic Turnhale Alliance, (DTA), used the term 'Ethnic Democracy' in the 1994 Namibian elections, which ushered in Sam Nujoma for a second term of office and said 'the election has

[46] Berman, JB(1998) 'Ethnicity, Patronage and the African State: The Politics of Uncivil Nationalism'. *African Affairs, 1998, 97, 305-341.*
[47] Cohen, DL(1983)p82 op cit.
[48] Ake, C(1993) 'What is the Problem of Ethnicity in Africa?' . *Transformation,32. p1-14.*

shown the country to be divided along ethnic lines and that we are now an ethnic democracy'.[49] 'Ethnic democracies' emerge from 'ethnic censuses', which describe recent elections in Africa.

In a recent discourse on African elections, Decalo[50] concludes that 'the prime voting modality visible in Africa's free elections has been along ethnic lines. Politicised ethnic sentiment remains the most meaningful force'.[51]

An issue that has attracted a great deal of scholarly attention, is the fact that South Africa's voting pattern reflects polarisation along the main racial groups - Blacks, Whites, Coloureds, and Indians. Undoubtedly, South Africa's watershed elections of 1994 displayed peculiar voting patterns characterised by deeply incised demographic units. For instance, in the 1994 elections the ANC drew the majority of its support from black ethnic groups, with the exception of the Zulus, the majority of who supported the IFP. In this scenario, party support correlates strongly with ethnic distribution.[52] This is supported by the fact that the Independent Democrats (ID) substantially serves as custodian to advance the interests of the Coloured community in South Africa. In this vein, a new political term or neologism that has been much used is the phrase 'racial censuses', in addition to the popular phrase 'ethnic censuses'. Elections in the post-apartheid South Africa reflect a political tug-of-war, played out by the imperatives of demographic distribution, ethnic and racial censuses, rather than popular preferences.[53]

However, while the term 'racial censuses' is useful to refer to voting behaviour or patterns, it suffers from a range of methodological and theoretical problems. The argument is not about correlation or inter-relationship between race and ethnicity on the one hand, and voting patterns in South Africa, on the other hand. The fundamental issue is the interpretation of these variables within the broader context of the emerging political milieu. Put quite simply, 'correlation does not equal causation'.[54] Identifying the covariance of demographic factors with voting pattern

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[49] Report carried by the '*Weekly Mail and Guardian' newspaper, 1994. December, 15-22 Issue.*
[50] Decalo, S (1991) 'Back to square one ; The re-democratization of Africa'. *African Insight. Vol 21 No 3.*
[51] See Chapter 2, sub-section 2.3.3.
[52] Breytenbach, W (1997) 'Democratisation in Sub-Saharan Africa: Transitions, Elections and Prospects for Consolidation'. p57-58.op cit. Second Edition
[53] Mates et al, (1999) op cit.
[54] Mattes, et al (1991) ibid.

does not itself constitute a satisfactory social or scientific explanation of individual behaviour and motivation.

Making reference to Christopher Achen's[55] hypothesis, Mattes et al,[56] observe: 'correlation between demographic factors and the vote do not explain the vote; rather they themselves need to be explained.'

An issue confronting political scientists and analysts is to identify the underlying factors which motivate voters within a given demographic unit to vote differently from one another. A response to this is considered vitally important to sustain further inquiry.

Long-term attachment to a specific party can be a compelling reason to explain the voting pattern. A party may change its label or name, however, its ideological orientation and policy programme remain the same. Although party identification appears to be one of the factors promoting voting pattern and behaviour, there is a paucity of literature in this field of study.

Religion is another variable that has very often been cited as being an important factor in identifying voting pattern. For instance, religious dogmatism and fanaticism have extensively been perceived to be the main influences determining voting patterns in Northern Nigeria where the Islamic faith evokes both fear and sympathy from the electorate. The African Christian Democratic Party (ACDP) in South Africa draws most of its support from adherents to the Christian faith. Religion has thus played a fundamental role in politics, at times featuring as a major determinant in voting patterns.

I have looked at voting patterns from a broader perspective in Africa. This part of the study serves as foundation to further probe the depth of the thesis. By looking at voting patterns from a broader pan-Africanist perspective, the arguments that have been raised above can be conceived as plausible and logical, since internationally or nationally, local politics are largely influenced by global issues, taking cognisance the fact that the world is becoming a global village.

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[55] Achen, C (1992) 'Social Psychology, Demographic Variables and the Linear regression: Breaking the iron Traingle in Voter Research', *Political Behaviour, 14(3), p206-209.*
[56] Mattes, et al (1999), p236; op cit.

Democratisation taking place quite recently in South Africa and Africa in general can be conceived as being a response partly or wholly to the demands of global changes. Hence, analysing events within the context of globalisation should not be considered a digression.

Despite the initial political differences between the ANC and the chiefs, the chiefs in the Maluti district voted massively in support of the former. As one chief[57] said, 'We Chiefs in Maluti district are not against the ANC, our differences lie in terms of policies rather than politics.'

It is true that some VE officials met with the wrath of some TLs in the district but this can be conceived as being an expression of anger at government policies rather than opposition to the ANC. The argument that the ANC government has never downgraded the chiefs or that it is contemplating abrogating the institution, can be seen as means to preserve the tribal leadership in the new political dispensation.

5.3.2 Voter turn-out and voter participation in the Maluti district

A news article[58] carried the following message at the close of the 2000 LGMEs:

> The ANC managed to persuade only 2 out of every five of its supporters to
> vote for it on
> Tuesday ….The huge number of ANC supporters who stayed away from
> polling booths on Tuesday (i.e. Dec. 2000) is being seen as indicative of
> far more than apathy.

An evaluation of the 2000 LGMEs, shows that the above practice seems to follow a universal trend in contemporary African politics, which demonstrates 'high turnout during first democratisation elections; and inevitable apathy afterwards'.[59] Looking at elections in a wider perspective, Breytenbach[60] states, 'One of the biggest threats to party politics in Africa is voter apathy.'

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[57] Name withheld for purposes of confidentiality and anonymity. Interview, 23-11-00.
[58] The 'Mail and Guardian' newspaper, December, 8-14, 2000. p4.
[59] Breytenbach, W (1997), p72. op cit.
[60] Breytenbach, W (1997), p43. op cit.

Lipset[61] has identified the following facts which contribute to voter apathy:

- Fewer women than men vote.

- Illiterates are less likely to vote than literates.

- Fewer ruralists than urbanites vote.

- Younger people are less likely to vote than older people.

- Unmarried people are less likely to vote than married ones.

- People from lower classes are less likely to vote than the upper classes.

- Voters who are not members of political organisations are less likely to vote than members of organisations.

The situation depicted by Lipset[62] sufficiently conveys a general impression of voter apathy. Specifically, it does not explain the growing voter apathy in South Africa's most recent elections, especially at the local level, nor does he explain fully the causes of voter apathy.

Apart from the sociological factors on which Lipset's explanation is largely based, there are other compelling reasons like the rational choice factor which may influence voter apathy. This theory propounded by Anthony Downs,[63] 'involves the electorate rationally deciding which way to vote according to the performance and promises of the candidates or parties'.[64] In this way, Downs links political choices to economic choices.[65]

The ANC government's failure to fulfil election promises has often been cited as a compelling reason to provoke voter apathy in the 2000 LGMEs, leading to a general drop in voter turn-out.[66] Table 5 below depicts the significant drop in voter turn-out in South Africa's 2000 LGMEs.

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[61] Lipset, SM (1981) 'Political Man: The Social bases of democracy'. Garden City. Doubleday.
[62] Ibid.
[63] See Anderson, JE (1994) 'Public Policy Making: An Introduction', op cit.
[64] Venter, A et Johnston, A (1991) 'Politics: An Introduction for Southern African Students', p172. op cit.
[65] Ibid, p172. See also Section 5.3.4 of Thesis, 'Voter Turnout, Unemployment and Socio-Economic Imperatives'for further details.
[66] See *'Mail and Guardian' newspaper. December, 8-14, 2000 issue. See also the 'African Monitor of Southern Africa'. Vol. 6 No1, February, 2001.*

Table 5: Voter turn-out in the South African Local Government Elections, 2000.

PROVINCE	VOTER TURNOUT (%)
EASTERN CAPE	55.99
FREE STATE	49.09
GAUTENG	43.24
KWA-ZULU/NATAL	46.67
MPUMALANGA	44.77
NORTH-WEST	44.80
NORTHERN CAPE	57.63
NORTHERN PROV.	42.46
WESTERN CAPE	57.87
NATIONAL	48.07

Source: IEC: South African Local Government Elections Update No 7, 19 December, 2000.

With the exception of the Eastern Cape, Northern Cape, and Western Cape, all other provinces secured less than 50% voter turn-out. The overall national percentage voter turn-out of 48.07% has been considered as less favourable.

Referring to the 2000 Municipal Elections, Tom Lodge[67] says 'voters were dissatisfied, but not angry enough'. The relatively poor results for the ruling ANC government reinforce the suspicion that mostly black voters did not bother to go to the polls. The perceived 'voter fatigue' is attributed to the fact that four elections had taken place in six years.[68]

Voter apathy has also affected the youth, i e people within the age group 18 to 24. In the 2000 LGMEs, only 25% among those who registered actually voted.[69] This is in line with the fact that

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[67] See *Southern African Local Government Elections Update, 5 December, 2000. afrol. Com. December, 2000.*
[68] A borrowed phrase used by the 'African Monitor: Southern Africa, vol. 6 No 1. February, 2001; in an article captioned 'Voter apathy in the 2000 Municipal Elections, 2000'.
[69] See *Southern African Local Government Elections Update, 2000; April, 2001.*

since 1994, voter turn-out among the youth has dropped significantly with the youth becoming apolitical or apathetic

A disturbing statistic is offered by the HSRC: In the 1994 elections about 93% of the youth within the official voting age of between 18 and 20 cast their votes. Since then the euphoria and enthusiasm has declined. For instance, only 57% of the youth voted in the 1995/96 local government elections, an indication that about 36% turn-out was lost to non-voters, in just 18 months.[70] For the 1999 General Elections, only 48 % of the youth voted. These statistics reveal unimpressive political track record for voting by the youth. The state of affairs has provoked the following warning:

> This drop in the participation by young people in the electoral politics of their country undermines the fact that young people are the future of our country and that their participation will signal their commitment and confirmation of support to the South Africa's new democratic dispensation.[71]

Voter apathy among the youth has serious implications for South Africa's new democracy. The notion that the youth are the future leaders of the country is cast in doubt when they abdicate their civil responsibilities by not participation in electoral politics. One should be able to have confidence in the youth as future leaders, with the capacity to live up to the challenges of creating 'a non-racial, non-sexist and democratic South Africa.'[72]   However, it is not only the youth who are guilty of voter apathy. The general trend of vote-shedding has been widespread which does not bode well for the fledging democracy of South Africa.

Table 6 below depicts the percentage (%) voter turn-out in the 2000 Municipal Elections compared with the two General Elections South Africa has held since the advent of democratisation in 1994.

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[70] Ibid.
[71] The Local Government Elections Update, 2000. op cit.
[72] Ibid.

Table 6:   Voter turn-out for General and Municipal Elections – 1994, 1999, and 2000

PARTY	1994 General Elections (%)	1999 General Elections (%)	2000 Municipal Elections (%)
ANC	62.65	66.35	62
NP,DP, Federal Alliance	22.12	16.97	22.5
IFP	10.54	8.58	9

Source: 'Mail and Guardian' newspaper, Dec. 8 - 14, 2000.

Facts drawn from the above table is that the ANC was established as the dominant party in the country, and in 2000 it had 62% voting support, almost three times that of the NP, DP, and Federal Alliance, and more than six times that of the IFP. The combined alliance, i.e. the NP, DP, and Federal Alliance managed to gain 22.5% of the national municipal votes, an increase of 32%, on the 17 % vote it secured in the 1999 General Elections. It emerged as the official opposition.

On the other hand, the IFP showed just a marginal increase in voter support. Although confined to rural KwaZulu-Natal, the IFP was a force to be reckoned with, given the significant fact that it captured 30 out of the 52 district municipal councils in the province. Its political mandate seems to be confined to the KwaZulu-Natal Province. The overall picture of IFP performance in the 2000 LGMEs was strong. There was a relative improvement in its performance in the 1999 General Election of 41,9 % to a share increase of 45 % . Further to this, the IFP is the epitome of an ethno-regional party, drawing much of its support predominantly from KwaZulu-Natal. However, it portrays a weak party formation, appealing more to forces of ethnicity rather than national support for electoral mandates.

A further observation concerning Table 6 is the close correlation between the 1994 General Election and the 2000 Municipal Election (i.e. the LGMEs) results respectively. Apart from the IFP, which lost a significant percentage of votes, the ANC and the NP, DP, Federal Alliance,

received the same percentage of voting support for both years. Although the 2000 Municipal Elections to some extent compared favourably with the 1994 General Elections, a comparison with 1999 shows a marked difference. Whilst the ANC voting support dropped significantly, the other parties – the IFP and the NP, DP, Federal Alliance gained a fair percentage increase in their voting output.

As explained in the early stages of this analysis, the significant drop in ANC voter support can be attributed to the issue of fulfilling election promises, failure of which caused widespread disillusionment in the camp of ANC voters. Given this fact, the IFP and the NP, DP, Federal Alliance (a political troika of some sort) are likely to have exploited weaknesses of the incumbent government and its governance, and made these their main focus of election campaigns, which paid off high dividends, in the substantial votes they gained at the 2000 Municipal Election polls.

The election at the national level contrasted sharply with events that prevailed at the local district level of Maluti. Entry of the two political parties i.e. the IFP and the UDM, into the political landscape of the district caused a major upset in the political profile of the district. The dominance established by the ANC party in the district since 1994 was challenged and broken, when the IFP and UDM made their presence felt on the local political scene. In essence, most candidates, who previously were unopposed, during the 1995/6 Local Government Elections, found themselves strongly challenged by candidates contesting the 2000 LGMEs on the platform of the IFP or UDM respectively, as well as by a substantial number of independent candidates . The ANC found itself under strong opposition in the 2000 LGMEs, and most of the candidates who stood as Independents were defectors from the ANC.

The table below indicates the three political parties that contested the 2000 LGMEs, and seat allocation in the Maluti district as an integral part of the newly reconstituted Umzimvubu Local Municipality.[73]

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[73] Umzimvubu Local Municipality was formed after the 2000 Municipal Elections, constituting the districts of Maluti, Mt Fletcher, Mt Ayliff and Mt Frere.

Table 7: Seat allocations in the Umzimvubu Local Municipality

Registered Party	Total Valid Votes	% Total Votes	Total Seats Calculated.	No of Ward Seat Allocation	No of PR List Seats Calculated	% Total Seats Won
ANC	101903	83,69	53	32	21	84,13
IFP	5535	4,55	3	0	3	4,75
UDM	14320	11,76	7	0	7	11,11
TOTAL	121758	100	63	32	31	100

Source: LGMEs, 2000.

The above table shows an overwhelming victory for the ANC. The party achieved 84,13 % of total votes cast in the local municipality, winning 53 out of the 63 seats allocated for the district. The IFP achieved 4,75 % of the total votes with 3 seats, and the UDM won 7 seats attracting 11,11 % of the total votes in the district.

Based on the PR electoral system, all parties registered a fair number of seats proportional to their voting capacity, strength, and output.

5.3.3 Voter turn-out and participation: further analysis

It appears that there was a similar trend in the Maluti district. The average percentage vote of 49,82 implied that less than 50% of registered voters participated in the 2000 LGMEs for both Ward and PR councillors in the district. The figures are shown in Table 8 below.

Table 8: The 2000 Municipal Election Results in Maluti District – Voter turn-out Report

Name of ward in Maluti district	Registered Voters	Registered Voters completed in VDs	Total Votes cast for Ward	Total votes cast for Ward.	Total Voter Turn-out (%)
Ward 10	4329	4329	2500	2487	57.75
Ward 18	4140	4140	2464	2467	59.59
Ward 19	3943	3943	2079	2086	52.90
Ward 21	2203	2203	677	677	30.73
Ward 22	4616	4616	2379	2377	56.43
Ward 23	4645	4645	2249	2251	48.46
Ward 24	3551	3551	1322	1316	37.23
Ward 25	4437	4437	2468	2468	55.62
Ward 26	3728	3728	2020	2020	54.18
Ward 27	3591	3591	2110	2113	58.84
Ward 28	4042	4042	2122	2123	52.52
Ward 29	3808	3808	1293	1291	33.95
Ward 30	4590	4590	2278	2281	49.69
Ward 31	5105	5105	0	2456	48.11
Ward 32	3659	3659	1880	1872	51.38
TOTAL	60387	60387	27841	30285	Average % vote in Wards 49,82.

Source: IEC, LGMEs, 2000.

Whilst some wards, i.e. Wards 18 and 27, registered a high voter turn-out of 59.59% and 58.84% respectively, Ward 21 and Ward 29 experienced only 30.73 % and 33, 95 % voter turn-out. These figures not only reveal disturbing election results and hence weak governance at the local

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level but also point to the fact that the margin between the highest and lowest percentage voter turn-out wasvery large, i.e. 59.59 % as against 30. 73 %.

While lack of service delivery might have been a reason for low voter turn-out, it cannot be conceived of as the major or sole determinant. Further investigation is required. A possible dissatisfaction could be with the type of electoral system in place: the choice of candidates based on the Party List through the PR system could be seen as unsatisfactory. On the other hand, the electorate may have been generally dissatisfied with the regime for failure to meet electoral commitments and fulfil promises, like service delivery which apparently lagged far behind schedule in the district.

Regarding the Party List, it is alleged by some respondents with whom the writer established informal interviews that some candidates who stood on the ANC tickets were of doubtful and questionable character. Highly emotional opinions expressed by some of these respondents contain the following allegations: 'How can we vote for thieves and rogues to represent us here in Maluti in the Local and District Municipalities? That cannot happen'.[74]

Further development of the above conversation ended on the following: over switching a vote to an alternative registered party in the district, 'I am committed to the ANC. I cannot betray my organisation hence I cannot switch allegiance to vote for another party like the IFP or the UDM.'

The inference drawn from the above is that while service delivery might generally constitute a reason for low voter turn-out, representation through the List process could have been a possible form of alienation for potential voters from casting their vote in the 2000 Municipal Elections.

As can be seen from the above information many voters, on average percent above 50% decided to abstain from voting rather than switch votes to candidates from other contesting parties. This is one of the shortcomings of the PR system. Given the fact that the electorate does not exert any

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[74] Informal interview with an elderly community resident, a staunch supporter of the ANC, Maluti. Name withheld for purposes of anonymity and confidentiality.

meaningful influence over party nominees in the PR and the List process, the system can cause widespread voter apathy.

When voters found themselves in this situation, i.e. whether or not to vote for a candidate against their political will, or to totally abstain from voting, they chose the latter. This practice reinforces the assumption that 'in Africa apathy has seldom led to one party losing support in favour of another, as voters tend not to switch parties, but simply abstain'.[75]

Low voter turn-out in the district cannot be attributed to lack of VE programmes, taking into consideration the concerted effort made by the IEC to conduct campaigns throughout the country and specifically in the district in the run-up to the LGMEs.

5.3.4 TheMaluti district - voter turn-out, unemployment, and socio-economic imperatives

Cohen[76] has identified several theoretical possibilities and explanations for electoral *malaise* and setbacks, especially after watershed elections generally. He categorises these under two broad themes: technical and political. Technical explanations relate to causes such as inadequate census data; physical problems of reaching electorates with information and making polling booths accessible to them; and use of voluntary rather than automatic registration procedures.[77] Added to this is the difficulty to comprehend complex and intricate registration procedures like the use of green bar-coded identity documents, their procurement, coupled with bureaucratic ineptitude, and the frustrations involved in everyday socio-economic problems confronting rural communities.

Given the fact that most rural communities suffer from high rates of illiteracy, it can be conceived as being possibly one of the causes of poor voter turn-out in the district. Difficult physical terrain like mountainous ranges and generally poor means of transportation and communication networks can affect the electoral voting processes and the provision of services. Service delivery, the provision of social infrastructures, and job creation, all emerge paramount

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[75] Breytenbach, W (1997), p 93. op cit
[76] Cohen, DL (1983) op cit
[77] Cohen, DL (1983) p84 op cit

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in exerting influence on the voting process. To this end 'declining trend in voter turnout (sic) is higher in rural areas than urban areas, where infrastructure is generally better'.[78]

Application of Cohen's[79] hypothesis to the 2000 LGMEs at the district under study reveals a number of interesting sign posts directing attention to other issues.

Contrary to all expectations, Ward 21 which constitutes Maluti Township recorded the lowest voter turn-out despite its comparative advantage over other Wards in the provision of social infrastructure and development generally. (see Chapter 6: 6.3.1) Voter turn-outs in other Wards in remote areas of the district were relatively higher than Ward 21, despite the socio-economic deprivation of these rural communities. Development in this sense cannot be used as major index or explanation for voter turn-out in Wards. The need to explore further factors for a possible explanation assumes critical importance.

Table 9: Effects of unemployment on voting turn-out in the Maluti district

Name of Ward	Ward Profile	%Employed	%Unemployed	Levels of Socio-Economic Devt.	% Voting Turn-out
21	Maluti T/ship	55,2	44,8	High	30,73
10	Rural	14,5	85,5	Low	57,73
28	Very Rural	7,2	92,8	Low	52,52
26	Rural	14,6	85,4	Low	54,18
24	Semi-Rural	35,7	64,3	Average	37,23
20	Rural	11,2	88,8	Low	52,59
25	Rural	12,9	87,1	Low	55,62
18	Rural	13,7	86,3	Low	59,59

Source: Ward Map for Municipal; Elections, 2000; March Registration statistics.

Under Table 9, the writer compared Ward 21 constituting Maluti Township with some wards in the rural communities. The results in terms of Voter Turn-out, Employment and Socio - Economic developments have been surprising, and very interesting. Maluti Ward 21 compares

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[78] Ibid, p 85.
[79] Ibid,

less favourably with other Wards in the surrounding rural communities in terms of voter turn-out, employment status, and provision of social infrastructure. The conclusion is that although service delivery (and lack thereof) can be conceived as a necessary factor, it cannot be considered as a sufficient one to explain perceived voter apathy in the district. Maluti Ward 21 is relatively well developed, being the District Headquarters, compared to all the surrounding rural communities and their wards, yet it registered by a long way the lowest voter turn-out (i.e. 30.73 %) in the last LGMEs.

A conclusion can be drawn from the ongoing analysis that high incidence of unemployment sufficiently attracted higher voting rates in the district. The greater the level of unemployment in a particular Ward, the higher the voter turn-out. Job creation is thus considered to be a major index for voter turn-out in rural communities. In the eyes of rural communities, voting is perceived as being the only option to overcome the barrier of unemployment and as a social menace, this attracted high voter turnout.

In conclusion, it can be said that all the discussion and analysis above demonstrates that the Maluti district experienced voter apathy, despite an overwhelming ANC election victory in the 2000 LGMEs. The average percentage voter turn-out was 49.82 %. Although it compares favourably with the national voter turn-out of 48 %, it leaves much to be desired. The important fact is that 'three out of every five ANC supporters stayed at home'[80] or two out of every five ANC supporters voted in the 2000 LGMEs. Such figures do not bode well for a young democratic country like South Africa. Fundamentally, three issues can be cited as explanations for voter apathy in the district.

First is the failure by the government to deliver on its electioneering promises. Most potential voters might have been very enthusiastic to participate in elections, only to be disappointed later.

Rural poverty is exacerbated by soaring unemployment levels, especially in local communities. Seemingly, rural people are becoming increasingly disillusioned with the growing scourge of unemployment. The effects are devastating. The state of affairs is described thus: 'No amount of political spin can disguise the fact that ordinary South Africans are getting poorer, and that

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[80] *African Monitor, Vol 6 No 1, February. 2001*

unemployment is at best not improving and probably getting worse' .[81] The future looks gloomy. School leavers find themselves in the streets eagerly looking for whatever they can lay their hands on, but nothing exists to solve the problems of unemployment.

The second factor militating against high voter turn-out closely parallels the first factor in its ramifications. To begin with, this can be conceived within the view of Anthony Down's 'Rational Choice Theory',[82] which presupposes or contends that 'people will vote if the returns outweigh the cost.' The perception or assumption that the government had failed to fulfil its electoral promises in the previous election, i.e. 1995/96, might possibly have constituted a major factor, drawing away potential voters from participation in the 2000 LGMEs. The crux of the matter is that some voters do not see the need for casting the vote. Further to this, it has been argued in certain quarters that voting does not appeal to some electorates, because there is lack of representation and accountability, the essential element of democratic governance. This is compounded largely by the PL system. While the PL system is argued as an ideal option to enlist candidates for democratic elections, it has the tendency to be counter-productive in that it alienates voters. Electorates do not have control over choice of candidates either before or after the elections. The chasm between electorates and their representatives, i.e. elected party candidates, continues to widen, as both find themselves increasingly affected by voter apathy. In this way, election loses significance, as means to provide the arena for broader participation. The fact that more people stayed away from the LGMEs than those who voted implied that representation is geared towards minority decision-making in governance at the local level.

Finally, the fact that candidates with dubious characters proved by past misdeeds in local communities were placed on the PL for wards and PR voting processes is perceived as being a major bone of contention driving away potential voters from active participation in the 2000 LGMEs in the district.

Local communities foster a sense of social interaction to such an extent that opinion about party nominees could easily be formulated and spread given the fact that rural communities are

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[81] Ibid.
[82] See Anderson, JE (1994) 'Public Policy Making: An Introduction

nucleated and close - knit. As such, to character sketch candidates placed on ANC PL system is quite easy. Added to this is the fact that most of my respondents emphatically stated that they voted for the ANC party and not candidates standing on the ANC ticket in the 2000 LGMEs.

However, in spite of a barrage of problems, the LGME is conceived of as means to transform rural communities from the ravages of socio-economic iniquities they have been subjected to over the painful years of apartheid rule and the Bantustan administration (1948-1994) which left their mark of poverty, want, and underdevelopment. Diametrically opposed to the weaknesses of the past is the need for self-empowerment, self - sustainability, reconstruction, development, and the adoption of poverty alleviation policies and programmes to take care of future exigencies.

5.4 PROFILING MULTI-PARTY POLITICS IN THE MALUTI DISTRICT: IFP AND UDM

5.4.1 The political profile of the IFP

The IFP exerted a relatively less significant impact on Maluti and Matatiele constituencies towards the build-up to the 1995/96 Local Government Elections, despite the fact that Matatiele falls under KwaZulu-Natal province. Reasons are not far-fetched and can be attributed to a number of factors. Prominent among these is lack of democratic culture. In its political gestation, democracy which emerged from the democratisation processes found itself confronted with the problems of ethnicity created by apartheid.

To overcome the barrier of ethnicity was regarded as being not only an extremely difficult operation but also hazardous. As a divisive mechanism in South Africa's rural communities, ethnicity became profoundly inward-looking, rather than concentrating on nation-building or nationalism in a wider framework. Tribal politics rather than national politics assumed greater political significance.

The theme I have systematically developed here supports the argument that apartheid created not only adversarial relationships across the colour divide but also succeeded largely in pitting one ethnic community against another. Each ethnic community was treated in such a way that it perceived itself as distinct, and the result was that political development was crucially parochial, narrowly confined to tribal rather than wider South African issues. This was seen as the essence

of colonial policy of indirect rule, an approximation of the BAs policy which laid a strong foundation for apartheid in South Africa. Competition for social and political prestige and resources and in-fighting was common, since each ethnic community felt the need to project an image of self-pride, self-assertiveness and superiority.

In the final analysis, politics of ethno - centricity emerged paramount, a strong pervasive factor in South African politics. Its consequence has been the politics of 'no-go-areas', which emerged intolerant and uncompromising to opposition, especially in the run-up to events which preceded democratic/competitive politics in South Africa. Politics of 'no-go-areas' reinforced ethnic claims, and gave them a degree of saliency, especially when the country became a democracy. Democratic politics of change and tribal forces of resistance, ostensibly aimed at maintaining the *status quo,* engaged each other in a political showdown of contestation with devastating consequences. The cost involved was high. For instance, the emergence of 'no-go-areas' essentially made proliferation of other parties in its domain of influence quite impossible. The aim was to create an unlevel playing-field, less conducive to sustaining multi-party/competitive politics.

Attempts to overcome the politics of 'no-go-areas' often resulted in political clashes and conflicts. Opposition was effectively nullified, giving free rein for an ethnically monolithic party to prevail. Supporters of other political parties were essentially conceived of as being political enemies rather than political opponents, hence be they could and would be killed. Fear of intimidation and lawlessness assumed unprecedented proportions which forced opposition members to operate underground, in concealment of their party identification or alignment. Otherwise they risked head on and dangerous confrontation. Undoubtedly, politics of 'no-go-areas' created fear, suspense, and tension in the political atmosphere in tribal communities. The bloody carnage that accompanied the politics of 'no-go-areas' was beyond the comprehension of many people. The killings in the Natal-Midlands and Richmond areas of KZN occasionally made headlines in the media and were given extensive coverage. Like a double edged sword, the politics of 'no-go-areas' cut both ways: other communities took retaliatory measures and so the violence spread. It deepened ethnic hostility and conflicts and essentially dominated the political landscape of rural communities.

Voter support, for the IFP from communities around Maluti operating outside the political enclaves of KwaZulu-Natal were effectively stifled as a result of the intolerance of differing views.

A second fundamental reason for the IFP exerting relatively less influence in the Maluti-Matatiele district is possibly the disparity surrounding the choice of voting dates for the first local government elections. Whilst the government endorsed 1995 as officially prescribed date, KZN and the Western Cape had a different election time-table. In the long run a compromise of a deferment was made for the two provinces, with the choice of 1996 as election date. Changes that occurred in the date for the first Local Government Elections proved counter-productive for KZN. The implication is that potential supporters of the IFP, namely residents outside the provincial jurisdiction of KZN, could not exercise the vote. To worsen the situation, was the fact that no provision was made for extension of the voting process beyond the borders of KZN. Thus, supporters of the IFP in other provinces were abandoned. These events thus had far-reaching effects on the first local government elections, 1995/96, and also had an effect on the 2000 LGMEs in the Maluti district.

The politics of 'no-go-areas' increasingly became less important and gave way to multi-party democracy. This created an enabling and quite conducive atmosphere for the IFP to officially launch the party and embark on a comprehensive programme of campaigning in the district. IFP supporters could also openly declare their political stance, with others registering their candidature on the IFP ticket either as PR or Ward candidates for the 2000 LGMEs, without fear of intimidation. Although the IFP did not win a substantial number of seats in the 2000 LGMEs, its entry into the district has been of far-reaching political significance. The district seemed poised for multi-party democracy. The upsurge of multi-party democracy in the Maluti district has significantly broken down barriers between different parties.

5.4.2 The political profile of the United Democratic Movement (UDM)
In the 1999 General Elections, the UDM recorded significant votes in Maluti district to become the official opposition party to the incumbent, ANC. It achieved 12,36 % of the vote in the 1999

General Elections and 11,76% in the 2000 LGMEs, respectively despite its recent appearance in both elections.

Mabandla Gogo,[83] UDM spokesperson, remarked: 'While the support the UDM got in 1999 was only in areas like Umtata, Mqanduli and Elliotdale, the party had made major inroads in other areas like Maluti'.

The influence of the UDM in the Maluti district was growing. This is attributed to several factors, which are considered in the following: The entry of the UDM into the Maluti district raised speculation that the political dominance of the ANC in the district had come under serious threat. Firstly, there was Bantu Holomisa's leadership profile which commanded a degree of popularity in the Eastern Cape Transkei, based on his satisfactory political credentials as former Head of State and Military General of the erstwhile Transkei Defence Force (TDF). His popularity crossed both civilian and military circles. His youthful exuberance coupled with rabble-rousing, i e crowd-pleasing style of politics earned him popularity and won the hearts of many supporters.

Shortly after the formation of the UDM, Holomisa orchestrated a campaign of criticism that focused attention primarily at revealing the shortcomings and weaknesses of the ANC's administration, especially at the local level. The fundamental aim was to exploit these weaknesses to his advantage and to build a strong political base. Among weaknesses revealed was the failure of the ANC government to fulfil election promises and unresolved issues around the position of TLs in the new political dispensation, which the 1996 Final Constitution had failed to address. Ndletyana[84] explains: 'stripped of their powers, neglected and treated with contempt by the regional government some traditional leaders found an ally in Holomisa' .

Disgruntled as the TLs were, they found comfort in Holomisa's UDM where they rallied for the restoration of their pride and dignity as tribal heads. Their political image had suffered under the ANC administration, especially at the local level. The appointment of Chief Mtirara as National

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[83] Mawanda, J (2003) 'Chiefs, defectors may boost ANC' - a report carried by the 'City Press' newspaper, Nov. 2 ; 2003 quoting Mabanda Gogo.

[84] Ndletyana, M (1999) 'The United Democratic Movement: a critical assessment'. *Politikon (1999), 26(2), 179-188.*

Chairperson of the UDM can be seen in a broader context as a means to lure chiefs into the UDM camp, rather than accept their political relegation by the ANC administration. Given the fact that the erstwhile Transkei homeland government consisted of chieftainship administration at all levels of government, support by chiefs for Holomisa and the UDM achieved quite phenomenal growth. For instance 'UDM claimed in early March that it had already captured the allegiance of 20 out of the 25 most senior traditional leaders in the province', ie the Eastern Cape, shortly after bouncing into the political lime-light.[85]

The growing popularity of the UDM posed a major challenge to the ANC in the Maluti district and the Eastern Cape in general which featured essentially as the UDM's political stronghold. Here party support cut across a broad social spectrum of the age divide, i.e. 'young' and 'old', - disgruntled TLs and the youthful elements of the region. These people rallied round Holomisa, ostensibly not only to give the new party support, but also to demonstrate overtly their dissatisfaction with the ANC government.

Job losses, administrative ineptitude, corruption, super-numeral civil servants, whose fate was uncertain, added much to everyday frustration, future uncertainty, and social insecurity.

Service delivery by the ANC government has lagged far behind schedule, with promises being unfulfilled. The consequences have been grave with rural people and school leavers being socially and economically deprived. As one local youth commented: 'The ANC government promised everything, but delivers nothing'.[86]

The build-up to the 2000 LGMEs created quite a conducive political atmosphere for two parties i.e. the UDM and IFP, to make significant inroads into the Maluti district. While entry of the two parties can be conceived of as being a triumph of multi-party democracy over one-party dominance, it was considered a major challenge to the incumbent party, the ANC, which after the Local Government founding elections of 1995/96 had consolidated itself as the dominant party in the district. Given this situation, most ANC candidates for the 1995/96 Local

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[85] Southall, R (1999) 'The struggle for a place called home: The ANC versus the UDM in the Eastern Cape'. *Politikon, vol. 26.*

[86] Informal interview with a youth who had completed a degree programme about three years ago with the University of Transkei (UNITRA), in desperate search for a job. Name withheld for purposes of confidentiality. 6-08-00.

Government Elections in the district who were returned as unopposed candidates were forced by the prevailing political atmosphere to stand against other party contenders, the IFP and the UDM respectively.

Unlike other districts in the Eastern Cape or KwaZulu-Natal where ethnic politics became important on the political landscape and promoted politics of 'no - go - areas', thereby relegating multi-party politics to a level of secondary importance, politics in the Maluti district took a different route -   far away from politics of ethno-centricity.

Several reasons can be advanced to support the above claim. First, there is the demographic orientation of Maluti as a township and secondly, its geographical proximity to towns like Matatiele, Kokstad, and Harding - all in the KwaZulu-Natal province which contained large pockets of Zulu people. These towns and cities not only serve as commercial centres for Maluti and its surrounding locations and villages but also are the main source of employment, providing sustenance and livelihood for several local communities.

Given the fact that a cross-section of the demographic profile of townships exhibit certain peculiar characteristics, which are epitomised by a conglomeration of tribes, strong ethnic formation is discouraged thereby promoting a process of detribalisation. As sites of ethnic diversity and heterogeneity, townships have become a force that is capable of breaking down barriers considered to be potential impediments to social cohesion and integration.

Commingling and propinquity have emerged as strong underlying factors in the entry of UDM into the Maluti district, quite a significant break-through for multi-party local democracy and transformation politics. The fact that the Maluti district constitutes an integral part of the former Transkei of the Eastern Cape can be seen as being a strong reason for explaining why the UDM was given the opportunity to occupy a political niche.

Given these circumstances, the Maluti Township has come to constitute a melting-pot of some sort, putatively aimed at neutralising ethnic formation and conflicts. In the township, although Zulus represent an insignificant number in comparison with other tribes like Sothos and Xhosas, they have nevertheless influenced multi-party politics in the district.

5.5 REFLECTIONS ON THE 2000 LGMEs IN THE MALUTI DISTRICT: SOME EXPERIENCES.

On 5 December 2000, the South African electorate went to the polls to choose leaders for local administration. This was the second set of local elections to be held in South Africa's most recent experimentation with multi-party democracy at the local level.

The 5 December 2000 LGMEs, (also referred to as Municipal Elections,) are considered to be important because they preceded the first ever local government elections, universally and technically labelled within the broad area transition politics as 'founding elections'.[87]

The first local government elections of 1995/96 are regarded as being historic not only because they paved the away to transform authoritarian local administration but also because they enabled the democratic consolidation of local administration. They levelled the political playing-field and set in motion certain modalities and mechanisms of transition arrangements. Significantly, all these laid a strong foundation for a viable democratic beginning in local administration. Without the first local government elections of 1995/96, the prospect for democratic consolidation in local administration would have been a remote possibility and very doubtful. The efforts of the first local government elections of 1995/96 were crowned with the 2000 December LGMEs which ushered in a fully-fledged democratically elected representation for local government institutions.

5.5.1 Setting the parameters for change

The existing political terrain made the Maluti district a highly contested region towards the run-up to the 2000 LGMEs. The two political parties that emerged, i.e. Mangosuthu Buthelezi's IFP and Bantu Holomisa's UDM, engaged the incumbent ANC in an electoral contest.

As a regionally based party, the UDM drew most of its support from the Eastern Cape. The UDM was to constitute a formidable opposition to the established ANC hegemony in the district, given the fact that leaders of both parties originate from the Transkei.

With its air of youthful exuberance, leadership style, populist approach, and appeal to the popular vote, the UDM was rewarded with much needed electoral strength to take on the ANC in the

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[87] Bratton, M et van de Walle (1997), op cit.

district. The emphasis was on breaking the barrier of hegemony established by the ANC in the district, especially after the 1995/96 watershed elections.

Down-trodden and disgruntled youths identified themselves with the UDM, ostensibly because of what they perceived as 'slowness' or 'foot-dragging' of service delivery. Electoral promises by the ANC had become mere political slogans, rather than firm commitments to fulfil the needs and expectations of rural communities after the first local government elections, 1995/96. The district continues to suffer from socio-economic deprivation.

Poverty, unemployment, and economic insecurity afflict rural communities, turning issues into a cauldron of social and political discontent. Most affected were school - leavers who walked the streets desperately searching for jobs which did not exist. They staked their future in Holomisa's UDM as a result of failure and frustration involved in job-hunting and other social and economic problems they faced. Driven by these considerations, the 2000 LGMEs were fought on the platform of delivery. The time frame of delivery progressively gained much momentum in the electoral game of politics. Albeit, most of the election campaigns were dominated by the issue of delivery and cut across a wide range of programmes and policies of the contesting parties.

Other supporters of the UDM were some TLs, who felt disgruntled over ANC's lack of clarity on their position and status in the new political dispensation, especially at the local level. They were embittered about their exclusion from local administration and felt that democracy perceived through the eyes of the ANC government had entertained the erroneous belief that the system of governance is incompatible with a chiefly role at the local level.

The IFP never posed a serious challenge to the ANC in the district. Although it carried a reputation as party destined to uphold the dignity and preservation of tradition and values of the *amakhosis* (chiefs)*,* its political orientation and general outlook remained parochial and conservative and revolved primarily around the Zulu Monarch. Its focus was regionally based, commanding mass following exclusively from the KZN Province.

As the name intimates, the IFP also carries the residues of a tribally monolithic party, in an attempt to project the image and past glory of the Zulus as the dominant 'master' tribe in South Africa using the political exploits of Chaka the Zulu warrior in the past. The KZN thus became

the epicentre of the IFP from where its policies and programmes were significantly disseminated and transmitted across to other parts of the country. Apart from the KZN, as its political stronghold, the IFP could not mobilise significant support to counter the efforts of the ANC. Given, the fact that leadership of the IFP held some ministerial portfolios[88] in the national government, the IFP seems to have drifted increasingly towards the ANC camp. The effect has been the introduction of radical changes in policies previously advocated by the IFP, i.e. its strong stance on the Zulu monarch, recognition attained as party for the *amakhosi* (chiefs)*,* the adoption of federalism as ideal system of government etc. Whilst this political cohabitation has gone a long way to mitigate widespread political violence and carnage in KZN, it has had an adverse impact on the political credibility of the IFP as a potential opposition party and a force in South Africa's democracy. The general perception is that, unlike other opposition parties, the IFP has been less critical of some unpopular policies of the ANC, as a result of this political symbiosis. It is ironic that the IFP could criticise the party in which it played a leadership role. Such action is conceived as tantamount to self-betrayal. The adoption of an attitude of subservience and appeasement by the IFP leadership between 1990 and 1998 can be seen as logical outcome of this political marriage of convenience. Violent conflict had been minimised to a considerable extent, albeit at a cost that the IFP would pay dearly in latter years.[89]

Undoubtedly the IFP posed relatively less of a potential threat to ANC hegemony in the Maluti district. However, the standpoint of the IFP cannot be overly criticised. Its action might be seen as a continuation of the Government of National Unity (GNU), an interim arrangement of co-operative governance, in which government was raised above the narrow confines of national politics, as a means to address perennial problems confronting the country. The arrangement was arrived at towards the creation of a new democratic order in 1994.

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[88] Between 1990-1998, Mangosuthu Buthelezi leader of the IFP featured as Minister of Home Affairs in the first democratic government of Mr Nelson Mandela of the ANC. Continuation of the status quo saw Mr Buthelezi playing similar role under the first term of office of Mr Thabo Mbeki; 1994-1998. During these years Mr Buthelezi made significant impact in the administration of the nation as Cabinet Minister. Dr Ben Ngubane of the IFP was also appointed as Minister of Arts, Culture and Technology in the ANC administration from 1994 to 1998.

[89] The above information chronicles events before the 2004 General Elections. The post 2004 General Elections had led to a split in this 'political marriage of convenience', forged between the ANC and the IFP. The two parties decided to go their separate ways when the IFP refused to accept ministerial posts from the ANC after the 2004 General Elections.

It is likely that co-operation between the IFP and ANC was to prevent the carnage and political fighting fuelled by clashes between the ANC and IFP supporters, especially in KZN. The political transaction could be seen as means to normalise the relationship between the ANC and IFP and to reach a compromise, thereby removing the differences which polarised the two parties.

Despite the presence of the UDM as a significant force in the district, the ANC won a resounding victory with substantial vote margin. Both the UDM and IFP conceded victory to the ANC and accepted the verdict of the election outcome as free and fair.

5.5.2 ANC victory in the district

There were quite compelling reasons for ANC's overwhelming victory in the 2000 LGMEs in the Maluti district. It can be said that Maluti with its predominantly Sotho residents had opposed the erstwhile Bantustan government of K D Matanzima of the Transkei. The consequences have been grave, resulting in the district suffering from a severe neglect of socio-economic development.

Most outspoken tribal leaders including Nomcita had suffered severe reprisals leading subsequently to their imprisonment on several occasions for offering resistance to what the Sotho tribe perceived as 'creeping onslaught of Xhosa imperialism'.[90]

According to the available sources of information, the scheme was engineered by K D Matanzima's government during the late 70s. Historical evidence subtantiates the fact that Matanzima's regime was marked by widespread seizure of tribal lands belonging to the Sothos, subsequently appropriated for Xhosas.

The process of land poaching or pirating, had continued significantly with devastating effects. Opposition provoked by large-scale tribal resistance by the Sothos was met with brutal repression. Main leadership was threatened in most cases with long imprisonment sentences, as was the case with Nomcita. He was one of those few Sotho tribal leaders who emerged to stand

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[90] It is worth to note that Maluti was established by KD Matanzima, the Transkei leader in 1976, as dormitory.Township adjacent to predominantly white town of Matatiele. Maluti was to satisfy the economic needs of 'splendid apartheid' policy, in which significantly the Township became pool of labour reservoir to service the white metropolis. See Chapter 2 for further details.

up fearlessly against the actions perpetuated by the Matanzima government of the Transkei. Nomcita was arrested with several other tribal leaders, given a mock trial, and sentenced to fifteen years' imprisonment without the option of a fine.

Eventually resistance to poaching Sotho land died down, and the main leadership went underground. The tribe capitulated and were subdued without further aggression against the 'wave of Xhosa imperialism'.[91] Domestic imperialism was in the making, orchestrated by large - scale looting, plundering, and poaching of Sotho lands in the Maluti district by Xhosas, instigated by the Matanzima government of the Transkei. This carried the seeds of more conflict as narrated by the Sotho tribes of Maluti.[92]

5.5.2.1 A saviour in need: The dawn of ANC politics in the Maluti district

The predominantly Sotho tribe of Maluti were thus prepared to throw in their weight behind a perceived saviour in opposition to the Matanzima regime and to apartheid which had created Maluti as a dormitory township and which had led to the subsequent appropriation of their lands. No wonder on the eve of dawn broadcast to unban proscribed political organisations the event was greeted amidst widespread euphoria. It drew sharp relief and sentiments among the Sotho tribes of Maluti district. They regarded the event signalled not only as day of reckoning, but a day of liberation from cultural, political, and economic domination by the Xhosas.

The presence of ANC in the district had been greeted with quite overwhelming relief, as a party that held the key to liberation, from political and tribal imperialism imposed on them by the erstwhile Matanzima administration.

The Land Restitution programme of the ANC government has very often been hailed as laudable and welcome. With much patience the Sotho tribes of Maluti had been waiting for a restitution of their lands.

Spurred on by the terms of reference of the Land Restitution programme, in 1996 a group of Sotho tribesmen descended on land in Maluti which was thought to be ownerless and started

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[91] An expression employed by a Sotho respondent to describe the actions perpetrated by the Xhosas with the support of the Matanzima's government of the Transkei. Name withheld for purposes of anonymity and confidentiality.
[92] Information gleaned from an interview with Mr Dada, retired School Inspector and an EDO. 19-10-99.

allocating portions to themselves. Other lands to suffer from this unlawful occupation were those around the main air strip close to Matatiele. The unlawful land occupation was later nullified by court action, since most of the so called 'unoccupied' lands had been registered under title deeds. However, the incident should not be perceived as an unlawful act by a band of irresponsible tribesmen to circumvent the law, motivated by widespread land-hunger but as an attempt to compensate for land taken from them as the then legitimate owners.[93]

Another fact is that as the government in power, the ANC exploited the advantage of incumbency and patronage to gain votes of rural communities. This was an electoral advantage other parties did not have at their disposal.

Despite accusations by most opposition parties of slow service delivery and failure to fulfil election promises, service delivery occupied a prominent place in the ANC's election campaigns. There were also visible signs of progress in some development projects.

The RDP scheme paid huge dividends in Rural Electrification Programme, Tele-Communication network, Water Reticulation Projects, Low Cost Housing Schemes, School Building Projects, Road Construction, Laying out street pavements, School Feeding Schemes etc. Ostensibly, these projects, some already completed and others nearing completion, reinforced the ANC's election campaigns in the district.

Given the above facts, the ANC could thus point to a record of tangible achievements - of some projects in the district, despite the fact that others were in their early stages of development.

The promises made to ensure speedy completion of these projects especially those in their early stages, affected prospective voters positively and in the final analysis gave the party the advantage and the benefit of doubt.

In essence, while opposition parties promised quicker delivery of services, the ANC could point to visible evidence of achievements in socio-economic programmes and projects that had already been established.

Given the fact that rural communities suffered under apartheid in terms of socio-economic development, it was extremely difficult for other parties to convince Maluti communities that

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[93] Interview with Mr Dada,ibid.

they exclusively and not the ANC possessed adequate solutions to the socio - economic iniquities to which they had been subjected .

Communities held the ANC in high esteem as the party of political liberation, and socio-economic liberation.

Another fact is that opposition parties only recently had entered the district, i.e. at the local political level hence they lacked strong political base /platform from which to argue their case and canvass for support. Instead of switching votes to alternative candidates where they disagreed with ANC Party List (PL) nominees, voters rather chose to abstain from voting. (see 5.3.3)

A great asset was the resources and other facilities which enabled the ANC to embark on a comprehensive programme of publicity and organisation. Posters and billboards depicting ANC logo and electioneering message were conspicuously displayed. Election campaigns were marked by organised rallies accompanied by blaring loud speakers, ostensibly to convince rural communities that the ANC government possessed the ultimate solution to the trail of socio-economic neglect left by the apartheid government. The colourful and flamboyant nature of such rallies was important: they attracted crowds. Opposition parties, probably due to lack of resources and other logistical problems, could not mount campaigns that matched the excellence and organisation efficiency of the ANC.

Also there was a deep-seated psychological feeling surrounding the ANC election victory in the district. To begin with, the ANC had emerged as the dominant party in the district after the 1995/6 Local Government Elections. Essentially all its candidates were returned unopposed.(see 2.3.3)

The 2000 LGMEs constituted a repetition of the election victory of the 1995/6 Local Government Elections, in which the ANC would consolidate its position in the district. The 1995/96 election victory created psychological feelings in the perceptions of the electorate. Firstly, they had known no other party besides the ANC, and secondly there was the fact that

most voters wanted to side with the 'winning horse', rather than the 'loser' or 'lame' one, hence the overwhelming victory accorded the ANC at the 2000 December polls.

To strengthen the ANC campaign in the district, has been the indefatigable role played by SADTU. The organisation became prominent in 1990. Shortly after its formation, SADTU assumed a leading role to promote and safeguard teachers' interests at the local and national levels. SADTU's political and ideological orientation or outlook is shaped by teacher militancy and a radical approach to national as well as internal organisational issues. To achieve its objectives, the organisation has identified itself with the ANC, and in 1993 entered into a close working partnership with COSATU.[94] Probably SADTU's radical and militant outlook can be explained in terms of the affinity and symbiotic relationship it forged with the ANC and later COSATU.

At one stage, SADTU's national president, Willie Madisha, was elected as the president of COSATU. His appointment enhanced SADTU's political image and reputation and strengthened ties with COSATU.

SADTU's name is quite misleading, given the fact that its activities go beyond protesting against certain unfair labour practices at the work place. It does not confine itself to mundane classroom and 'chalk' issues.

During the build-up to the 2000 LGMEs, the Maluti district branch of SADTU organised series of meetings and unequivocally urged its members to vote in support of the ANC.[95] Meetings held supposedly to discuss issues affecting teachers, turned out to be political rallies in disguise to canvass support for the ANC, as very often speeches delivered by the organisers from both district and National Headquarters were occasionally interrupted by ANC slogan and voting strategies. In support of these political campaigns, SADTU's national leadership publicly came out in the open to declare the organisation's unfailing commitment to the ANC. In one of their

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[94] Govender, L (1996) 'When the Chalks are Down- A Historical, Political and Social Interpretation of Teacher Militancy in South Africa'. HSRC, Pretoria.
[95] The information presented here serves as an eye-witness account, since the writer attended several of the meetings organised by the South African Democratic Teachers' Union (SADTU) in the district.

publications,[96] SADTU once again reaffirmed its 'commitment to work for a decisive victory for the ANC in the upcoming elections.'

Other parties which contested the 2000 LGMEs in the district, like the IFP and UDM, never enjoyed such electoral support as did the ANC, with SADTU as its strong campaigner in Maluti district.

Given the fact that three out of five major parties in the country contested the 2000 LGMEs in the district, this can be seen as a triumph of multi-party democracy over monolithic one-party dominance, which is an essential attribute of democracy. It adds to the argument that local democracy is functioning, in the absence of one - party dominance that would have moved towards authoritarianism, as typified by the politics of 'no-go-areas'.

The introduction of competitive or multi - party politics in the district in the 2000 LGMEs substantially broke down the barriers of political 'no-go-areas'. Progressively, the district opened up itself to multi-party democracy and respect for dissenting views and opinions in politics as the 2000 LGMEs clearly demonstrated. Characterised as being free and fair, the 2000 LGMEs remained devoid of political excesses or intimidation. Vote-rigging, and other electoral malpractices that essentially characterised the 1995/96 Local Government Elections were absent.[97] The prospect for consolidation of democracy at the local level seems to be good as evidenced by voter behaviour and general perception of the elections.

5.6 CONCLUSION

Several issues have been discussed concerning the three political parties that made significant inroads into the Maluti district during the build-up to the 2000 LGMEs.

Fundamentally, these political parties that offer policy programmes and promises must translated them in such a way that one wishes, demands, and expectations of the voters are met. An election, as a political phenomenon assumes critical importance as a means to translate votes into seats and to fulfil civic and utilitarian expectations of the electorate, through service-delivery.

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[96] 'The Educator's Voice' – a monthly newspaper publication by the SADTU, Editorial commentary, March Issue, 1999; p3-4.
[97] See Chapter 2, Section 2.3.3 of Thesis for further information..

Allowing for participation and ensuring service-delivery are regarded as being essential attributes of local administration. Therefore, an election can be conceived of as being not so much a means to an end but rather an end in itself. To this end, various methods and strategies are designed by electoral colleges and institutions as mechanisms to support the voting process. The process not only seeks to minimise high incidences of spoilt ballot papers or vote -waste but also to inculcate a degree of voter consciousness in the electorates. Hence, VE programmes are provided to prevent voter apathy and to ensure high turn-out in elections.

The adoption of a Mixed Electoral system, which included the PR and Single Member Constituency System also known as the First-Past-The-Post (FPTP) has been given fair coverage in the study. Considered a viable option, the Mixed Electoral System is meant to offer benefits and also to forestall inherent weaknesses and limitations of the PR Electoral System that have been discovered at both national and provincial levels of the country.

Strategies, methods, and techniques underlying the 2000 LGMEs have been important to this study, given the fact that elections generally remain pivotal in democratic governance. It enables participation, representation, and accountability to take place.

The importance of elections can be strongly stated as agents or processes to drive democratic transition locally towards consolidation. It is at this level that a relapse or regression to an authoritarian system of local administration becomes virtually impossible provided there are democratic elections. The assumption is that it is beyond the consolidation level that service delivery assumes critical importance in local administration, especially given the fact that 2000 LGMEs established themselves as the sequel to the first local government elections of 1995/96.[98] It is at this juncture that utilitarian consideration as a prerequisite of local administration comes into sharper focus, i.e. beyond elections when policy prescriptions find tangible and concrete expression in service delivery programmes.

In the next chapter, attention will be focused extensively on service delivery as well as structures and mechanisms supporting this important responsibility of local administration. The situation can also be seen as an attempt by the ANC, as the government in local administration in the

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[98] See Chapter 2 of Thesis.

district, to translate its electioneering programmes and promises into fulfilment of the needs, expectations, and the political aspirations of rural communities.

CHAPTER SIX

LOCAL GOVERNMENT AND SERVICE DELIVERY IN THE MALUTI DISTRICT

6.0 INTRODUCTION

In the previous two chapters, Institutional and Electoral participation in local government with reference to the Maluti district were discussed.

Both institutional mechanisms are predisposed towards the creation of avenues for broader community participation either directly or indirectly in local governance.

Although Institutional and Electoral participation, as important components of local government, have been given an in-depth coverage in the study, unless Service Delivery mechanisms are explored, the picture would not be complete.

The writer focuses attention primarily on service delivery as component of DLG, a term that has gained much popularity within contemporary local government discourses. This represents a clear break with the past in which local government functioned mostly as an appendage of the /central government. With its degree of acquiescence and being subservient to central control, local government in the past lacked legitimacy in its avowed mission to shoulder responsibility and the capacity to meet the basic needs of local communities. Local government functioned by mere default, lacking the political clout and leverage to think in an innovative manner and act accordingly as an independent institution entrusted with certain mundane functions.

The hypothesis introduced in the chapter highlights the theoretical interpretation of DLG and service delivery programmes. The approach has been broad-based, drawing on the limitations and failures of the apartheid local government system as the point of departure for investigation in the implementation of service delivery programmes for rural communities.

The capacity of the new local government (DLG) to reverse the trend in service provision[1] is considered to be not only a means to address the challenges: socio-economic iniquities and imbalances of the past, but also a means to translate vision into reality.

Further, it is endeavoured in the study to present a balanced picture by cataloguing the many problems in basic service delivery in rural communities who urgently need such services.

6.1 Theoretical definition of service delivery

In a much broader theoretical framework, Municipal service delivery has been defined as being the following:

> a service that a municipality in terms of its powers and functions provides or may provide to or for the benefit of the local community irrespective of whether - (i) such services is provided, or to be provided by the municipality through an internal mechanism contemplated in section 76 of the Systems Act; and (ii) fees, charges or tariffs are levied in respect of such services or not.[2]

Matloa, PS [3] also defines service delivery in the following:

> Work done by somebody, and in this case one would refer to municipal officials, or how services are taken by municipal officials to people living in areas outside towns or cities and leading country lives under African traditional leaderships and their authorities'.

Service delivery will be measured not only against the above requirements but also against a broader interpretation of the term. Its application to governance at the local level will be investigated.

In a recent publication Hemson and Owusu-Ampomah,[4] from the point of view of the imperatives of service delivery, observe that service delivery:

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[1] 'Service delivery' and 'service provision': these have been used interchangeably throughout this part of the study to carry the same meaning.

[2] Local Government Laws Amendment Act, 51 of 2002.
[3] Matloa, PS(2008)'The Role of African Traditional Leadership in Modern Democratic South Africa: Service Provisioning in Rural Areas'. PhD thesis. University of KwaZulu-Natal. P227. Unpublished.

is more encompassing and includes not only the ability to provide users with services needed or demanded, but also a sense of redress ; that the services should raise the standard of living of the majority and confirm their citizenship in the new South Africa.

The above statement implies that service delivery should be seen as mandatory: each citizen's right rather than privilege, in communities suffering poverty as a result of the apartheid system. In addition to its mandatory objectives, service delivery is perceived as being a 'redressing agent', a means to remedy past and present socio-economic imbalances between urban and rural communities. A political result would be the creation of a new breed of South Africans whose citizenship undeniably would be based on their socio-economic emancipation also alongside their political emancipation. In the long run service delivery will raise the standard of living of local communities.

The White Paper on the Public Service[5] states the following:

Service delivery, in accordance with the affirmative or corrective action principles, will focus on meeting the basic needs of 40% or more South African citizens living below the poverty line in urban and rural areas, as well as other groups (including people with disabilities) who have been previously disadvantaged in terms of service delivery.

The above statement reveals the following themes: service delivery is perceived as being an affirmative or corrective measure, meant to meet the needs of 40% of the South Africans' rural poor, including people with disabilities. Service delivery is seen as solution to the debilitating political, economic and social problems facing the new South Africa. For instance, people with disabilities are not ignored and have also become a part of the service delivery beneficiaries whose needs should be adequately catered for.

6. 2 Rural communities and service delivery: the core issue

A daunting challenge confronting local government in rural communities is service delivery.

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[4] Hemson, D et Owusu-Ampomah, K (2005) 'A better life for all ? Service delivery and poverty alleviation'. In the 'State of the Nation-South Africa 2004-2005', edts. John Daniels et al, p511-537. HSRC. Cape Town.

[5] Ministry for the Public Service and Administration: The White Paper on the Transformation of the Public Service. Government Printers; Pretoria. November, 1995.

Provision of services is meant to not only overcome the barriers of development and backlogs of poverty caused by the apartheid local government but also to open up rural communities to modernisation and economically self-sustainable development programmes. With these views in mind, 'local government exists to supply inhabitants with those services that private enterprises are either unwilling or unable to provide because the services may have to be delivered on a non-profit or break-even basis '.[6]

However, the picture depicting the magnitude of poverty in rural areas is grim with the view emerging that service delivery has become quite an arduous task.

It is on record that between 45% and 50% of South Africa's population live outside urban areas, yet the deliberate and blatant neglect of Black rural areas under apartheid has resulted in the classification of some 74% of rural residents as 'poor'.

One can conclude that 'more than half of the provincial population of 6.6 million in the Eastern Cape are resident in more than 15000 villages, where development indicators are extremely low. The resource base is poor, public and commercial resources lacking such as housing and urban development facilities'.[7] Out of the '19 million people considered poor or ultra-poor in 2000, almost 13 million were rural based. Whilst 56 % of the rural population is poor, this applies to less than a quarter (23 percent) of the urban population. South African poverty is first and foremost a rural phenomenon'.[8] Placing Maluti district within the limitations imposed by the above statistical framework depicts that the district falls under what has economically been labelled 'poverty-disaster- zone'. The ravages of poverty are clearly marked and accentuated taking cognisance the socio-economic circumstances of the rural communities. It has been revealed that[9] :

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[6] Hilliard GH (1996) 'Understanding Contemporary Local Government ', in 'Citizen Participation in Local Government'. p3. Koos Bekker (edt) JL van Shailk Publishers, Hatfield. Pretoria.

[7] Development Bank of Southern Africa, 1994 Statistical Compilation.

[8] Van der Berg, S (2005) 'The Evidence of Poverty'. *New Agenda. South African Journal of Social and Economic Policy. p21-25..*

[9] See Theart Mgijima and Associates, Land Development Objectives and Integrated development Plan, 1999-2004. perception of the Transitional Wild Coast District Council, in which Maluti district forms an integral part, 1996-2000.

- The local people are generally poor.

- There is an employment rate of 8,7%.

- There are low incomes, and 54 % of households depend on remittances.

- Access to basic services and infrastructure, i.e. water and electricity, is poor.

- There are low educational levels.

- There is poor access to health facilities.

- The rate of unemployment is very high.

A recent SABC TV Programme[10] profiled the following statistics in the Eastern Cape as follows:

- 49.9 % of the people are unemployed.

- 64.3 % of the people live in poverty.

- 11.3 % of the people are living with HIV.

- 27 % of the people have access to free basic water.

- 38 % of rural households have Electricity

Compounding and exacerbating the poverty level in rural communities as depicted by the above statistics has been the high cost of service provision, because of more sparsely distributed population, greater distances and the lack of infrastructure, particularly in the former homeland areas, (i.e.the Transkei).[11] With an average income of less than R500, the district is ranked as one of the poorest in all of South Africa.[12]

Deepening further the level of poverty are the following factors: the cost of basic service provision in rural communities is relatively high, and the potential for revenue /income generation is dismally low. Given this fact, service provision and revenue generation capacity of rural communities are seen as being antithetical, or mutually exclusive.

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[10] The South African broadcasting Corporation (SABC), Programme of Asikulme' i.e. 'Let us Talk', presented by Xolani Gwala, SABC1 TV Programme on 'The Extent of Poverty levels in the Eastern Cape'. 13-03-05.

[11]Fast, H (1998) 'The White Paper and the rural poor' in Development Southern Africa, vol 15; No 2, Winter p307-311.

[12] Rogerson, CM et Ndlovu, N (2003) 'Rural Local Economic Development through Community-based Tourism-The Mehloding hiking and horse trail, Eastern Cape. South Africa. *Africa Insight, vol. 33 No 1/2.*

While service delivery cannot be conceived as the sole responsibility of local government, yet it is crucial, given the fact that performance of local government is measured by the capacity to deliver services in a sustainable and affordable manner.

Underpinning the capacity of local government to render meaningful services is the principle of civic responsibility, involving participation, representation, and accountability on the part of local recipients. Whilst utilitarian consideration involves efficient and effective service delivery mechanisms, civic consideration emphasises the competencies, values, and viability of participation, representation, accountability, and transparency in local administration on the part of municipal officials. Civic responsibility largely emphasises the 'notion of democratic processes such as elections, and the governing side of local government'.[13] Both components of local government - utilitarian and civic consideration or responsibility are the factors which make local government operate efficiently. However, while the civic consideration or responsibility is largely driven by elected politicians, utilitarian considerations function through bureaucratically appointed officials.

The utilitarian consideration or responsibility of local government can be described thus: 'It entails the efficient and effective rendering of services. Local Authorities exist because they provide services to citizens.'[14]

Service delivery can thus be conceived as being the means whereby votes of rural communities are translated into tangible solutions to the endemic socio-economic problems confronting rural communities who are poor. Undoubtedly, service delivery can also be conceived as being the point of convergence between the two essential components, i.e. civic and utilitarian consideration or responsibilities of local government in its developmental mission.

6.3 Developmental Local Government (DLG) and service delivery

Critical to the need for service delivery is the capacity of local government to undergo a profound transformation in thinking: from 'tier' to 'sphere', in an attempt to redress the iniquities

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[13] Bayat, S et al(1999) p4. op cit
[14] Bayat, S et al(1999), ibid

and socio-economic imbalances of rural communities. The shift in thinking from 'tier' to 'sphere,' implies that local government has become an empowered sphere able not only to implement national and provincial policies but also to spearhead development on the basis of its avowed mission to ensure service delivery.

The connection between development and service delivery is described thus:

> The developmental role starts with service delivery. If local government does not render services - either by itself or through facilitating others to do so - It will fail in a primary area. Service delivery is, in fact intrinsically developmental.[15]

Developmental policies and programmes of local government cannot be pursued in isolation, or single-handedly. To become developmental, local government will have to act in partnership with others. Regarding DLG, it is thought that 'partnership with the private sector, community organisations, other spheres of government and parastatals will be developmental in their own right as long as they introduce new vehicles for more effective - and hopefully more sustainable-delivery'.[16]

In an attempt to explore the frontiers of Developmental Local Government, the White Paper[17] has been more explicit in its interpretation.

The paper identifies four interrelated components of developmental local government. These include maximising economic growth and social development ; integrating and co-ordinating the development activities of other role-players, including national and provincial government ; democratising development by facilitating and encouraging the fullest possible participation by citizens ; leading and learning; and giving councils a key role in building social capital and encouraging local solutions to local problems.[18]

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[15] Heymans, C(1998)'Editorial – *Development Southern Africa'. vol 15, No 2, p148.*
[16] Heymans, C(1998), ibid.
[17] The White Paper on Local Government(1998), op cit
[18] The White Paper(1998) ibid.

In DLG, The White Paper identifies a central role for IDP, as being a 'mechanism for overcoming the inadequacies of the past and repositioning local government within its new developmental mode'.[19]

The erstwhile Transkei system of local government, in contrast, significantly revolved around chieftainship and the TA system.[20] Local government in essence remained an extension of the Transkei government significantly built on the system and reputation of the chiefs and headmen. Under TAs, decisions were taken in a more 'paternalistic, non-democratic and non-consultative manner'.[21] Top-down rather than bottom-up decision-making processes prevailed, with far-reaching consequences. Rural communities continued to suffer from the ravages of poverty and socio-economic deprivation.

Contemporary local government development is challenged in its delivery mission to address the iniquities of the past and redress existing socio-economic imbalances, disparities, and distortions lingering between rural and urban areas of the country. Developmental Local Government as articulated in The White Paper can be conceived as being a departure from the Tribal Authority system of local administration in the sense that it 'seeks not only the democratisation of local government, but also the transformation of local governance with a new focus on improving the standard of living and quality of life of previously disadvantaged sectors of the community'.[22]

Germane to DLG is the passage of four important Acts of Parliament, namely the Demarcation Act, 1998; Development Facilitation Act, 1997; Municipal Structures Act, 1999; and Municipal Systems Act, 2000. These legislative instruments formed the basis of developmental role of local government and significantly, incorporated certain essential features of the White Paper on Local Government, 1998.[23] For instance, the Municipal Systems Act, 2000 had far-reaching effects on local government development in the sense that it gives further interpretation to such areas as

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[19] Pycroft, C (1998) 'Integrated development Planning or Strategic Paralysis? Municipal development during the local government transition and beyond'. p 155. *Development Southern Africa, vol 15 Nov 2 winter.*
[20] See Hammond-Tooke, WD (1975) ; Kotze, D (1987) ; Appiah, GWK(1994)
[21] Pycroft, C(1998) op cit.
[22] Pycroft, C(1998) op cit.
[23] Naude, WA (2003) 'Local Government transformation in South Africa; Challenges for local economic development in a globalising economy'. *African Insight, vol 33 No 3 ; p50-56*

planning, performance management, resource mobilisation, and organisational change of a municipality's daily functioning.[24] The term 'DLG' prominently in the Development Facilitation Act, 1997, signifying a clear break with the past and steering local government from its traditional apartheid-inspired orientation to a more developmental orientation. DLG can be conceived as being a special prototype of local government empowered to chart its own course of action, fundamentally backed by special constitutional mandate to foster development.[25]

Underpinning DLG are Land Development Objectives (LDO) and the IDP policy framework. While LDOs aim to provide strategic frameworks for community development in a more spatial manner, IDPs aim to empower local authorities to prioritise community needs and expectations. Significantly, both LDOs and IDPs entail community involvement, consultation, and participation in drawing up economically viable schemes fundamentally to provide services. Conceived as being a major innovation in local government enterprise, DLG in a more pragmatic sense serves as a departure from traditionally oriented governance which seeks to impose a hierarchy of tiers, with national government playing a preponderant role and local government operating as a subordinate body looking.

Local government often exists by word rather than 'deed', where prescription of roles and functions are sufficiently based on delegation, through a process of de-concentration, rather than devolution. DLG, as a departure, seeks to reverse this trend ostensibly along devolution of powers, through a system of inter-governmental relationship, a prescription by the South African Constitution.[26]

6.3.1 Developmental Local Government: who delivers what, when, and how?
An issue that has provoked much debate and controversy revolves around the question of where to locate the developmental capacity of local government in relation to service delivery. The two important local government institutions involved are the District and Local Municipality. The

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[24] Naude, WA(2003), ibid, p52.
[25] Naude, WA(2003), ibid p51.
[26] The South African Constitution, (1996) under 'Principles of Co-operative Government and Inter-governmental relations' p25.

question of 'Who delivers What, When, and How?', has often been asked by service providers and service users. Regarding this question, two schools of thought have emerged.

The argument by those who subscribe to the notion that the Local Municipality plays a key frontline role in service delivery argue on that 'delivery of municipal services should be located as close as possible to the communities as the services are meant to serve'.[27] Strengthening this line of argument further is the fact that 'district municipalities do not have wards or ward councillors, with the result that the interests of specific geographic areas cannot be carried forward easily to district municipalities'.[28] The absence of decentralised institutions like wards, in district municipalities could be seen as a major weakness that leaves local municipalities playing the main role in service provision. The argument continues: local municipalities are better placed to acquaint themselves with social and economic needs of rural communities, and through proximity and decentralised institutions local municipalities can attend expeditiously to specific needs of rural communities. Also, information considered to be vitally important can be easily accessed, prioritised and strategised for policy formulation and implementation.

Holding a contrasting viewpoint, the other school of thought places strong emphasis on the notion that it will be more cost-effective to build up developmental government at the 47 district municipalities rather than at the 231 local municipalities throughout the country. The theory of economies of scale is central to this argument, maintaining that it would be more economically viable to enter into business transaction with a larger entity like district municipality rather than a smaller local municipality. Comparative costs regarding district and local municipalities often favours district government.

Comparative cost advantage thus strengthens the argument that a district municipality should play the main role in service delivery. In this manner, resources from wealthier constituencies could filter down to poorer disadvantaged communities in district municipalities, in the process ensuring equitable distribution of scarce resources. Developmental needs of local communities could be taken care of by district government in order to overcome the legacies of the past socio-

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[27] Atkinson, D (2003) 'The state of local government: Third – generation Issues', in The State of the Nation, South Africa 2003-2004, edts. John Daniels, Adam Habib and Roger Southall, p124.
[28] Atkinson, D(2003)p 124; ibid

economic distortions, since it has the political strength to do that. Given the fact that apartheid policies created huge disparities in developmental levels throughout the country, including the Transkei homeland, the need for a larger institutional framework to deal with socio-economic malaise emerges paramount.

To offer a compromise in the ongoing argument, Atkinson[29] seeks common ground of understanding between the views of the two schools of thought. He draws a distinction between what he regards as the 'soft human services' and 'hard infra-structural services'. Following the argument put forward by Atkinson, district municipalities should concentrate on so called 'hard infra-structural services' in order to take advantage of the economies of scale. 'Soft human services' would be more appropriately placed at the local level.

With Local Economic Development (LED) imperatives, attracting huge initial capital outlay may be effectively carried out at the district level with the district serving as potential investment destination. Another example is the development of tourism, which has a close connection with LED schemes.

In contrasted with the above is poverty alleviation programmes. By their nature poverty alleviation programmes should be considered as a local issue, hence the need for community support and participation. Local municipalities could be empowered to take responsibility for such schemes. Further to the above argument, Fast[30] observes:

> Given the need for accessible and cost-effective service delivery, most local government functions should be vested in primary (i.e. local) municipalities, with the functions of integrated development planning, bulk service provision and capacity building left with the district.

Fast has been more explicit about what constitutes 'primary function' and 'bulk service delivery'. The municipal institution that should be concerned with the delivery of a particular specific function has also been identified.

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[29] ibid
[30] Fast, H(1998) 'The White Paper and the rural poor', in development Southern Africa, vol 15 No2 Winter, p302-311. op cit

The implication of arguments so far advanced is that although they are plausible, they fail to take into account the built-in constitutional mechanisms of inter rather than intra-governmental institutions and relations. Allocation of specific roles to local municipalities and district municipalities, though comprising division of labour and specialisation, fails to take stock of the fact that both local and district municipalities are predisposed towards a process of co-ordination as partners, rather than potential competitors for positions of prominence in service delivery.

The question of 'Who delivers what, when, and how?', although it is central in the perception of service delivery mechanisms, conveys very little meaning to rural communities denied accessibility to such services by deliberate design of the apartheid system.

In an attempt to meet the fundamental needs of rural communities, the Financial Fiscal Commission (FFC) was established in August 2001 to conduct an investigation into division of powers and functions between Local and District Municipalities.

The FFC sets out a number of principles that should inform this division. These principles were applied to four services, namely: municipal health, water, sanitation, and electricity. It was tentatively agreed that the function of electricity distribution remains with the local municipality. In the case of health, the function should be assigned to district municipalities. This is considered to be consistent with the policy of the national Department of Health, which seeks to establish an integrated district health system. Providing health services is complex, and health provision by the district municipality would minimise the high incidence of wastage and exploit the advantages afforded by economies of scale.

Responsibility for water-supply and sanitation services, refuse collection and septic tank clearing, should rest with local municipalities. There are no compelling reasons to assign these functions on a district - wide basis.

6.4 SERVICE DELIVERY IN THE MALUTI DISTRICT: PROSPECTS AND CHALLENGES

Municipalities have prioritised the following as 'basic needs' for rural communities: water supply, health services, sanitation and refuse collection, electricity supply, street lighting, road

construction and parks/ recreation.[31] Importance of these basic services lies in the fact that they 'have direct and immediate effect on the quality of the lives of the people in that community'.[32] Absence of these services placed severe limitations on local communities in their endeavours to extricate themselves from the shackles of apartheid and transform local communities into viable potential investment destinations.

The following adds to the previous statement:

> If the water that is provided is of a poor quality or refuse too is not collected regularly, it will contribute to the creation of unhealthy and unsafe living environments.
> Poor services can also make it difficult to attract business or industry to an area and will limit job opportunities for residents.[33]

Failure by the municipality to provide basic services can have a snowball effect on other services, proving detrimental to the livelihood and sustainability of rural communities. The following have been prioritised as basic service by the municipality in Maluti district.

6.4.1 WATER SUPPLY

Provision of accessible water in the district has been prioritised as being a basic need under DLG. Given the importance of water for industrial (or commercial) and domestic uses, water also supports large-scale backyard cultivation of vegetables and raising of livestock and poultry-keeping in rural communities incorporating the Maluti district. As alternative sources of income, livestock and poultry-keeping have become an important way that rural communities can supplement unemployment benefits and cost of food items, prices of which often rise due to inflationary pressures and the oil prices in world market. Accessible water is crucial to maintaining backyard and pastoral farming.

Considered to be pivotal in service delivery, a good water supply has received much attention especially by the Local Municipality in the Maluti Township and quite a number of adjacent rural communities. In an attempt to improve water provision in the township, newly laid good

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[31] Local Government in South Africa (2004), 'Municipal Service Delivery'.
http/www.etu.org.zatlbox/docs/localgov/munservice.html. p1-6.
[32] ibid
[33] ibid

quality pipes have replaced old dilapidated worn out ones, generally done through a large-scale water reticulation project. Extension of the project to remote rural communities is considered to be a future possibility and has been a priority on the agenda. However, at the time of writing, it was confided to this writer that the scheme had been brought to a 'temporary' halt.[34]

The programme has opened up rare opportunities for the employment of more local people specifically on temporary basis. As casual labourers, their involvement in digging trenches to lay new pipes is widespread. Removal of old metal pipes is an important priority in the reticulation project. Old metal pipes are subsequently replaced with hard coated plastic pipes, considered to be of relatively good quality. It is alleged that metal pipes are less durable, often subject to wear and tear, and generally susceptible to systematic process of uncontrolled corrosion by rusting. On the other hand, plastic pipes are rust resistant, especially when they come into contact with underground water as a result of excessive rainfall percolating through the soil.[35] It was intimated [36] that, as a precautionary measure, trenches should be deep enough to contain plastic pipes otherwise they could easily be damaged by flood of traffic.

An observation made by most respondents is that there is excessive concentration of service delivery schemes in the Maluti Township, with outlying remote rural communities left on the periphery of service provision. Agreeing with this observation, the principal[37] of a High School in the district said:

> There is no hiding the truth that most service delivery schemes are concentrated in Maluti Township. Those of us living in far distant communities of the district have long been denied these basic services. The municipality keeps on promising, and yet nothing concrete comes out of that!

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[34] The writer was made to believe that there is the likelihood that the project will be extended to other rural communities in future. The 'temporary' halt has come about as a result of budgetary constraints confronting the Local Municipality. This information was divulged to me by one of the management teams of the municipality, whose name cannot be disclosed for purposes of confidentiality and anonymity.

[35] Interview with a construction workers, with one of the companies involved in the Water Reticulation Project in Maluti, 16-07-04.

[36] ibid

[37] Interview, 7-07-04. Name withheld for purposes of anonymity and confidentiality.

From the above, it can be said that service delivery suffers from serious distortions in the Maluti district. The implications are far-reaching. Despite the volume of service delivery schemes taking place in Maluti Township, most outlying rural communities are left impoverished and marginalised in basic service provision. Access to good water supply is often cited as an example.

The situation as described above precipitated an outbreak of protests in 2002, engineered by a group of so called 'dissidents' from Mafube and Nchodu communities of the district. They felt that their patience over slow service provision had been tested beyond endurance, especially in the provision of a good water supply. Fuelling much anger and violence, was the fact that the big pipe, connecting Maluti Township and the Belfort Water Scheme/Dam passed through Mafube and Nchodu. [38]

In early months of 2002, community members of Mafube and Nchodu combined to rally themselves for a 'protest, as they confronted the Local Municipality. They rose in revolt against what they regarded as a lack of equity in the distribution of basic services, especially water, in the district. They resorted to acts of violence when the possibility of exploring peaceful means of protest about a good water supply seemed to fail.

As means to express their feelings of anger and neglect in service distribution, they intercepted the flow of water from the Belford Scheme by cutting through the main pipe carrying water to supply residents in the Maluti Township, and the nearby Ramohlakoana local community.

The consequences were very grave and the issue reached alarming proportions. For well over four months, residents of the Maluti Township and its adjoining local communities faced an acute water shortage. They resorted to fetching water from Matatiele, a nearby town in the KwaZulu-Natal Province, a distance of 13 kilometres from Maluti. Although the Municipality came to the rescue of Maluti residents and other affected nearby local communities by organising municipal tankers to supply water to most affected communities, much harm had already been done.

Adding much to exacerbate the problem is the fact that a 'service' delivered on such a temporary basis merely plastered over the cracks, rather than constituting a permanent solution to the

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[38] See Map 1, page 207.

problem. This was considered to be an attempt by the Municipality to deflect criticism from the problem. Undoubtedly, the adoption of this measure proved quite a costly exercise, taking cognisance of the number of affected communities and the distance of 186 kilometres covered from Mount Ayliff[39] the Municipal headquarters to Maluti to supply water on a daily basis.

Although the Mafube-Nchodu incident that caused the community agitation has faded, the warning signs are there for the Municipality to accelerate the rate of service delivery in rural communities.

The above episode, should not be perceived merely as an unlawful act perpetrated by a band of local community dissidents advocating violence as probably being the ideal option to get their demands met. However, looking at the Mafube-Nchodu incident from a broader perspective, the impression one gets is that democratisation and its accompanying transformation processes have served to make the communities aware of their rights to access such vital services.

Also, the local protests demonstrated the slow pace at which services are delivered in rural communities whose patience seemed to have run out, despite media propaganda, both print and electronic, supporting the views that service delivery has been a success story especially in historically disadvantaged rural communities.

The uprising by the local communities of Mafube-Nchodu, which undertook this act of 'social aggression', paid dividends because the Municipality met their demands by providing a good water supply, not only for the exclusive use by the residents of Mafube and Nchudu but also for other communities in remote areas that became major beneficiaries of the successful protest.

Far from advocating violence, the incident demonstrated how at times 'peoples' power', legitimately expressed through violence, can yield positive results in the face of the failures of local government.

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[39] Headquarters of both the Umzimvubu Local Municipality and the Alfred Nzo District Municipality, of which Maluti district forms an integral part.

As already stated, other communities, unlike Mafube and Nchodu, who probably did not approve of violence as means to the attainment of service delivery have also become beneficiaries of the recent extension of a good water supply in the district. In this respect, the Mafube-Nchodu crisis can be seen as means to ensure that the municipality provides services.

6.4.1.1 The borehole saga

To improve services, the Local Municipality acted promptly and intervened in the water crisis of the district, possibly to avert an uprising proportionately similar in scope and dimension to the Mafube-Nchodu insurrection. To supplement the poor water supply from the Belfort Water Scheme, a contract was awarded for the construction of five boreholes using electrical pumps.[40] Emphasis was on combating intermittent and irregular supply of water and on improving the quality of 'unclean contaminated water'[41] from Belfort. The contractor involved in the scheme demanded installation of new pipes, because the existing ones could not handle the pressure of the five boreholes. Although the scheme meant incurring additional cost, it was considered a viable option in the programme of service provision.

Completion of work on the borehole apparently meant that the Belfort Water Scheme was no longer the exclusive source of water for the district.

The new source of clean water was greeted by local communities with relief. For some time, the boreholes operated to the satisfaction of local communities, who saw the Belfort Scheme as being redundant. However, the satisfaction proved to be short-lived, ironically because of other projects, among which was the erection of electricity poles at convenient street corners for the Rural Electrification Programme (REP). Others were the laying of underground cables for telecommunication systems, installation of telegraph poles and lines, and construction of roads and pavements. Given the fact that these projects involved digging deep trenches with the help of caterpillars and bulldozers, several of the newly laid pipes connecting the boreholes and the Water Reservoir were damaged, the consequences of which were far-reaching. Streets and several places in the Maluti Township were submerged by flood water from damaged pipes.

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[40] Interview with the Municipal Manager, Mr Matubatuba, 5-06-03.
[41] An appropriate description of water supply from Belfort Water Scheme, as supplied by a local resident in Maluti Township. Name withheld for purposes of confidentiality.

These unfortunate incidents meant reverting to the Belford Water Scheme as the only option with its supply of 'hygienically untreated and intermittent flow of brownish water'.[42]

Plagued by the above contingent problems, the boreholes which had been installed at such huge cost[43] began to leak, as a result of back - pressure received from the Reservoir. Fed by two separate pipe systems, one from Belfort and the other from the boreholes, the Reservoir could not withstand the increasing pressure that built up, which eventually damaged the boreholes. To worsen matters, the Electricity Supply Commission of South Africa (ESKOM) officials presented the Municipality with a bill of R45000[44] accumulated over a period of 12 months, in connection with the boreholes, since they were powered by electrical pumps. Failure by the Municipality to settle the bill led to a sudden disconnection of electricity supplying power to the boreholes. The borehole scheme served no purpose, lying redundant - a huge waste of tax-payers' money.

6.4.1.2 Supply of clean water for the Maluti district: the challenges

Although significant progress has been made in the delivery of basic water services to local communities, the terrain of assessment and evaluation has been uneven. Whilst most (if not all) households in Maluti Township have been installed with private tap water, a similar service was absent in remote rural communities in the district.

However, exception must be made of adjacent communities bordering the Township like Ramothlakoana, Mafube, Nchodu, St Pauls', Sibi, etc. Closer proximity to the Township has made accessibility to tap water easier and relatively less problematic as water is usually drawn from taps placed at a centrally convenient spots. In these communities, residents very often join long queues which caused much dissatisfaction and frustration.

Given the fact that most taps supply a large section of community residents, scarcity of taps coupled with everyday frustration of irregular flow of water from the Belfort Water Scheme,

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[42] ibid

[43] It has been estimated that each of the five boreholes together with the electrical pump costs not less than R250 000.

[44] Estimate has been confirmed in an interview with a local municipal official, 20-04-03. Name withheld for purposes of confidentiality.

competition for water creates nasty scenes as a result of inconvenience and the impatience of users.

In remote rural communities, accessibility to tap water still remains a distant possibility. Although in several communities installation of boreholes driven by windmills, has taken place, pumping underground water for local consumption is subject to seasonal variation. In winter boreholes dry up as the water table drops to lower levels. Experience of acute water shortage emerges as a common phenomenon in the district with most affected areas predominantly being the remote communities, far away from the Maluti Township. In such remote communities, competition between strayed animals and local residents for available water located in ponds and rivulets is common at this time of the year.

A clear indication from the situation described above is that accessibility to tap water tends to dwindle the farther one moves away from the Township. This supports the argument that undue concentration of service delivery projects and programmes have taken place at Maluti Township, with peripheral communities denied clean water and other services.

Supply of clean water is also marred by lack of commitment on the part of management. To a large extent, negative perceptions have undermined the faith of communities in quality service delivery.

In an interview with the Senior Medical Officer[45] at the Maluti Health Centre (MHC), the following information transpired:

> The main source of water supplying the Township and its surrounding locations is from the Belfort Water Scheme. There is a dam which feeds the Purification plant. From here water is pumped to the Reservoir Tank located here in Maluti just above the Clinic, where pressure is allowed to build up and distributed to all parts of Maluti and nearby communities. At their own discretion, workers at the dam decide when to purify water. In such cases, they merely pump water direct from the dam, by-passing the Filtration plant into the Reservoir Tank. As a result we have to use contaminated water, with that brownish colour.

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[45] Dr Ganusah, interview; 4-08-04.

It is agreed that water received from the Belford Scheme is considered unfit for human consumption. Whether the problem is technical or otherwise, the issue is contentious. On the question of technical issues that need prompt attention at the Belfort Water Scheme, the Senior Medical Officer[46] laments in the following:

> At the Belfort Water Scheme, all mechanisms are in place and work automatically. You only direct the flow of water and allowed it to pass through the various purification sections as a worker. There is the initial Sedimentation stage where you add alum, there is also the Filtration section where water passes through fine sand. From here water goes for additional chlorine.

A critical analysis of the above views implied that all the necessary devices are in place for the supply of clean water to the Maluti district and its nearby communities. However, this has never been the case. Contrary to popular belief, water received from the Belford Scheme has been of mediocre quality, to all intents and purposes becoming a major health hazard to humans. The reason for poor quality of water from the Belfort Water Scheme is given by the Senior Medical Officer:[47] 'For no apparent reason the workers at Belfort will just close the purification section and pump raw water that has not been treated direct to the Reservoir Tank as if they do not know the essence of clean water'.

An examination of the above statement implies that the blame lies with the workers at the Belfort Water Scheme as they blatantly neglect good health work practice by pumping untreated water for human consumption. As a solution to such a serious issue, a prominent local community resident[48] stated the following: 'Unless the Belfort Scheme is privatised, residents of Maluti and the surrounding communities will continue experiencing water problems very often.'

Effects of poor drinking water as a result of sheer ineptitude and negligence at the workplace have been devastating, often posing a severe health risk to residents of the Maluti Township and its surrounding rural communities. Incidences of water-borne diseases have been widespread, taking its toll on the health of rural communities. The MHC and peripheral community clinics

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[46] ibid
[47] ibid
[48] Name withheld for purposes of anonymity.

are very often inundated with cases of diarrhoea and cholera[49], as a result of contaminated water received from the Belfort Water Scheme. Also, the flow of water in the district has never been regular, and is often interrupted for several days.[50]

Given the fact that the workforce at the Belfort Water Scheme had been enlarged after the 2000 LGMEs the logical inference is that the core of the problem cannot be attributed to inadequate staffing. Lack of commitment and devotion to duty has very often been cited as being a major problem. Output per head, as measured in terms of manpower productivity and quality of service delivery is estimated to be very low.

The environment has created a fertile /breeding ground for 'disguised unemployment' to thrive, with its concomitant and growing sense of apathy and malingering at the workplace: workers are unwilling to make the effort to ensure high productivity. Although, the enlarged workforce and bureaucracy, is seen as economically and socially desirable i e, as a means to meet the unemployment crisis in the district, the policy has never incorporated expectations of higher productivity, thus raising serious doubts regarding efficiency and quality of service delivery.

A commentary made by Anthony Egan[51] on the state of South African bureaucracy is that:

> South African bureaucracy is flabby and clumsy. People seem not to be appointed according to ability. The result is the emergence a new elite - not unlike the old, but less experience - that is under-worked and overpaid.

A critical evaluation of the above statement more pointedly suggests that the South African bureaucracy is built on a very shaky foundation. Given the fact that people are appointed not according to ability and experience, the issue has proved that politics has been a major determining factor regulating the appointment of people into the civil service. With bloated salaries and less experienced personnel, the civil service has been filled with mediocre staff.

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[49] Interview with Dr Ganusah, the Senior Medical Officer, MHC. 4-08-04. op cit
[50] This information is based on the writer's personal experience as local resident of Maluti Township.
[51] See Anthony Egan(1998)'Mail and Guardian', newspaper. December 11 – 17; 1998.

Adding to the criticism of ongoing management pathologies confronting local government services, Atkinson[52] states: 'The municipalities spend too much money on the wages and salaries of bill (more than 40% of their budgeted operating expenditure, due to increased salaries at all levels) because they have bloated administration'.

Undoubtedly, the situation as depicted above has had an adverse effect on the quality of service delivery, in that salaries get much of the budget at the expense of DLG initiatives. Hemson and Owusu-Ampomah[53] add their voices in the following:

> The large proportion of expenditure in any line department goes firstly to cover the costs of bureaucracy, buildings, travel, computers and overheads, before actual expenditure on the poor takes place (in terms of service delivery initiatives).

They state unequivocally that: 'The [i.e. negative] attitude to work of public servants in many instances mirrored that of the old regime.'[54] The negative perception of public servants towards work incurred the wrath of President Thabo Mbeki, who has of late become critical of 'bureaucrats who think they have a right to ignore the vision of *Batho Pele,*[55] who come to work as late as possible, work as little as possible and knock off as early as possible.'[56]

The response to exhortations from higher authorities to adopt austerity measures has never accompanied the delivery of quality service. The rate at which service consumers, i.e. rural communities, are advised to tighten their belts is inversely proportional to the rate at which the municipal officials and councillors loosen theirs. The situation is very much ironical in varying degrees.

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[52] Atkinson, D (2003), p126; op cit
[53] Hemson, D et Owusu-Ampomah, (2005), p515; op cit.
[54] ibid
[55] Batho Pele is a Sotho word, which implies 'People First'. The concept achieved widespread popularity by the Department of Public Service and Administration, in 1997. In a broader framework, Batho Pele aims to improve service delivery mechanisms, and calls for a paradigm shift away from inward-looking, bureaucratic sytems, processes and attitudes. Batho Pele advocates a move towards establishing new ways of working which put the needs of citizens first. In a nutshell, Batho Pele involves the creation of framework for service delivery, which treats citizens more like customers and enables citizens to hold public servants accountable for services received in terms of quantity, quality and equity. See Nong, E(1999) 'Enhancing Local Government Service Delivery-A Batho Pele (People First) Perspective', from 'In Search of Excellence: Local Government and Service delivery'. Seminar Report No 4; 28-30 April, 1999. Venda Sun Hotel. Thohoyandou. *Konrad Adenauer Stiftung, p13-19.*
[56] Thabo Mbeki(2004) 'State of the Nation Address' , President of South Africa, at the opening of Parliament. Cape Town, 21-05-04. p18.

Adding much concern to the prevailing mood of community dissatisfaction and agitation over service delivery is the fact that delivery of water has been characterised by intermittent flow, and mediocre quality. In the light of ongoing discussion, a section of rural community residents advocate privatisation as ultimate solution to the problem. However, privatisation is seen by local unions in a fairly negative light. The unions see privatisation as a policy that will worsen the unemployment crisis already facing the country, being described as 'socio-economic crisis of major proportions'.[57] It is likely that privatisation could exert hardships on rural communities by their being subjected to unfair labour practices and exploitation.

6.4.2 PROVISION OF HEALTH SERVICES

A notable concern where the Municipality has registered quite a remarkable achievement is the unwavering attention devoted to the provision of quality health services and facilities in the district.

Before 1994, health services in the district were of a mediocre quality as a result of inadequate community clinics,[58] under-staffing, and several other problems. Attempts to remedy the situation were the construction of more clinics and the introduction of Primary Health Care (PHC), as a World Health initiative to meet the health needs of rural communities in the district. By overcoming the barriers of remoteness and difficult communications by the construction of numerous access roads and improvement of several others in the district by the Municipality, the implication is that efficient medical services can be administered close to each community. The Senior Medical Officer[59] at MHC alludes to this in the following:

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[57] Nattrass , N (2003) 'The state of the economy: A crisis of employment', in the 'State of the Nation', edt. J Daniels, et al; HSRC. Pretoria. p141-157.

[58] Community Clinics (CC) are popularly known as 'Clinics'. In terms of classification, they are located in remote rural communities, operating under a Health Centre (HC). Health Centres are equivalent to Poly-Clinics, in certain countries on the continent, especially Ghana and Nigeria.
Generally, the following health personnel are made available to run Health Centres, like the Maluti Health Centre (MHC) – Medical Doctors, Professional Nurses, Matron, Hospital Administrator and a Pharmacist. Other health personnel include Administrative Clerks, Accounts Clerk, two Para-medics to manage the Ambulance services, Security Personnel, Drivers, etc. The Health Centre serves as referral centre for Community Clinics (CCs), scattered throughout the district.

[59] Interview, Dr Ganusah of MHC. op cit.

Initially we had only 2 community clinics in district, apart from the Maluti Health Centre. At the moment we can boast of 12 new clinics built throughout the district. There is even the possibility for more clinics to be built in future. The newly built clinics are stationed in various rural communities like Mveyane, which is having two, Queens Mercy, Shepherd Hoek, Magadla, Mt Hargreaves, Thaba Tsitcha, Osborne, Mt Elephant, Kolweni, Mkolweni and Lupindo.

It can be inferred that the provision of community clinics in the Maluti district has achieved a phenomenal growth under the new political dispensation. Emphasis is on providing door-to-door health services in the district. Another major achievement of most clinics is the fact that provision has been made for resident nursing staff to work on a permanent basis.

To combat negative perception about working conditions in remote rural communities, efforts have been made to provide nurses' quarters and solar power to provide electricity for domestic use. Nurses' quarters are also well furnished including bedding and electrical appliances to add to the nurses' comfort.

As envisaged, the RDP has been successful in the provision of Low Cost Housing to meet accommodation requirements and other facilities for nursing personnel running these clinics.

To obviate water shortage, provision has also been made for the installation of mechanical pumps to tap underground water. This is supplemented by building water tanks for storage of summer rainfall. Water shortage has been a growing concern in the Maluti district during winter seasons, and sporadically in some days even in summer. To combat water shortage in the district can be conceived as attempt in the right direction.

To improve efficiency and job satisfaction, more nurses have been deployed to undergo enrichment training programmes in recent times. While the programme aims to complement existing nursing personnel,[60] it is likely to result in massive reduction of workload and

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[60] Shortage of nursing personnel in Hospitals, Health Centres and Community Clinics have become a national phenomenon, as a result of mass exodus of nursing personnel to overseas countries like Britain, USA, Australia, New Zealand, Canada and the Middle East in search of greener pastures, i.e. better conditions of services. Monetary rewards and other fringe benefits have very often been cited as main form of inducement for the 'brain-drain' in the medical profession.

improvement in health services offered to patients in newly built Community Clinics throughout the district.[61] Regarding, the new health programme, Trudy Thomas[62] states the following: 'Where resources were once channelled to the privileged few, they are now being deliberately diverted to areas of greatest neglect, as witnessed by our clinic building programme, as we work towards equity'.

The achievement of equity in the health needs of rural communities implies the adoption of PHC initiatives, as advocated by The World Health Organisation (WHO). Serving as driving principle, PHC aims at decentralising health services to rural communities scattered throughout the district in a more dispersed settlement pattern. The adoption of PHC and decentralisation has emerged as a matter of paramount importance in order to meet the health needs of rural communities in the Maluti district.

6.4.2.1 The PHC and service delivery in the Maluti district

Before 1994, health care needs of rural communities, especially in the former Transkei enclave of the Eastern Cape, had been inadequate, largely constrained by 'lack of funds, staff, maintenance and limited capital funds, leading to deteriorating service, providing poor accessibility for a large (rural) population'.[63]

Underlying the philosophy of PHC, as based on the Alma Ata Declaration[64], is that it involves a 'comprehensive care that includes curative, preventive, promotive and rehabilitative care within the context of, amongst others community participation and inter-sectoral collaboration'.[65]

Rural communities in the district have become major beneficiaries of and target group for PHC service delivery. Emphasis is on articulating their participation and involvement in well-designed

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[61] Interview, Dr Ganusah, 4-08-04.op cit.

[62] Trudy Thomas, MEC for Health, Eastern Cape Province, quoting from her 'Policy and Budget' Speech, 1998/99.

[63] Mahlalela, X et al (1997)'The Status of Primary Health Care Services in the Eastern Cape. 1997',p7. Kanya Printers; Dimbaza;1998. Report compiled by Xoli Mahllela. Dr John Rohde (Project Director), Dr John Bennet, PHC Adviser, Bisho. Eastern Cape.

[64] Alma-Ata is the capital city of Kazakhstan, founded in 1854. Originally the city was called Verny. In 1921 it was renamed Ama-Ata; which means 'father of apples', because of its fame in orchard cultivation. The city was privilege to host the International Conference on Primary Health Care (PHC), organized under the auspices of the World Health Organisation (WHO).

[65] Owen, CP (1995) edt. 'A Policy for the development of a District Health System for South Africa', p73. Health Policy Co-ordinating Unit. The National Department of Health, Pretoria.

programmes, considered to be crucially important. In this sphere, PHC can be conceived as operating a two-way process: whereby interaction between health providers and recipients is enhanced and promoted.

The barriers of remoteness and administrative red-tape are strong motivating factors for health services to be decentralised as much as possible to ensure accessibility, proximity, and convenience to rural communities. Construction by the municipality of twelve new community clinics for the district since 2000 can be conceived as being the fulfilment of the exigencies of PHC, and the attainment of well-defined set of objectives.

Among other things, PHC demands that preliminary consultation for patients begin at the clinic level, involving preventable and communicable diseases like measles, diarrhoea, cholera etc, diseases which essentially fall within the competencies of the nursing staff, hence do not need referrals to the MHC for further consultation and investigation by a resident Medical Doctor.

However, referrals can be made on a number of health issues that prove therapeutically intractable often beyond the capacity and competencies of a resident nursing staff in community clinics. The chain of referrals is as follows:

> The PHC concept includes the ability to arrange referrals between levels
> of care starting with the community health workers to clinics, from clinics
> to health centre, from health centre to community hospitals, and from
> community hospitals to higher levels of specialized hospital care.[66]

In meeting the demands relating to referral cases from community clinics in the district the Senior Medical Officer[67] has the following to say: 'The volume of referral cases we used to have from our community clinics have gone down with the passage of time. Initially they were lot. But these days they have gone down drastically'.

The importance of PHC can be ascertained from the fact that community clinics serve as hub, through which referrals can be systematically made. It serves as the starting point of enquiry into health cases. Also, PHC is predisposed towards community participation, facilitated through

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[66] Mahlalela, X et al(1997) 'The Status of Primary Health Care Services in the Eastern Cape Province',
1997. op cit p 65.
[67] Interview, Dr Ganusah, op cit.

organising *izimbizo* gatherings with local communities to discuss topical health issues. Community participation is strongly advocated as follows:

> In clinics, communities should be represented and participate in committees that discuss health facility operating hours, grievances of community members, about the health services, security of both clinic staff and the facility itself, and the findings of household surveys on the health status of the community and the translation of survey results into action plans for improved health status.[68]

From the above discussion, the function of committees can be ascertained as being wide-ranging, embracing many issues and a set of aims to be achieved. To achieve these aims, community residents are 'encouraged to participate in meetings to discuss the location of new health facilities, health problems of communities, and the development of working relationships among district health management and local service organisations'.[69]

Local communities are provided with health educational programmes on communicable and preventative diseases like diarrhoea, cholera, measles etc. PHC programmes also deal with the following health issues: childhood immunisation, AIDS, child-birth and ante-natal health care, birth control, and others. Community participation occupies a prominent place in PHC educational programmes. Issues that are considered are determining sites for the construction of clinics, locating a central spot to ensure easy accessibility by all community residents, and locating sites for Nurses' quarters etc. A remark passed by an elderly community resident[70] runs as follows:

> We community members met to hand over site to the contractor for the building of our new clinic at a big gathering. The chief and elders were in attendance, as well as some municipal officials and the health personnel. They were all there to grace the occasions. We slaughtered three goats and two oxen to evoke the blessings of our ancestors to ensure successful completion of the project.

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[68] Mahlalela, X et al (1997) p71; op cit.
[69] Ibid.
[70] Interview of Mr Phooko of Queens Mercy Location, 20-09-04.

Labour from the community is another issue dealt with in the PHC programme. Given the fact that DLG articulates the importance of self-sustainable projects, the provision of labour for such projects is regarded as being a community affair.

Effective supervision of PHC clinics is maintained in several ways. Its importance can be ascertained from the following statement:

> Supervision of clinics is important as a monitoring tool to ensure that staffs in clinics are performing their duties effectively, that drugs and other supplies are in stock, and that service delivery to patients/clients is running smoothly. Regular objective supervision is also important to motivate staff and to assure them that their work is in line with expected standards. Supervision plays an important role in sustaining morale, especially amongst nurses in remote rural areas. Supervision should also be used to provide continuing education.[71]

The above statement stresses the importance attached to supervision which has very often been conceived as constituting the norm rather than the exception under PHC programmes. Emphasis is generally on the achievement of high efficiency and productivity at the work place in order to maintain acceptable health standards. However, some issues can militate against the PHC programmes and render them a failure. For instance, the absence of drugs and medicines on clinic shelves can nullify PHC progress. Regular supervision is maintained to keep PHC in constant operation, either directly or indirectly by Local Government structures in place at the district level. To this end, the District Health Management Authority (DHMA) boundaries are drawn to coincide with municipal boundaries, ensuring a closer working relationship with Municipal Officials. Given the fact that PHC community clinics operate as subordinate units under the DHMA, relationship with local Municipality has been one of co-operation and inter-dependency.

The recognition of Maluti as a DHMA has led to efficient operation of community clinics. A discussion with the Health Administrator[72] ended on the following note:

> We usually hold meetings with Local Municipality Officials especially on the delivery of basic services. Here we offer advice on issues like water -

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[71] Mahlalela, X et al (1997) p26. op cit.

[72] Interview with Mr Bongani, the Health Administrator of MHC.24-09-04.

borne diseases and the need for preventative measures. Provision of good water supply is cited as crucially important. And the construction of roads to connect the clinics we have in the district, sanitation, refuse collection etc. As you know these are health issues and our inputs are very much cherished in high esteem.

It can be concluded that inter-governmental relations have gone a long way to foster good relations between Local Government structures and District Health services. However, despite the co-operative relationship forged between the two bodies, the Local Municipality is responsible for overall district health services. The issue has remained contentious, given the fact that the Local Municipality is less equipped logistically to oversee health problems in the district.

To bring services within the means of local communities, the introduction of Free Medical Services (FMS) and its extension to children below six years and pregnant women who come for ante-natal consultation can be conceived as being a means to come to grips with the needs of the very vulnerable.

6.4.2.2 The FMS scheme in Maluti: prospects and challenges

The FMS scheme can be conceived as being a challenge to the ANC government's commitment to fulfil its election promises, ostensibly aimed at alleviating the health problems of rural communities. No wonder all parties within broader spectrum of South African society gave the scheme their active support.

Considered to be a major innovation, the FMS was praised not only as a means by which the government could fulfil its election promises but also as a means to signal a clear break with the ugly past, where such *institutionalised charity* never prevailed. It is explained that FMS is a way 'to enable services to reach all the people, especially disadvantaged community members living in far remote areas in the district who could hardly afford such services in the past'.[73]

The above statement indicates that FMS targets mainly poor rural communities, giving them the opportunity to access health services at no extra cost, services that were denied them in the past.

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[73] Remark passed by Dr Ganusah, Senior Medical Officer in an interview, 8-04-04, op cit.

The in-flow of patients which confronted FMS in health posts and community clinics in the district was great. It suggests a positive response, highlighting the fact that the scheme has been a success, an indication that the health needs of rural communities are under control as intended by the programme. Despite the success of the programme, it led to increased pressure of work - load on medical staff burdened with the responsibility of working around the clock in realisation of FMS objectives.[74]

Ironically, increased volume of patients in the MHC and its peripheral rural Community Clinics (CC) is a demonstration that health needs of rural communities had undoubtedly been neglected in the past. It can be argued that FMS contributed in no small measure towards improving the health of rural communities at no extra cost, despite the increased volume of out-patients seeking medical attention in the various Clinics.

However, despite the perceived merits of the FMS as indicated by community responses, the scheme became counter-productive to varying degrees. In fact, the demerits far outweighed the merits, so that the scheme was crippled. The FMS encouraged both invalids and physically able-bodied community members to visit clinics, sometimes unnecessarily. No sooner had FMS been introduced, than MHCs and outlying rural CCs experienced widespread shortage of drugs and medication of all types. The Senior Medical Officer explains:[75]

> Here you are with a woman coming to the HC with 6 children. You are not only going to spend more time screening this woman together with her 6 children, all claiming to be sick. The major problem is that you will not allow them to go home empty handed. Each of them will take at least some analgesic. Within a short period of time the Clinics and our Health Centre experienced acute shortage of drugs and other essential medicines. The Central Medical Depot at Umtata[76] could not come to our rescue. They too experienced substantial shortage of drugs.

Describing the situation, Mr Bongani[77] states the following:

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[74] A confirmation in an interview with Mrs Lepallo; Senior Nursing Staff of MHC. 15-06-04.

[75] Interview, Dr Ganusah, op cit

[76] The Central Medical Store is located in Umtata, from where drugs and medicines are distributed to all Hospitals, Health Centres(HC) and Community Clinics (CCs), in the Transkei part of the Eastern Cape Province. The information was confirmed in an interview with Dr Ganusah, op cit.

[77] Interview, Mr Bongani, Health Administrator, MHC, interview, 24-09-04, op cit.

> Community residents resorted to visiting the Clinics and our Health Centre all the time. Today they are in this Clinic, tomorrow they are in that Clinic, pretending that they are sick. They end up collecting drugs of all kinds for storage. If you go to their homes they have stockpiled these medicines, not using them, because they feel they are free. Meanwhile when their family members fall sick they come back for the same medicines they have stored at home. Our belief is that community residents offer these medicines for sale to their neighbours.

The above statement helps explain the factors that militated against successful implementation of the FMS in the district. Within a short space of time a new class of community members emerged, labelled 'drug poachers', who caused much damage to the FMS. Their fundamental aim was to visit clinics for drugs on a daily routine basis.

The assumption that some local residents were pilfering drugs for sale cannot be ruled out of the question when one takes into account the high unemployment rate in the district: the illicit practice of 'drug poaching' served as means of livelihood for some local communities.

The above demonstrates vividly that the FMS suffered from much abuse. The main target group, i.e. rural communities, whom the scheme was designed to protect ironically were the very ones who damaged it through sheer greed, duplicity, and unscrupulous practices. Through false pretences, they exploited the weaknesses of the FMS for selfish reasons. Confronted with acute shortage of drugs and medicines, the FMS essentially remained a service only in name but not in deed. Its overall accomplishments have been considered as minimal.

To contain the widespread crisis, the FMS had to adopt certain stringent measures, involving a programme of restructuring. A Fee Paying System (FPS) was considered to be an ideal option. Alternative arrangements also involved issuing prescriptions to patients who could afford drugs from nearby pharmacies. This was of course at relatively exorbitant rate, a practice highly resented by the community residents that undermined the FMS scheme.[78]

As from 1997, the FMS has been suspended indefinitely, despite the fact that it gave unlimited concessions to a group of patients. This is explained below:

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[78] Interview, Mr Jafta, a local community resident.

> At the Clinic level patients do not pay. But at the MHC if a patient insists on meeting the Doctor, possibly for proper medical attention then he or she is liable to pay an amount of R12. Even here there are exceptional cases, pregnant women do not pay towards ante-natal services. Also in situations where genuine cases can be established of community members who cannot afford to pay for medical service fees, they are not forced to pay despite the fact that they insisted on meeting the Doctor.[79]

It is clear that despite the introduction of FPS to replace FMS, there are exceptions made. Given the fact that concessions are granted to some categories of patients and cover given to those who cannot afford health fees, the magnanimity of a government committed to the health needs of local communities has been demonstrated.

In a recent discourse, Hemson and Owusu-Ampomah[80] argue that 'service delivery may fail poor people as a result of their inability to pay for the cost of medical care'. As much as poverty can be considered to be a social handicap, it should not be used as an excuse for not providing a basic service.

The FMS was plagued by the perceptions of local communities about the notion of 'free', in the context of general utility consumption attached to public goods. The general assumption is that what is 'free' tends to receive less care and is very often subject to much abuse, misuse, or excessive utilisation.

6.4.3 SANITATION AND REFUSE COLLECTION IN THE MALUTI DISTRICT

The DLG initiative revolves around the provision of basic services. To maintain credible and enviable service record, sanitation and refuse collection have been prioritised as being crucially important areas where DLG can be subject to critical evaluation, given the fact that such services have a direct impact on the quality of lives of communities and the environment in which they live. If refuse is not collected regularly it will contribute to the creation of unhealthy and unsafe environment, with consequences for health, quality of life, and investment potential.

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[79] Interview, with Mr Bongani, op cit. The statement was confirmed in another interview with Dr Ganusah, Senior Medical Officer of MHC, op cit.
[80] Hemson, D et Owusu-Ampomah, K (2005), p 516. op cit.

Initial attempts at improving sanitation and refuse collection in the Maluti Township saw the erection of numerous barrels at convenient street corners. The scheme was viewed as a means to bring sanitation and refuse collection under control by the Municipality, which services had previously been severely neglected and which constituted a health and environmental hazard. But while provision was made for barrels to serve as garbage-bins, procurement of a truck to cart refuse on a regular basis surprisingly proved an exercise in futility and a complete failure.

Barrels overflowing and refuse littered haphazardly became a daily occurrence. The smell from these overflowing barrels contributed to the unpleasant consequences. With their heaps of refuse, barrels had become more of dumping sites rather than viable containers for refuse collection. It can be said that the initial attempts at improving sanitation and refuse collection in the Maluti Township were a failure and made the situation worse: the use of barrels proved to be counter-productive. This displayed a lack of effective planning, foresight and good management by the Municipality. For instance, the procurement of a disposal truck could have been given priority, before the placement of barrels in the Township. Doing things the other way round is tantamount to *'putting the cart before the horse'*. The implication is that right from the onset the scheme was doomed to failure.

Municipal Officials asked that local community residents refrain from burning refuse overflowing from barrels, but this fell on deaf ears. The practice was considered by residents to be the ideal option in the interim. Reverting to the old practice of burning, although resented by Municipal Officials, in the circumstances proved worthwhile. Rather, it prevented a situation in which refuse could straddle across main streets, or be littered indiscriminately, thereby constituting potential obstacle to road users: pedestrians and motorists alike. As local residents resorted to burning the refuse, clouds of smoke billowed into the sky, in the process intensifying the prevailing air pollution, given the fact that rubbish generates substantial amount of heat when subjected to a process of putrefaction. The objective of instituting barrels thus, had been defeated, thereby becoming more of an environmental hazard, than a means to improve sanitation in the district

In the midst of poor service delivery, the Alfred Nzo District Municipality continued to levy a monthly basic rate of R38 for refuse collection. Obviously, this angered the local residents who

rose in revolt, although not to the same level and intensity of the Mafube-Nchodu protest, some few years ago.[81] The imposition of R38 monthly levy did not only fuel much agitation against the Municipality, but intensified the culture of 'non-payment of service', in local residents. While the Municipality blamed local residents for lack of co-operation with the new administration and non-payment for services, local residents countered by blaming the Municipality for lack of consistency in providing services.

In a fairly angry mood, one Municipal Official[82] remarked the following:

> Here in Maluti, residents accuse us (i.e. Municipal Officials) of poor service. But the issue is not a one - way traffic. The problem is that people do not want to pay for water and refuse collection as well as other services. Virtually there is no tax-base, hence no capital formation. The only source of income for the Municipality is basic-rate. Yet the community around has been stone-dead to respond to payment of these services. As you can see all local residents are in serious arrears. They talk of a disposable truck. But without payment we cannot get a disposable truck to collect these refuse scattered all over the place.

The above statement is an indication of a failure on the part of the Municipality to procure the services of a truck to handle the collection of refuse in Maluti, as a result of the failure of local residents to pay for refuse collection and other basic services. Taking cognisance of the fact that the statement was made by a Municipal Official it is not surprising that it was made in defence of the Municipality. The above statement opened a terrain of contestation. A concerned local resident[83] on the other hand retorted in the following:

> The Municipality suggested we local residents pay an amount of R38 as monthly contribution towards refuse collection. I used to go to 'the White house' to pay my rates not only towards refuse collection, but also water. But I was advised by some friends to stop, since nobody is paying towards these services, because the Municipality has practically done nothing to improve on these services. That discouraged me from making further payments towards these services.

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[81] See Chapter 6; Section 6.3.1.
[82] Name withheld for purposes of confidentiality.
[83] Name withheld for purposes of confidentiality.

The practice on non-payment of services has serious implications. It demonstrates abdication of responsibility on the part of the Municipality, given the fact that accountability on the part of local residents should move simultaneously with responsibility by the Municipality to provide efficient and effective services.

For DLG to achieve its objectives, co-operation between service providers and service recipients should be the rule, rather than the exception. While service providers pledge themselves to provide effective and efficient quality service, as a rule this is reciprocated by regular payment of basic rates by service users.

The slogans, 'No payment no service delivery', and 'No service delivery no payment' fuelled much agitation and debate between the Municipality and local residents. The persistent refusal by local residents to meet routine payment for social services, and failure by Municipality to improve service delivery eventually created a political stalemate, quite contrary to what DLG aspires to achieve. The impasse proved almost impossible to overcome, essentially bringing services to a halt. It was not until 2004 that the Umzimvubu Local Municipality could secure the services of a disposal truck to handle refuse collection in the local community. Worn-out barrels were replaced by plastic bags, given free of charge to local residents for refuse storage.

The streets of Maluti, once full of refuse, have ever since been cleared: there is no more a dumping and there is fewer impediments to traffic and pedestrians. Refuse collection has been handled by the disposal truck operating on regular basis, between 9 am to 4 pm on Mondays, Wednesdays, and Fridays.[84]

The general assumption suggests that improving refuse collection to the satisfaction of local residents would change attitudes and mind-sets towards the culture of non-payment for services. Nevertheless, this has not been the case. Improved refuse disposal in recent times has not been met with any improvement in payment for services.

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[84] Personal experience as local resident of Maluti Township.

Regarding the ongoing tussle, the Municipality as a matter of urgency decided to negotiate a more acceptable deal. Essentially, the emphasis was on breaking the stalemate and deadlock over non-payment of services. A compromise was eventually reached which supposedly satisfied both parties.

In October 2004, the Municipality announced that the backlog of arrears since 1994 regarding the payment of water, sanitation and refuse collection would be annulled. There was a considerable amount of scepticism and misgivings over the announcement. Some local residents perceived the measure to be tantamount to a 'blanket amnesty'. Furthermore, other local residents viewed the announcement from quite a different angle, arguing that it was a means to level the political playing-field in preparation for the impending LGMEs scheduled for 2005, not only as means to win community support or solidarity but also to woo substantial votes from the electorate. To strengthen this line of argument is the fact that the supposed relief measure was well calculated to fit in with the said LGMEs, scheduled for 2005. It can be said that local residents received this 'new deal' with mixed feelings.

It could be said that DLG is not the same as institutionalised charity, in that 'development occurs inside people; either they do it themselves or it does not happen at all'.[85] It is simply not possible to give or hand out 'development' to people. People can indeed be given objects, i.e. goods and services, but if development is to occur, local residents should get actively involved themselves. In short they have to learn to provide their own development based on payment in return for those services. The destiny of development lies in the hands of local residents being more realistic and inward looking, rather than looking outward for a perceived saviour.

6.4.3.1 Maintaining sound sanitation and environmental programmes in the district

Sanitation and environmental cleanliness have become a recent focus of the Municipality. To control grass and other weeds that grow between one residential area or household and another as well as unused plot allotment[86], some measures have been adopted to contain the situation.

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[85] Van Zyl, J(1994) 'What should the government "deliver" in terms of the RDP ? *African Insight, vol 24 No 3; p194-199.*

[86] Most of the unused plot allotments belong to local community members. The likelihood that they would be developed in future is very high, especially when most of them retire from active service, like migrant

Machines for cutting grass and weeds have been purchased by the Local Municipality to maintain a sound environmental policy. Overgrowth could be used as garbage disposable sites for adjacent households.[87] Perceived as being another means of creating employment opportunities for the community, the Municipality engages the services of young men and women especially school leavers, drawing them away from the street for employment on permanent basis to maintain environmental cleanliness.

Officially, in sanitation and environmental programmes, the workers are known as Municipal Environmental and Sanitation Workers (MESW).[88] The MESWs could also be contracted on a short-term basis by local residents who wish to engage their services. Payments for such services vary, depending on litres of fuel used.

Schools in Maluti Township like Ramohlakoana JSS, Tholang JSS, Tholang SSS, Zamukuhle Primary School, Maluti JSS, Maluti SSS, and several others do use the services of MESWs to maintain their sport-fields and compounds.[89]

While maintaining environmental cleanliness and primary hygiene in the local communities, the Local Municipality could accumulate enough funds to meet fuel and other logistical costs. The objectives of DLG could thus be realised.

6.4.4 ENERGY SUPPLY IN THE MALUTI DISTRICT: ELECTRICITY AND SOLAR POWER

Electricity supply has been prioritised as a free basic service under DLG, reiterated by President Thabo Mbeki in his address during the inauguration of the Executive Mayor of Tswane on 10

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workers and other category of public servants, working in far away places like Cape Town, Durban, Johannesburg and the mining centres.

[87] It is not uncommon to experience such scenarios in Maluti Township before 1994, when environmental cleanliness and personal hygiene became a woeful neglect by the local administration. Weeds were allowed to grow wild, in between households and other residential areas. The Magisterial system of local administration never took adequate steps to initiate programmes aimed at promoting environmental hygiene.

[88] Interview with Mr Matubatuba, Municipal Engineer, in charge of Maluti district. 12-12-04.

[89] Interview with Mr Lusapo, Co-ordinator; Municipal Environmental Sanitation Workers in Maluti district, 5-12-04.

February 2001.[90] Given the importance attached to electricity, the electricity scheme is 'directed at rural homeland areas', hence the phrase 'Rural Electrification Project' (REP).

6.4.4.1 Importance of electricity supply in the life of rural communities of the Maluti district

Rural Electrification Project was commissioned shortly after the establishment of the new democratic order. The Electricity Supply Commission of South Africa (ESKOM) has provided electricity to the Maluti district.

Direct consequences of REP, is the fact that it has contributed significantly to crime reduction in the district, especially in Maluti Township, given the fact that major streets are now lit.

Electricity has thus supplanted paraffin and gas as sources of potential energy for most rural communities. Also the government allows 50 kilowatt of electricity free to pensioners and disabled persons[91], based on Municipality's indigent policy. Electricity is popular in communities because it is relatively safe to use.

Electricity was considered to be relatively cheap, enjoying a comparative cost advantage over other sources of energy like gas and paraffin.

Extension of the electricity supply to other communities in the district has not kept pace with local demands. Apart from a few communities, most rural communities are without electricity supply. Mr Lesaoana says the following:

> The REP is a laudable programme embarked by the Municipality. However, only communities around Maluti about 20 km radius are enjoying electricity supply. If you go to the peripheral hinterlands, you find that communities are still struggling for electricity. They still do not have electricity. We do not know how long it will take them to get electricity. Our wish is that, deep into 10 years of ANC administration electricity supply which was started after 1994 should cover the whole Maluti district, but what happened is that after sometime the programme stopped suddenly as far back as 2002. Communities like Queens Mercy

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[90] See 'Municipal Service Delivery' (2004), http/www.etu.org.za/toolbox/docs/localgov/munservice.htlm. 2004/01/10.
[91] Interview, Miss Cecilia Thoko, ESKOM Electricity Sales-girl of Maluti. 19-11-04.

about 30 km from Maluti, Magadla, Lupindo, Mt Hargreaves and several others in far away communities do not enjoy electricity supply.[92]

The problem confronting the REP in the Maluti district is that it is unevenly distributed. Peripheral rural and remote communities have been neglected in the supply of electricity. The possibility that communities lying far away from Maluti Township would get electricity in future is remote.

The analysis strengthens the argument that most development taking place in the district are and were centralised in the Maluti Township, and the nearby communities.

6.4.4.2 Electricity supply and remedial institutions in the Maluti district

Electricity supply improves the general living standards of rural communities in Maluti as basic service delivery. Also, the REP has benefited two private institutions, the Maluti Academic Institute and the Sizonke Academic Institute based in the Township. These institutions are charged with the responsibility of providing remedial tuition for mainly Matric students who wish to improve on previous Matric Examination results or who could not study full-time in well established public schools. Tuition takes place in the evenings from 5.30 pm to 9.00 pm and this offers an opportunity for workers to enrol as students of these institutions. At the same time registered students are able to work during the day.[93]

It can be seen how the Municipality through its service provision, i.e. electricity, either directly or indirectly supports community initiatives through the establishment of the two remedial institutions. This support has benefited students from far and near: some come from as far as East London, a distance of about 700 kilometres from Maluti.

6.4.4.3. The REP: changing rural life styles

Provision of electricity (and of course other basic services like water) has exerted a profound influence on the life-styles of most civil servants in the district, notably teachers and nurses.

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[92] Interview, Mr Lesaoana, 1-10-04. op cit.
[93] Informal interview with Mr Mzozoyana, principal of Maluti Academic Institute, a private school basically enrolling students for Standard 10 Matriculation Candidates.12-06-04.

The programme has halted uncontrolled rural to urban migration. Suburban city life of nearby white controlled Town of Matatiele became, after 1994, a major focus of attraction for most civil servants residing in the Maluti Township.

The revocation of apartheid legislation, especially the Group Areas Act, by the newly elected democratic government broke down the barriers between racial groups in cities' and towns' residential areas. The repealing of most apartheid legislation served as catalyst to precipitate a process of rural to urban migration in the district. Provision of electricity in 1995 has caused a reversal of this social trend. Since then, most teachers and nurses have resorted to building their own apartments. The Maluti Township is currently undergoing a new phase of development with the construction of attractive self-contained apartments, with laid-out compounds. The changes taking place recently can be attributed to the positive effects of the REP in which Maluti Township has been a major beneficiary.

6.4.4.4 Solar energy supply

To supplement electricity as source of energy, most educational institutions, i.e. SSSs and JSSs in the district and Clinics in rural communities, are served with solar powered energy. Given the fact that solar energy is free, the requirement for electrical cables, poles, transformers, and electrical sub-stations is absent. Solar energy is very popular among local residents. It is relatively cheap and irrespective of the mountains, in the Maluti district solar energy can be installed anywhere at any place.

6.4.4.4.1 Education

Solar energy in educational institutions is very important. It has laid a strong foundation for promoting an environment conducive for Science education, through the provision of power for science laboratories and also for handling experiments. The donation of Science equipment, Audio-Visual Teaching aids, Slides, Integrated Giant TV Screens and Videos, and Computers to schools by the Municipality and other charitable organisations can be seen to complement the provision of solar powered energy.

Another educational environment where solar energy has proved beneficial is in the field of Technology. High Schools like Mount Hargreaves, Moshesh, Zibi Meyer, and several others in the district offering subjects like Welding, Carpentry, Masonry, Art and Craft, Woodwork, are privileged to tap solar energy as a potential source of power to power the necessary tools. Given the fact that these schools are situated in very remote rural communities, solar energy can be seen as important item.

6.4.4.4.2. Community clinics

Provision of solar power has contributed to reducing hardship, discomfort, and lack of job satisfaction of working in remote communities, given the fact that workers were generally reluctant to take up appointments in such areas. The provision of solar energy has enabled nurses to accept redeployment to Community Clinics without much hesitation.

Apart from satisfying most domestic needs of nurses running Clinics in rural communities, solar energy is used to provide correct temperatures for storage of certain essential drugs.

Despite the importance of solar energy in the lives of rural communities, the panels and batteries are persistently stolen.

The case of Maluti SSS provides a vivid illustration. The school[94] was privileged to have solar power installed by ESKOM through the efforts of the Municipality. Within less than two weeks the solar panel and battery were stolen. Several times the solar device was replaced by ESKOM, but because the stealing persisted, ESKOM gave up on providing this service to the school. A local teacher commenting on the incident claimed, 'the community around has no interest in the welfare of the school'.[95]

An investigation conducted into several schools with solar power revealed similar experiences. Only very few schools in the district can boast of having solar power.

Other different problems are analysed below as confronting the supply of electricity in the district.

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[94] This was an eye-witness account presented by the writer as teacher at Maluti SSS.
[95] A local teacher stated in an informal interview. Name withheld for purposes of confidentiality and anonymity.

6. 4. 4. 5: Problems confronting the provision of electricity supply in Maluti district

Several problems have been identified in the provision of electricity to local communities in the Maluti district. Whilst some of these problems are beyond the jurisdiction of the Municipality, others fall within its competencies but have been allowed to persist.

Electricity supports many small enterprises in the Maluti district that operate generally in the informal sector of the local economy e.g. Welding, Burglar-Proof Metal Working, Dress-making and Tailoring, Hair-dressing, and Car repairing.[96] Given the fact that all the above commercial activities are supported by electricity, the provision of electricity is crucial to keep these businesses in operation. Intermittent power cuts and power failures force these businesses to come to a halt some days. The capacity of transformers supplying the district is considered to be inadequate and local consumption far exceeds available electricity in the district. Solution lies with the immediate installation of bigger transformers with the required capacity to match the local demands. However, the following excuse persists: 'We are waiting for a bigger transformer'.

The REP has been extremely sensitive to changes in the weather. As generally acknowledged, the climate of Maluti district moves between extremes. Characterised by severe cold winters and excessively hot dry windy summers, the weather undoubtedly plays a part in the problems affecting electricity supply.

Given the fact that there are persistent power- cuts, local residents, as a precaution, keep gas and paraffin equipment as a standby.

A serious administrative failing of the REP is the fact that no prior public announcements are given to local communities as to when there will be planned power-cuts. As a result, damage

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[96] Mechanics operating in the Informal sector have acquired a derogatory connotation. Generally, they are referred to as 'bush mechanics', ostensibly because such businesses are run on the basis of sole proprietorship, using old rudimentary tools and old techniques to solve mechanical problems. They hardly use newly advanced tools, simply because they can hardly afford these due to high costs involved. However, the term has nothing to do with incompetence and inefficiency.

frequently occurs to electrical equipment. The term 'NEPA'[97] has become a derogatory term to refer to the Rural Electricity Project. Besides power-cuts, there are technical problems like street lights not working at all or working during the day. Undoubtedly, street-lights burning the day can be considered a financial drain.

Mr Lepheana reported a case involving a faulty street light bulb: he was referred by the Municipality to ESKOM authorities, and when he approached the ESKOM authorities, they referred him back to the Municipality. Neither organisation assumed responsibility for the repair. Eventually, Mr Lepheana gave up the attempt to get the light repaired.[98] This particular street light, as is the case with others, has never been repaired or replaced for well over three years. Most service delivery in the district is characterised by blatant neglect and poor maintenance as the above episode involving Mr Lepheana has clearly demonstrated.

A similar experience has been recorded as follows: Mr Memane[99] bought a site in Maluti to begin construction on his proposed apartment. He needed a water supply. He was forced to bribe his way through official channels of the Department of Public Works in Maluti as means to expedite action on the construction work. When the construction work was finished he tried to get electricity. For 1 ½ years he has been waiting in vain for electricity, despite the official approval of his application by ESKOM authorities at the Headquarters. Out of desperation he travelled several times to meet officials of ESKOM in Durban, but to no avail. A friend who had been in a similar situation, advised him to pay an amount of R800 as bribe to ESKOM officials operating at the local level.

Mr Memane and his family are living in darkness in their new apartment because he cannot afford an amount of R800. His conscience does not allow him to engage in bribery and corruption. There is no electricity, the installation fee of which had already been paid for about 1 ½ years ago.

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[97] Random power-cuts in local communities have achieved a derogatory connotation, i.e. NEPA, which essentially means 'Never Expects Power Always'.

[98] Information divulged to me in an informal interview, with Mr Lepheana, a resident of Maluti Township. 23-09-04.

[99] Mr Memane recounted his personal ordeal with officials of ESKOM, in Maluti district. interview, 4-04-05.

At the time of writing up my research findings, there was ample evidence that most rural communities in the district are without electricity. The fact that service delivery is mostly confined within Maluti Township cannot be denied. The prospects of future extension of electricity to most rural communities located outside the Maluti Township seem quite doubtful. The constraining factors are corruption, mismanagement, and the misappropriation of funds.[100] From the official perspective these communities have long been supplied with electricity, but practical evidence at the local level demonstrates that this is not so.

6. 4. 5 ROAD CONSTRUCTION IN THE MALUTI DISTRICT

Road construction is one of the key sectorial areas prioritised by DLG. With the inception of new local government dispensation, a comprehensive programme has been drawn, aimed at opening up rural communities that were previously inaccessible.

To facilitate the programme, construction of access roads[101] and improvement of existing ones have become a major concern of the Municipality. Emphasis was not only on supporting mobility of goods and services across a wide geographical area and range of socio-economic spheres but also on opening up and linking rural communities with the outside world, especially main commercial centres. Physical limitations imposed by numerous mountainous ranges in the district have significantly discouraged nucleated settlement.

Most rural communities are characterised by dispersed settlement. This implies that rural communities live some distant away from main transportation routes and that these rural communities would value construction of new roads to improve accessibility. Access roads not only connect one rural community with another but also ensure that Maluti and Matatiele, as the hubs of commercial activities, are well catered for.

Exerting a profound influence on the lives of rural communities in the district, the importance of road construction can be categorised under the following themes: Commercial/ Administrative Services, Social, Educational Services, and Sports.

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[100] Most respondents seem to join a similar chorus that corruption and mismanagements are the root cause of poor service delivery in the district.

[101] Newly constructed roads linking remote communities and Maluti/Matatiele is a hub of commercial centers.

6.4.5.1 Road construction: Importance of district administration, commercial services, and transportation[102]

Although there are several means of transportation, road transportation occupies a central place in the lives of rural communities in the district. Commercial importance derived from road construction/network can be analysed from one or more of the following perspectives.

Strong bond of attachment to tradition and family responsibilities and commitments imply that workers would stay far away from places of work commuting daily from their homes to places of work. Further to this, is the fact that Maluti[103] was built as a dormitory Township by the much discredited apartheid and Bantustan administrations of the Transkei to provide labour to service the commercial interests of nearby Matatiele that was previously located in the erstwhile Republic of South Africa.

The existence of numerous educational institutions e.g. JSS and SSS means that road construction in the district should be given priority on the agenda of service delivery. Roads connecting Maluti, as a District Education Centre, with the outlying schools can ensure effective administrative supervision and co-ordination of services. Information on educational issues received from Bisho can be sent by road because there is a lack of modern information devices like fax machines, electronic mail etc in such rural schools.

Construction of roads, especially access roads, enables there to be effective supervision in schools by the Maluti District Education Office (DEO) which co-ordinates education services. An example is the 2003 Winter and Summer classes organised for Matric students by the Provincial Department of Education as remedial programme in preparation for the final year Examinations in which the DEO was to maintain effective supervision and co-ordination with the

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[102] For detail information on 'Commercial Importance of RoadTransportation', the writer has given an exhaustive view elsewhere in the Thesis. Refer to 3.2.6.1, under the theme 'Role of MDTA and UNCEDO in Community Development'.

[103] According to an interview with Mr Makaula, before 1976 there was no residential place called Maluti, except those mountainous ranges around. Maluti acquired greater meaning and interpretation as dormitory Township build by the Matanzima government of the Transkei, to fit within grand apartheid designs ostensibly to fuel the socio-economic and political interests of Matatiele, a predominantly White town in the former Republic of South Africa. 17-12-03.

provision of learning and teaching materials.[104] The District Education Inspectorate team was also to identify problems facing tutors employed to run the programme and to apply appropriate solutions. The success of the Inspectorate Team from the Maluti DEO could be attributed partly to the construction of access roads, that linked various schools and that supported expeditious delivery of services and logistics.

As District Health Centre, Maluti co-ordinates the 12 newly built clinics situated in the outlying rural communities. Transportation by road is considered to be vitally important for the delivery of medical items to facilitate PHC programmes. Good road transportation implies that quality service can be transmitted from Maluti to outlying institutions, both Health and Education in an expeditious manner.

Many farmers in the district keep livestock. Transporting livestock to Maluti for sale, especially during festive occasions like Christmas and Easter, has been facilitated by recent road construction.

Efforts of the Municipality have been widely appreciated. The following roads have been constructed: Outspan Access Road, Maralekeng Access Road, Maluti Access Road, Ramahlakoana Access Road, St Paul's Access Road. Moshesh Access Road, and Mpolokeng Access Road.

6.4.5.2 Road Construction: Social Programmes

Adequate road construction is important for the promotion of large-scale social activities in the district. Its importance is marked in the following activities:

- Funeral Attendance

Funerals play an important role in the lives of community members by bringing people from both far and near, across a broad social spectrum. Community residents converge at such gatherings not only to mourn with bereaved family members but also to gather with the broader community. Without adequate means of road construction, transportation to such social functions could

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[104] The writer was privileged to be appointed as a tutor for both Winter and Summer classes organised by the Provincial department of Education, 2003. the venue was Maluti Senior Secondary School. The programme was taken over by the Municipality as a result of lack of funds and administrative problems.

hardly take place at convenient times or at convenient places. Promotions of social functions like funerals demand the construction of access roads and the improvement of existing ones. The role of the Municipality is crucial because it is the major service provider in the district.

- Church Attendance, Crusades, Conventions, and Assemblies

Maluti local communities are predominantly Christian who express their faith by maintaining regular attendance at church services on Sundays.[105] Church attendance on Sundays has become a regular social practice adopted by most rural communities in the district. Church bells ring loudly to signal the time for worship on Sundays and church-buildings are usually full on Sundays. Various means of transportation are used: vans, bakkies, mini-trucks, buses, bicycles, and even beasts of burden like horses and donkeys.

Recent construction of access roads in the district means that Conventions, Crusades, and Assemblies can be held at most places in the district at any time, not specifically on festive occasions like Christmas and Easter as was done before 1994. Construction of roads in more recent times has therefore changed attitudinal perceptions towards such Christian programmes. For instance, St Paul's[106] has been considered to be a viable venue for hosting Easter and Christmas Conventions in the district, because of the accessible road network constructed by the Municipality. Other examples are Queens Mercy, Magadla, Mvenyane Mission Outpost, Mariazel Mission Outpost, and several others that played host to Christian conventions in recent times, although such days were neither Christmas nor Easter.

Germane to the importance attached to road construction and transportation in the promotion of religious programmes can be cited the support given to such social functions like Child-naming ceremonies, Wedding Anniversaries, Birthday parties, and other social programmes. These draw well-wishers, friends, and family members from all walks of life, which strengthens social cohesion.

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[105] Exceptional cases can be conceived of the Saturday Adventists (SDA), who essentially endorse Saturday as day of worship based on the Sabbatarian doctrine.
[106] St Paul's' is one of the local communities (i.e. Locations) in Maluti district. Information gleaned from an interview with Mr Lesaoana, 1-10-04.

- Tourism

This is another sphere in which road construction has assumed great importance. As it remains one of the fundamental objectives of the Municipality to create the district essentially as a Tourist destination,[107] road construction is an obvious necessity. The Maluti Game Reserve, the rolling mountainous ranges of the Drakensberg, the natural scenery of the Maluti plains, and the Belford Water Scheme are areas which attract tourism in the district.

6.4.5.3 Road Construction: Education and Sports

Sports have been identified as being an important element in the current school curriculum. This is a departure from previous orthodox school curricula which emphasised academic programmes at the expense of all others, especially sports. The new curriculum attaches special importance to sports as means to develop the full potential and hidden talents of pupils and students. Saturdays have been earmarked for holding sporting events of various kinds thus creating an enabling atmosphere for students to interact with pupils from other schools. Of course, sports can take place away from the district, but most schools are predisposed towards organising sporting competitions with nearby schools for safety reasons. Matches organised with distant schools are problematic, and in extreme cases road accidents occur since the return journey usually takes place at night. Parents and teachers, therefore, tend to discourage students from undertaking long distance travel.

In promoting sports in the district, the Municipality has constructed sports-fields in Maluti, St Paul's and Mount Hargreaves.[108]

Given the fact that most newly constructed sports-fields are scattered throughout the district, road construction by the Municipality connecting these areas with one another has been impressive, facilitating the transportation of students to participate in sporting activities and competitions.

6.4.5.4 Road Construction: Health Services

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[107] Interview with a Municipal Officer. There are plans at foot, aimed at creating the district as tourist destinastion. 25-09-05.

[108] Facts gleaned from a questionnaire administered to Mr Mongoato, Chairperson; ANC Maluti Local branch, 8-10-03.

The Maluti HC serves as the destination for referral cases from the 12 Community Clinics providing health services throughout the district. Roads to convey patients to the Maluti HC are vitally important. Generally, this is the first stage of a chain of referrals in the health service. Further referrals can be made when necessary.

Apart from handling referral cases, the Maluti HC deals with health cases of nearby community residents, who live within a radius of about 25 km. The construction of a network of numerous access roads and the improvement of existing ones is an indication that the Municipality has achieved much in the provision of this service.

6.4.5.5 Road construction: Challenges, paradoxes, and contradictions

Road construction in the Maluti district has been carried out by several companies.[109] The number of construction companies involved in road construction is notable. Road construction opens up job opportunities for the unemployed in rural communities. They are generally employed as auxiliary workers on a temporary basis for digging trenches and laying culverts across roads, building bridges, conveying materials, to facilitate access road construction for drainage purposes. Although most auxiliary workers are employed on a temporary basis, the possibility of service extension is tremendously high taking cognisance the volume of road construction in the district.

Most newly constructed roads serve the following rural communities and residential areas: the Maluti Township, Ramohlakoana Location, Khoapa, Taung, Dengwane, Ephiphany, Semonkong, Khauoe, Mvenyane, Dihoseng, Mafube, Michalding, Tsitsong, Khoset, Nkolweni, Zimpofu, Hardenberg, Mt Hargreaves, Magadla, Queens Mercy, Likhutlowaneng, Malimong, Masakala, Spingane, Sibi, Nzongwana, and several others.[110]

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[109] Catalogue of the companies are the Melki JV Ndzo, Umtamvuma JV Malta Civils, Umtamvuma Macod Construction, Laphumi Kwezi Construction Company, Ndzo Developments and Civils, Mzamo and Mzamo Developments, Fezz Construction, Zamani Civils, Megaphase Construction Company, Melki JV Laphumikwezi Company, etc. information derived form a questionnaire introduced to Mr Mongoato, Maluti district; ANC Local Chairperson. 8-10-04, op cit.
[110] Response to a questionnaire by Mr Mongoato, ibid.

Newly constructed roads serving the above communities and residential areas are made of gravel, stones, and sand. The quality of most roads is mediocre, falling below expectations. A comment passed by a respondent runs along the following lines:

> The government has good plans for developing the lives of rural communities. But the implementation is being corrupted. Construction of our roads is terrible. So called expert construction companies will merely put on the sand and soil and press harder so that newly constructed roads could shine. Unfortunately these roads could not last long. They were fast eroded away by the summer rains as soon as they came. No wonder most road construction work is hurriedly carried out in winter to deceive most municipal officials who come for final inspection of work completed on these newly constructed roads.[111]

From the above views so far articulated, road construction is beset by many problems. These problems have gone a long way to militate against the ultimate success of road construction in rural communities in the district. Some of these problems are unethical practices and contracts shared among local party bosses, municipal officials, and construction companies. Given this fact, the relationships create a congenial atmosphere for corruption and other unethical practices to thrive. In the end, local communities as potential beneficiaries of services have become the major causalities of corruption taking place in road construction. In the Maluti district, most contracts are awarded to Municipal Councillors and party bosses who later out-source these to construction companies.[112] The possibility that satisfactory work will be carried out is in doubt. Succinctly stated, 'our roads are under construction. But work is not satisfactorily done. As soon as the rain comes they are quickly washed away thereby accelerating the rate of erosion'.[113]

The experience drawn from road construction is that, from the implementation stage to the final stage, road construction suffers from corruption. A respondent observes:

> Contracts are not awarded on the basis of merit and competency. Contracts are awarded to prominent people who support the regime, building reputation at the local level as party bosses and some local councillors. Naturally they become recipient of contract hand-outs. These are the ones

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[111] Interview with a local teacher, name withheld for purposes of anonymity and confidentiality. 6-06-04.
[112] Interview with a local teacher. ibid.
[113] Interview with a local teacher, ibid.

enjoying the fruits of democracy. Even at the higher levels of our party (i.e. ANC), those at the top are given high management posts or leadership of state institutions. Only a little of the national wealth trickles down to the people at the local level. We rural community residents do not enjoy as much as people at the top at all levels of the organisation. Contracts are awarded to ANC party managers at the local level. As supervisors they are rather implementers of these contracts, hence work is shabbily carried out in less efficient and satisfactory manner. The chase after money is too high among party supporters and bosses at all levels, including the local level.[114]

The road construction programme is plagued by petty corruption and bribery, having a negative effect on the provision of this service, to the extent of undermining its quality.

Bidding processes for contracts are considered to be merely a sham because party bosses become automatic beneficiaries. These contracts are later out-sourced to construction companies whose level of job competency is quite doubtful. Bidding is looked upon as a mere formality, since invariably outcomes are determined before actual commencement of the bidding process. Also, since 1999 five construction companies have been contracted to work on the Maluti Township roads and street pavements. All contractors in turn justify their performances. The usual strategy by an incumbent contractor is to level criticism against work previously carried out. However, often this contractor ends up producing worse results than his predecessors. A cycle of accusation and counter accusation takes place, as national wealth is plundered with impunity. This situation can be said to be a microcosm of what takes place at the national level. Local communities significantly become major casualties as they find themselves marginalised regarding service delivery and also as consumers of basic services. Events taking place at the local level cannot be considered in isolation from those occurring at the national level. These events could be seen as the direct outcome of national circumstances. Corruption and other unethical practices can therefore be seen as social and political residues or failings, filtering from the national to the local political landscape.

6.5 CONCLUSION

Challenges and demands facing DLG are many. DLG in the Maluti district has, however, achieved much in service delivery.

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[114] Interview with a local resident of Maluti Township. Name withheld for purposes of anonymity and confidentiality. 4-10-04.

In the sphere of providing water, healthcare, electricity, roads, sanitation, and refuse collection, DLG can be conceived as being well suited to provide more basic services. Although, the quality of some basic services, are considered by local communities to be relatively mediocre, DLG has endeavoured to open up the district to modernisation and developmental processes. Newly constructed road networks have largely opened up the district to opportunities like Community-Based Tourism (CBT), a popular business in the newly emerging economy. The popularity of the district as a community-based tourist destination is unequivocal, and is unparalleled in the Eastern Cape Province. Road construction, like other service delivery programmes, has had a profound impact, not only on improving the lives of rural communities but also on stimulating and promoting other mechanisms of service delivery considered economically and socially viable, with the creation of many employment opportunities.

Although, the provision of services in some programmes are considered to be mediocre there are other programmes like the provision of health services that have achieved much. The twelve newly built community clinics have gone a long way to improve health needs of local communities. The infant mortality rate has declined significantly, with the improvement in antenatal and postnatal health care services.[115]

Prior to 1994, rural communities were impoverished and they did not benefit from developmental and modernisation processes. The poverty level in rural communities was exacerbated by the establishment of the TA system which placed more emphasis on local administration rather than on the fulfilment of developmental responsibilities of rural communities. Featuring as an agent of the Bantustan system rather than an agent of their people, TAs failed dismally to marshal available human and material resources to meet the basic needs of rural people.

Service provision seems to convey an impressive picture about developmental projects taking place at the local level. Despite some successes in DLG, the realisation of its full potential has been constrained by two pertinent and perturbing factors: apathy and corruption. There is widespread apathy on the part of service recipients. This is manifested by the culture of non-

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[115] Interview with Mr Bongani; the Health Administrator of Maluti HC. op cit.

payment, for some basic services like the provision of water and refuse collection. The indigent policy adopted in October 2004 by the Local Municipality as means to counter the incipient culture of non-payment towards service provision by waiving the arrears for water and refuse collection, euphemistically labelled 'debt cancellation relief measure', has failed. There have been unwarranted delays by the Local Municipality with the implementation of the policy.

Non-payment for services and apathy have caused much debate and controversy. However, apathy occurs not only in local communities. It also appears in other areas like workplaces.

In the provision of good water supply, malingering at work and general apathy about official duties have reached alarming proportions: so much so that clinically untreated water for consumption is supplied to local communities. This has no moral justification, yet workers perceive nothing to be wrong with such acts of blatant neglect of duty and of general carelessness towards the well-being of the community.

Corruption and other unethical practices on the part of service providers, involving local political functionaries, have been widespread. Instead of featuring essentially as facilitators, ANC councillors at the local level have become covert contractors who feature as the implementers of the socio-economic programmes. Providing quality service is perceived to be a matter of secondary importance. Projects are completed in great haste, at the expense of providing quality service. The cumulative effect of the above is that services provided are generally considered to be poor in varying degrees, evoking negative perception and reactions from local communities at times expressed through protest action and open demonstrations.

An issue of much reportage which captured media headlines was poor service delivery in rural communities of Maluti district.[116] Community residents demonstrated and marched through the principal streets of Maluti-Matatiele, carrying placards to draw attention to their demands and expectations. Among other things, the protestors directed their anger and pent-up feelings at the

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[116] SABC 2 'Morning Life', programme introduced by Vuyo Mbuli, 7.30 am, News Bulletin, Thursday; 28-04-05. Life pictures were shown on the Television screen of protesting community residents of Maluti district parading the principal streets of the Township with placards, which speak of themselves about poor service delivery by the Local and the District Municipalities.

Alfred Nzo District Municipality and the Umzimvubu Local Municipality, accusing these municipalities of general mal-administration and widespread corruption which has subsequently led to an exodus of officials from these institutions[117] thereby crippling efforts of the municipalities to deliver a quality basic service.

According to the World Development Report of 2004, the issue of providing services to the poor can be solved if the following is borne in mind:

> Too often, service delivery fails poor people - in access, in quantity, in quality. But the fact that there are strong examples where services do work means governments and citizens can do better. How? By putting poor people at the centre of service provision, by enabling them to monitor and discipline service providers, by amplifying their voice in policy making and by strengthening the incentives for providers to serve the poor.[118]

Built-in structures of governance are in place at the local level, i.e. ward committees etc, to ensure effective and efficient service delivery in a more equitable and sustainable manner. However, their efforts have been constrained and thwarted. Traditionally, leadership evokes more fear than respect. Changing government, from leadership by ascription to leadership by democratic election at the local level especially, has done little to change attitudinal perceptions and mind-sets towards the culture and phenomenon of fear. The change in the system from TA councillors to democratically elected ward councillors is perceived as being a change in name only. Communities still fear leadership, whether traditional or democratic. To level criticisms against the conduct of a leader is considered to be very dangerous. There is always the looming fear of future repercussions or reprisals. Democratically elected ward councillors as new leaders at the local level have come to command a similar image as their predecessors, evoking substantial amount of fear in rural communities.

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[117] Flight of bureaucrats from the Alfred Nzo District Municipality has attracted public outcry, as they tender in their letters of resignation in such rapid succession, as the months roll on. Information confirmed in an interview with an official of the Alfred Nzo District Municipality, who is also contemplating resignation from the said Municipality. Name withheld for purposes of anonymity.21-04-05.
See also the 'Informer', 11-06-05, Issue. The 'Informer', is one of the local newspapers running news items in the district, carrying news on the mass exodus of officials from the Alfred Nzo District Municipality.
[118] World Development Report, 2004; p1.

The Ward committee system has lost its claim to act as a channel to redress and articulate constructive criticisms. In some ward constituencies, committees exist either in name only or have degenerated into being redundant, since most ward committee members are invariably not considered to be the popular choice of communities.[119] Ward committees lack the political will to influence decisions relevant to service provision, since there is an absolute lack of co-operation between ward councillors and ward residents. Attendance at ward meetings has been dismally low.

It is apparent that commitment to moral regeneration, education, and a degree of transparency should be considered as a counter to widespread apathy and corruption that hinder service delivery. The relationship between service providers and service consumers should evoke a degree of transparency and mutual co-operation through civic education and publicity.

General apathy towards quality service delivery, whether at the workplace or construction site should be strongly discouraged, and strong moral principles, obligations, and responsibilities should be encouraged. Achievement of political transformation, although considered necessary, should not be sacrificed and compromised by lack of morality. The two variables should be conceived as being inextricably linked, closely operating together to build a long lasting viable relationship for the realisation of the fundamental objectives of service delivery.

To ensure efficient and effective service delivery, the full participation of local communities, as direct recipients, must be assured. Regarding development, experience has shown that people are not empowered by hand-outs or institutional charity. People have to accept responsibility for and take an active part in managing the whole process of satisfying their own needs. What should be borne in mind is that empowerment should be aimed at people at large and not at individual politicians.[120] The above is explained by the RDP policy framework in the following:

> The central objective of our RDP is to improve the quality of life of all
> South Africans, and in particular the most poor and marginalised section

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[119] Interview, Mr Lesaoana, op cit. a similar views is expressed by Messrs Frans Rakaibe, Masima, and several respondents, whom the writer opened interactions to solicit for information.
[120] Van Zyl, J (1994) 'What should the government "deliver", in terms of the RDP?'. African Insight, vol 24. No 3, p 194 -199.

of our communities. This objective should be realised through a process of empowerment which gives the poor control over their lives and increases their ability to mobilise sufficient development resources, including from the democratic government where necessary. The RDP reflects a commitment to grassroots, bottom up development which is owned and driven by communities and their representative organisations.[121]

In furtherance of the above viewpoint, van Zyl[122] states the following:

Development geared towards the satisfaction of fundamental human needs cannot be structured (and implemented) from the top downwards. It cannot be imposed by law or by decree. It can only emanate directly from the actions, expectations and the critical but creative awareness of the protagonists themselves (i.e. local communities, italics own)

Human-centred development programmes should develop in a bottom-up way, in which previously disadvantaged communities are sufficiently empowered to take an active part in managing their own social and economic destinies. It is likely that strong adherence to such a programme will redress the inherent social ills corrupting the present service delivery mechanisms at the local level.

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[121] The Reconstruction and Development Programme (RDP) 1994 ; Policy Handbook of the ANC'. p 15. op cit
[122] Van Zyl, J (1994) op cit.

Table 10: Service delivery schemes in the Maluti district, 2000-2005.

TYPE OF PROJECT	COMMUNITY SUPPLIED	CONSTRUCTION COMPANY INVOLVED
Rural Electrification Project (REP).	Maluti Township, Khawoe, Nchodu, Nkasele, Magadla, Tsitsong, Jabavu, Ramohlakoana.	ESKOM
Water Reticulation Project.	MalutiT/ship,Nkau,Ramohlakoana, Queens Mercy,Lupindo, St.Pauls Masupa, Thabachicha, Mzongwana, Tsitsong, Masakala, Mphrane.	Thusana CC, Marashoe CC.
Road Construction and Pavement	Maluti Township, Taung, Khoapa Ramohlakoana,Dengwana, Khawoe, Epiphany, Semonkeng, Mvenyane, Mafube,Tsitsong,Kashet, Zimpofu, Nkolwane, Hadenberg, Masakala, Spingane, Malimong,Likhuflawaneng.	Melki JV Ndzo, Umtamvuma JV Civils, Umtavuma Macod CC, Laphumi Kwezi CC, Fezz CC, Civils, Ndzo Development and Civ Mzamo and Mzamo Developments Megaphase CC.
Sport and Recreation Field	Maluti T/ship, St Paul's, Mount Hargreaves SSS, Moshesh SSS.	Dontsa & Dontsa CC, Melki JV Ndzo, Basodi CC.
Health Centres	Queens Mercy, Poballong, Lupindo Thabachicha, Mvenyane(2), Osborne Magadla, Shepherd Hoek, Kolweni	Megaphase CC.
School Building Projects	Maluti,Mosa Sibi,Magadla, St Margaret Malubelube , Thabachicha	The Independent Development Trust.
Repairs and Renovation of Health Centre	Maluti Township.	Theunissen Jankowitz CC & Quantity Surveyors.

Source: Umzimvubu Local Municipality. Interview; Thabo Mongoato, ANC Chairperson, of the Maluti Local Branch. 16-04-05.

CHAPTER SEVEN
CONCLUSION, FINDINGS, AND RECOMMENDATIONS

The study has revealed that the theories, viz transition theory, decentralisation theory and transformation theory that were adopted as a yardstick to measure local government development in South Africa offer a framework that can be studied. They give a sense of direction and purpose to the issues generated throughout the study. In this way those theories have helped to translate facts and generalisations that were purely abstract into concrete fulfilment of the needs, meaning and demands of the new local government dispensation. An inference that can be drawn from the study is that no particular theory operates in isolation, as mutually exclusive and independent entity, but rather as inter-dependable. Hence, a plethora of theories can offer sufficient conceptualisation and application to various phenomena as they unfolded.

Development of local government in the new South Africa, and the theories that have been formulated to explain its development supply an excellent example. The theories that have been generated in the study have enabled the reader to analyse the development of the new local government from the following perspective:

- Disconnection from previous social connections and support
- Absence of familiar reference point, objects persons, i e tribal chiefs, headmen, TA councillors, tribal communities, etc.
- The appearance of new needs, functions and roles, i e DLG, in its attempt to chart a new path of local government development.
- Incongruence between former set of expectations, and those that prevail in the new situation. There is the built-in mechanism of incompatibility, between local government as a 'sphere', saddled with immense responsibilities, and local government as a 'tier', especially in the old system, in which local government operated as a subordinate unit, an appendage to higher authorities.

With the above picture frame in mind, it can be argued that South Africa has successfully completed a chapter in Local Government development by radical transformation of previously

existing institutional structures which have largely consisted of apartheid tendencies and authoritarian administration.

By evolving a viable local government entity along democratic lines, the system that emerged has been labelled Developmental Local Government (DLG).[1] In fulfilment of the broader aims of DLG, the National Government is 'committed to providing support to enable municipalities to utilise the options and tools put forward here to create a framework in which municipalities can develop their own strategies for meeting local needs and promoting the social and economic development of communities'.[2]

The application of the White Paper as a forensic tool of transition has enabled DLG to chart a path of developmental routes towards consolidation. The Tribal Authority (TA) system which has served as the point of departure through which the forces of transition and transformation have worked was discussed in Chapter 2. With the establishment of democratic institutions at the local level, the existing TA system that symbolised apartheid local government in the former homeland of the Transkei proved to be substantially incompatible with the evolution of a new local government system. Underlying the process of political metamorphosis is the fact that transition at the local level has proved relatively more challenging and daunting than at both provincial and national levels of the administration. However, the longevity of the transition made it possible to pin-point the direction, depth of content, and the complexity of change. The period saw the passage of the LGTA, 1993. The Act served as a main legislative instrument not only as a means to end the apartheid local administration but also ostensibly as a means to control the direction the new local government would take, with the establishment of transitional institutions like the TrepC at the local level.

The establishment of the TrepCs subsequently replaced the TA system of local administration. This is conceived as being a step in the right direction for the realisation of democratic institutions and structures. Elections and representative governance replaced appointment by nomination as was the case under the TA system. Those affected were tribal councillors and headmen who operated as local political functionaries. Appointment of the chief as head of the

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[1] See Chapter 1 of Thesis; ' The Context of Local Government White Paper on Decentralisation'. p48.
[2] The White Paper on Local Government, 1998; p17; op cit

TA was undoubtedly governed by hereditary rule of succession. His appointment was above politics, dictated largely by entrenched traditional and customary conventions and usages, at times subject to varying degrees of interpretation. Significantly, the TA system did not adhere to any democratic rules of appointment. It was thus flawed in these respects.

The TrepC also demonstrated its limitations as was clearly shown in the thesis.[3] It gave limited concession to participatory democracy in the sense that elected councillors represented a given political party, not constituencies ostensibly through the PR and PL systems as electoral mode of representation. Fully-fledged democratic representation lost formidable ground as basic requirement in governance, especially in the absence of electoral constituencies. Without adequate mechanism of representation, accountability and responsibility existed by mere default. Coupled with the above structural weaknesses is the fact that the TrepCs acted more in an advisory capacity than in an executive capacity.[4] They lacked the political clout to enforce decisions in council meetings, since their views could easily be flouted with impunity by higher municipal authorities. Like in the TA system, alienation of local communities from governance emerged. Participatory democracy, in effect, had been honoured more in the breach than the observance. The TrepCs thus fell short of required standards of democratic governance. Although the TrepCs had certain limitations, the system can be conceived as being more 'revolutionary', than 'evolutionary' project or enterprise, given the fact that it replaced a fairly reactionary and quite conservative system (i.e. the TA engendered the gerontocracy system of local administration) that has comprehensively outlived its usefulness. The TrepC system introduced the elective principle in the recruitment of councillors.

A fact to bear in mind is that transition is an ongoing process, very often subject to a continuous process of political refinement invariably through developmental stages, each stage driven by different considerations. Transition in this sense tends to meet its widest conceptual definition as more dynamic rather than static. An improvement of the TrepC system was the introduction of policy framework and the passage of numerous legislative instruments considered relevant to

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[3] See Chapter 2; 2. 2.4 'Transitional Institutions of Governance at the Local Level', p77
[4] TrepCs have only a representative function and no executive powers. Few powers and duties have been devolved to TrepCs due to their lack of capacity. TrepCs generally do not have their own administrations, and a little more than advisory structures to District Councils. They rely on District Councils for administrative, technical and financial support. See the 'White Paper on Local Government, 1998; p7.

drive the transition process along more democratic lines. The 1998 Local Government White Paper, The Municipal Structures Act, 1998, and The Municipal Systems Act, 1999 all gave much credibility to the political transition South Africa was passing through at the local level. Added to the above-mentioned legislative instruments is the Local Government Municipal Electoral Act, 2000. Essentially conceived as a political turning point it prepared the way for fully-fledged democratic local government institutions and structures to confront the challenges posed by the imperatives of service delivery and the development of local democracy. The period signalled the development of CSOs in the Maluti district. As democratic institutions, they became prominent at the local level. Significantly, CSOs aimed at promoting participatory democracy and influencing decision-making mechanisms at the local level. Growing importance of CSOs has been noticed by writers on regime change and by policy analysts who viewed the state as becoming excessively powerful. Viewed as an alternative means to reduce the hegemonic power of state institutions, CSOs aimed at keeping the state in check. They also lobby for elected representatives to be responsive and accountable to the demands of the electorate. General expectation is that similar situation could filter down to local communities in which elected councillors served as potential representatives.

Further importance of CSOs can be gleaned from the fact that they filled the political space created between one general election and the other. Putatively they broadened the base of participatory or local democracy, so that participation in governance generally is not limited to periodic elections but is viewed as an ongoing process. Given this fact, CSOs created avenues for participation to take place beyond the municipal elections. Regarded as a means of indirect participation, CSOs are largely complemented by an electoral mechanism in which ward administration emerged as important by-product.

The establishment of the ward system or constituencies in local administration did not aim to undermine efforts of CSOs but aimed to ensure that indirect participation in governance would be adequately complemented by direct participation, with elections emerging as the crucially important common denominator. The other importance of elections can be seen from the fact that they enabled translation of votes into seats as demonstrated by the outcome of the 2000 LGMEs, and subsequently the development of local democracy resulting in the process a substantial

degree of participation, representation, and accountability, prerequisite qualifications in governance. The LGMEs enabled local communities to discharge their civic responsibilities in an appropriate manner in fulfilment of broad-based aims and definition of local government.

The introduction of wards as decentralised organs of governance thus coincided with the notion of direct democracy as conceived by classical Athenian political philosophers which emphasised the need for government to be 'closest to the people'.[5] Local government in this sense acquired a wider meaning: that governance could systematically be built from below, i.e. the local level, through the ward committee organs as corollary of ward administration. Ward Committees, as lowest rung of local administration thus created avenues for community participation irrespective of their interest alignments and socio-political diversity by building sustained local democracy through consensual decision-making mechanisms.

Under the aegis of transition politics, ward administration is conceived as being an important development of local administration. It has enabled elected representatives, to maintain direct contact with a given constituency in fulfilment of their political obligations, in a more responsible and accountable manner. As decentralised organs of governance, wards not only created sufficient avenues for recruiting political leadership but also essentially promoted widespread community participation in governance because of proximity to institutions of governance.

The LGMEs 2000, examined in Chapter 5 of this work, marked a turning point in local administration. As mechanism to bring the transition process to its logical conclusion, political consolidation was achieved, an indication that the possibility of a regression to authoritarian local administration was unlikely. Given the breath of consolidation, utilitarian consideration is given tangible expression through imperatives of service delivery, supported by meaningful policy programmes. The provision of good water supply, roads, Community Health Services, Rural Electrification Project, street lighting etc, has been accorded high priority on the agenda of municipalities. These economically viable projects were meant to raise the standard of living of local communities held back by the under-development. They have succeeded in exposing rural

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[5] See 'Thornhill, C (1995) 'Local Government: Government closest to the People'. HSRC, Pretoria. Op cit.

communities to modernisation processes, in the creation of employment opportunities as a means to combat rural poverty and crime, and in the elimination of inequality in rural communities.

A critical assessment of the discourses raised in the thesis suggests that local government transition and transformation processes have had a chequered history, characterised by a less than democratic TA system, through the TrepC system to a more democratically inspired ward administration. Further, it can be said that local government transition and transformation processes that have taken place have never been uni-lineal but have been full of twists and turns. The present work, as supported by empirical and theoretical evidence, has demonstrated unequivocally that local government transition and transformation processes that have occurred at the local level since 1994 did not do so simultaneously but did so incrementally. Local government transition and transformation processes that have taken place at the local level have followed some well-defined developmental routes. By these routes, local government acquired a degree of relevance, dynamism, and sophistication. Underpinned by many legislative instruments, such as policy frameworks and the South African Constitution of 1996, DLG is conceived as being an empowerment sphere for the development of local democracy and service delivery. Critical to DLG is its capacity to govern through the provision of services creating popularity for itself.

Local administration was often kept in a state of developmental inertia (or amnesia) because local government functioned as tier, destined to play a subordinate role as a political appendage to a central administration. The TA system of local administration was fashioned to play such a 'yes-man' role. With its relative independence, DLG is significantly empowered to confront the iniquities, backlogs, and residues of past local administration by systematically building on the prospects of overcoming the challenges of participatory democracy and service delivery, two vitally important objectives of local government. That DLG is accorded a degree of autonomy to act as an independent entity is a crucial fact.

Underlying DLG, there are some constitutional caveats, which point to the direction that the new local government dispensation should take and which define the parameters of DLG. Among

other things, DLG has articulated the following constitutional provisions as outlined under Section 152 of the South African Constitution, 1996. DLG should:

- Provide democratic and accountable government [i.e. democracy],
- Ensure the promotion of services in a sustainable manner [i.e. service delivery],
- Promote social and economic development [i.e. service delivery] ,
- Promote a safe and healthy environment [i.e. service delivery],
- Encourage the involvement of communities in local government [i.e. democracy].

The above constitutional provisions directed DLG towards an optimistic attitude to service delivery. Emphasis is not on undermining the faith bestowed in participatory or local democracy, but on building strong support base for service delivery as the end - product of DLG.

Other legislative instruments which are relevant to DLG are the following pieces of legislation: The Development Facilitation Act, 1997; The Local Government Demarcation Act, 1998; The Municipal Structures Act, 1998; and The Municipal Systems Act, 2000.

These Acts form the core of legislation determining the developmental role of the new local government system in South Africa. Thus, DLG is strengthened by policies and legislative instruments to realise its aims and objectives. By moving beyond the limitations imposed by previous local government systems, DLG progressively acquired new relevance, dynamism, and sophistication that embraced a wide range of issues like development of new structures of governance, participation, and mechanisms for service delivery. Essentially, these mechanisms served as developmental tools for the promotion of social and economic well-being of rural communities ravaged by widespread poverty, unemployment, and inequality.

As stated earlier, a major feature of DLG is the establishment of a system of ward administration, with ward committees featuring essentially as the necessary element in the fulfilment of participatory commitment, obligations, and responsibilities of local communities. Being the lowest rung of institutional structures, ward committees could create viable opportunities by building structures necessary to promote local democracy in communities irrespective of their political alignment, ethos, creed and socio-economic diversity. As decentralised political entities, ward committees create conducive atmosphere to sustain community participation in governance.

As argued in the thesis[6], the institutional development of wards in some parts of Maluti district has differed from place to place in practice. The crux of the matter is that many ward committees have become redundant. Lack of effective supervision, maintenance, and co-ordination has very often been cited as being the major institutional pathologies militating against effective operation of ward committees. Structures are in place but the councillors and the local government officials are not responding positively to community expectations, demands, and aspirations. Participatory democracy has been spoken about more than it has been acted on. It is argued that the mere establishment of developmental structures without corresponding political guidance, supervision, and maintenance has created a gap between reality and visionary aspirations. Described as being mere tokenism, rather than concrete fulfilment of the political aspirations and expectations of local communities, ward committees exist as window dressing. Fundamentally, they lack the political leverage or clout to impact significantly on community participation.

The above institutional malaise is worsened by the way that ward committee members are appointed: this is very often left to the whim and caprice of incumbent ward councillors. Relatively, ward committee membership has been determined by ward councillors and not by the popular choice of ward residents. Given the fact that ward committee membership is dependent on ward councillors, the committee members remain subservient, subject to the manipulation of ward councillors. The official notion that wards should follow rules with ward committee membership reflecting largely a 'diversity of interests' that cut across broad political, social, and economic spectrum of ward constituencies has been ignored by several ward constituencies. Nepotism, partisan interests, and gender inequalities have remained a dominant theme governing the appointment of ward committee membership, as previously argued in Chapter Four.

The crux of the matter is that ward councillors are influenced largely by personal dogmatism that takes precedence over community interests and welfare, i.e. the popular good, or weal has very often been relegated to the background, fairly suppressed in the face of self-centred inclinations. Substantially, ward councillors harbour a fair amount of hostility, ill-feelings, fear, and misgivings towards community residents whose political alignments do not correspond to those

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[6] See Chapter 4 of the Thesis.

of the incumbent party governing the ward. In this way, the appointment of ward committee members has fallen short of expected democratic principles. Left to their own devices, ward committees have displayed a relatively clear manifestation of strong gender bias. As revealed[7] it is not uncommon to find patriarchal dominance in ward committees whose political and administrative head is a male councillor. The opposite is also the case: similar bias, this time matriarchic, has been evident in ward councils with heads that are female. Strong gender bias has not augured well for participatory democracy at the local level. The ward committee level has become a place where such distortions have been allowed to continue with devastating consequences. Against this backdrop, provision of services is examined as being an important function of DLG. The local level is conceived as being the most appropriate level at which to begin delivering services. Provision of services can be measured e.g. water, sanitation, refuse collection, road construction, electricity supply, provision of health facilities, etc. and these have been explored in Chapter Six.

Like the promotion of participatory democracy, provision of basic essential services has been marred by many problems. Lack of effective supervision, inspectorate services, and maintenance of projects nearing completion or already completed, have emerged as major failings that significantly undermine the quality of service delivery. Other failings are: newly constructed roads that erode when the rains come and that are characterised by gaping potholes; street lights that do not function when darkness falls, and others that stay on permanently even during the day, street light bulbs that break and hang loose, and electricity wires that drop across the streets acting as a death-trap for people, water for human consumption, although contaminated allowed to flow through pipes because of sheer negligence and irresponsibility; clinic stores depleted of their essential drugs and medication due to excessive demands imposed by dishonest patients that severely undermine the FMS, subsequently leading to its sudden collapse etc; and other basic services substantially handicapped by a culture of non-payment. The facts presented above have demonstrated stark differences between meanings of 'quality' service provision.

It has been argued in the present work that built-in mechanisms are in place to support service delivery. However, they are not responsive to local community demands and expectations, due to

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[7] See Chapter 4 of Thesis.

lack of proper maintenance, co-ordination, and supervision in all aspects of development: social, political, and economic. Although some spheres of service delivery have achieved much, others have fallen behind in quantity and quality.

The absence of adequate mechanisms to monitor and evaluate procedures in local development projects does not ensure transparency in governance. Recent studies have uncovered numerous cases of irregularities in the tendering processes and in the awarding of contracts. Reckless dissipation (or spending) of public funds has accompanied many development projects. Corruption and some unethical practices have harmed mechanisms for service delivery. These factors have gone a long way to undermine DLG as a viable means to achieve development at the local level. The recent discovery of serious financial irregularities and mismanagement subsequently leading to the arrest of eight municipal officials of the Alfred Nzo District Municipality, can be seen as a case in point. They created 'ghost' sham companies through which tenders could be awarded for 'ghost' economic projects. In the process they succeeded channelling 23 million rands to their personal banking accounts. The public confidence bestowed in municipal administration has been severely eroded, as a result of the high incidence of corruption.

Despite the visionary approach to decentralise governance in South Africa, the devolution of powers without a corresponding allocation of human and financial resources to meet these new responsibilities represents a serious barrier to progress. By implication this has affected the ability of local government to impact meaningfully on issues of social justice. In this respect, South Africa's experiment with new models of local government mirrors that of other African countries passing through similar political phases. There is much evidence that decentralisation is simply 're-centralisation' of political administration at the district municipal level. The practice has filtered down to the local level, where decentralisation and 're-centralisation' have been co-existing as incompatible partners, in the process producing inconsistencies in governance. Hence, the success of decentralisation has been fairly slight, with local communities having no real decision-making powers.

The lack of consultation over socio-economic development at the local government level and the consequent disappointment at the failure to engage with communities in poverty alleviation programmes appear to be a widespread complaint in rural communities. Given the fact that public participation is perceived as being a basic tenet of democratic governance and a viable element of the legal and policy framework for the development of post-apartheid local government, local participation through the ward committees should be regarded as an important element to encourage. There is a clear need to rethink public participation so as to promote inclusive participation and actively incorporate local community inputs on development programmes and projects. The mechanism for this should be made more effective to encourage real participation on the part of local communities, in which local community residents are not called upon to merely rubber-stamp decisions of the district municipality.

Closely related to public participation is the adoption of the Proportional Representation and the Party List systems as the electoral mechanisms. Despite their obvious advantages, they have impacted negatively on local communities and their perception of political leadership. Local communities barely exerted meaningful influence over ward councillors who remain loyal to the party, rather than the voters who voted for them. They tended to defend the party policies rather than to look after the needs of the local communities they represented. Responsibility and accountability of elected councillors have lost importance as tenets of democratic governance. The choice of political leaders as representatives, based on the Proportional Representation and the Party List system has alienated elected councillors from the voters. To ensure a degree of transparency and accountability it is considered imperative to subject potential candidates to a screening exercise. The exercise would enable local electorates to come face to face with their representatives in a forum or assembly and to make informed decisions about their choice of candidates.

The Municipal Systems Act places particular emphasis on community involvement in local government decisions such that traditional leaders are obliged to establish mechanisms to enable communities to participate in the affairs of each municipality. There is, however, limited clarity on the role of traditional leaders. While they are encouraged to participate in local government processes, no specific duties are assigned to them. This has created an awkward situation

regarding the latitude of power traditional authorities exercise at the local level. The issue is aggravated by the presence of elected councillors who feature prominently as functionaries in the new local government dispensation. An inevitable outcome is the power-struggle that has taken place between elected councillors and traditional leaders in most rural communities. This is perceived as being a latent source of friction, as long standing tribal loyalties and issues such as land rights are often in potential conflict with the notions of democracy.

It is recommended that the powers accorded traditional leadership in the new local government dispensation should be clearly defined. Traditional leaders should be made to play a constructive role, rather than existing as figureheads in their communities. They could be accorded a supervisory role over development projects taking place in their communities. Right from their inception, development projects should be placed in the custody of the chiefs. They should evaluate the efficacy and final completion of these projects, instead of leaving them at the mercy of local politicians and municipal officials who are often deep-rooted in corruption and other social malpractices.

In addition to the above recommendations is the need for a co-ordinating body to function exclusively in an administrative capacity and not as policy-making machinery. Its job should be to:

- Monitor, co-ordinate, and evaluate the performance of municipalities,
- Monitor the use of and dispense all monies allocated to the municipalities by any agency or auditing firm of the central government,
- Review and co-ordinate public services generally in each municipality,
- Perform any other function as deemed necessary in the interest of the general good, i.e. local communities,
- Maintain effective supervisory and inspectorate oversight of projects yet to be completed and evaluate those fully completed, and
- Scrutinise economic viability of projects to be undertaken by the municipality.

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[8] See Adjibolosoo,S (1993) 'The human Factor in development', op cit.

The proposed Municipal Co-ordinating Body would ensure adequate checks and balances in municipal administration and general management. Its efforts could be directed to the use and disbursal of public monies and playing supervisory and monitoring roles in municipal projects.

 The co-ordinating body should have an in-service training school. This should be organised on a regular basis for municipal councillors and other officials to participate in programmes in municipal management. Emphasis should be to improve efficiency and general productivity through the development of human resources and capacity-building (CB) initiatives: an approximation of the Human Factor (HF) development.

According to a recent discourse by Boachie-Danquah,[9] CB 'depends on the availability of people, with appropriate skills, a work and incentive system which enables the individual to make productive use of those skills and a set of institutions, financial and material resources which bring together individual efforts to make a notable contribution towards progress.'

Capacity-building, thus looks at how best to harness and consciously enhance all resources, be they human, financial, material, or physical to ensure organisational effectiveness and efficiency. According to Husein,[10] CB specifically refers to:

> the training and development of human resources in various areas of specialisation to enhance the abilities, skills, knowledge and attitudes of individuals, as well as the incorporation of human needs and appropriate management practices.

In essence, the ability of a country to achieve large-scale sustainable development is determined by the capacity of its people, its institutions, and its resources, i.e. human, material, or physical. These components emerge as being crucially important to initiate economically sustainable development. CB is necessary to respond to questions very often related to policy choices and the mode of implementing these among development options. Strengthening national capabilities through CB is a basic aim of most countries throughout the world. The argument often postulated in favour of CB is that it is conceived as being the engine driving economic growth, production, and development. Lack of CB in any institutional framework leads to low productivity.

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[9] Boachie-Danquah Y (2000) 'Human resource capacity building in Ghana's local government'.*African Insight, Vol. 30 No 3-4. p58-65.*

[10] Hussein, MK(2003) 'Local governance and human resource capacity : The case of district assemblies in malawi'. *African Insight. Vol 33 No 4, p11-18.*

Despite the importance of CB initiatives, recent local government reforms have received scant attention. They have placed undue emphasis on structural and functional changes, with mere lip-service having been paid to human development and CB initiatives. The results have been appalling.

Hussein,[11] describes the state of affairs as follows: 'One of the most critical factors contributing to dismal results in most local government reforms in Africa is the lack of human resource capacity in terms of both quantity and quality'.

The implication of the above statement is that the introduction of structural and functional reforms in local government without corresponding reforms of the human resource CB would result in institutional pathology with poor service delivery. Hussein[12] further gives the following advice:

> It is important to recognise that human resource capacity, understood as adequate and appropriately trained and developed personnel is a key to determine the efficient and effective performance. The promotion of effective performance in local government requires a competent workforce, managers, decision-makers, professionals, technocrats, workers and well-informed representatives.

The above statement emphasises the fact that effective governance and performance in municipal administration is contingent on not only structural and functional changes but also the availability of trained and developed human resources to manage existing mechanisms of institutional structures. The deficiencies in human resource CB: the high rate of illiteracy among the newly elected municipal councillors[13] and their inability to undergo enrichment programmes are a manifestation of inadequate skills and abilities to manage the newly decentralised local government administration. Productivity in municipalities has been dismal and far below expectation. Reaction from local communities has been spontaneous and sporadic, very often expressed through protest action, civil disobedience, and consumer boycotts of basic-rate payments for water and refuse collection. The current state of affairs could be attributed to lack

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[11] Hussein, MK(2003), op cit.
[12] Hussein, MK(2003), op cit
[13] A statistical survey that appeared in the Sowetan newspaper of March, 2005 depicted that 98% of Municipal Councillors are illiterate.

of qualitative and quantitative human resource CB in the municipalities to support the delivery of services in an effective and efficient manner.

Despite the shortcomings and functional weaknesses identified in DLG its dynamism lies more in the fact that it moved from a conservative tribal bureaucracy impervious to the need for service delivery and participatory democracy to a relatively democratic system.

The new local government system has consolidated its position through developmental structures and institutions of governance. Although, agents responsible for driving DLG have remained very vulnerable to abuse and criticism in varying degrees the institutional structures have remained relatively strong. As a superstructure giving much support and leverage to sub-structural institutions geared towards service delivery mechanisms and participatory democracy, DLG has remained an enduring mechanism to sustain local government at all times, despite the volume of institutional pathologies, the great need for services, and the low levels of local democracy and participation.

With reference to the discourses raised in the thesis, it is to be hoped that researchers in future will conduct further investigation into local government development in Africa. Such academic investigations should aim primarily not at correcting some of the hypothesis raised in the thesis but aim to add fresh knowledge to the existing body of literature on transition politics not only in South Africa but other African countries that have successfully made the transition from authoritarian regimes towards more democratic and decentralised institutions.

A comparative study on local government development would be another interesting field of academic discourse in the continent, by virtue of the fact that Africa is increasingly becoming less compartmentalised and more outward-looking than it has ever been in the past largely due to the pressure and exigencies exerted by the forces of globalisation.

BIBLIOGRAPHY AND REFERENCES

1.1 SECONDARY SOURCES

Achen, C (1992) 'Social Psychology Demographic Variables and the Linear Progression: Breaking the Iron Triangle in Voter Research'. *Political Behaviour, 14 (3) p 209.*

Adjibolosoo, S (1993) 'The human factor in development'.*The Scandinavian Journal of Development Alternatives, X11 (4) p139-149.*

Adjibolosoo, S (1994) 'The human factor and the failure of development planning and economic policy in Africa. Westport. Praeger.

Adjibolosoo, S (1998) 'The Human Factor: Foundation for Development and Democracy', in Chivaura, VG and C G Mararike. eds (1998) 'The Human Factor Approach to Development in Africa'. Harare. University of Zimbabwe Publications, p11-33.

Adlem, W L J(1997) 'Tutorial Letters. No 102/97'. Dept. of Public Administration, UNISA. Pretoria.

African National Congress (1994) 'The Reconstruction and Development Programme (RDP): A policy framework'. Umanyano Publications. Johannesburg.

Ake, C (1993) 'What is the Problem of Ethnicity in Africa?' *Transformation, 32 p 1 – 14.*

Anderson, J E (1994) 'Public Policy-making: An Introduction'. 2nd Edition. Houghton Miffin Publishing Co. USA.

Ansa-Koi, K(1987) A Historical Outline of Democracy in Ghana' in Ninsin, K and Drah, F K eds. The Search for Democracy in Ghana - A case study of political instability in Africa'. Asempa Publishers. Accra. Ghana.

Ansere, J K(1970) 'The Role of Local Government in nation-building'. *The Legon Observer. Vol. V, No1; Jan.-Feb. 1970. Newsletter publication by The University of Ghana, Legon. Accra. Ghana.*

Appiah, GWK (1994) 'Chiefship in the Transkei under the Tribal Authority System'. MA Thesis. University of Natal, 1994. unpublished.

Aryee, JRA (1987) 'The Emergence of responsible government at the grass-roots level' in Ninsin, K and Drah, FK eds.'The search for Democracy in Ghana – A case study of political instability in Africa'. Asempa Publishers. Accra. Ghana. p109 -129.

Aryee, JRA (1990) 'The implementation of the 1988/89 District Assembly elections in Ghana. *African Insight. Vol. 20, No 3 p169 – 175.*

Aryee, JRA (1992) 'Decentralization and effective government: The case of Ghana's District Assemblies'. *African Insight, Vol. 22, No 1, p 49 – 56.*

Aryee, JRA (1993) 'Decentralization and conflict: Ghana's decentralization programme, 1987 – 1990'. *Occasional Paper No 57. African Institute of South Africa. Pretoria.*

Aryee, JRA (1996) 'The Measurement of Decentralization-The Ghanaian Experience, 1988-92'. *African Affairs, 1996. 95, p 31 – 50.*

Asibuo, S K (1991) 'Inertia in African public administration: An Examination of some causes and remedies'. *African Insight; Vol. 21, No 4, p246 – 251.*

Asibuo, S K (1992) 'Military Regime performance in decentralization and Local administration for Development : A Ghanaian case study'. p 283 – 287. *African Insight; vol. 22 No 4.*

Asibuo, S K (1993) 'Party Politics and Local Government in Ghana during the Nkrumah regime : plus or minus'? *Occasional Paper No 57. African Institute of South Africa. Pretoria.*

Asibuo, S K (2000) 'Decentralisation and Capacity-Building in Ghana'. *African Insight, p8 – 15.*

Atkinson, D (1996) 'Civil Society alter the transition' in Coetzee, JK and Graaff, J eds. 'Reconstruction, Development and People'. International Thomson Publishing Southern África, (Pty) Ltd.

Atkinson, D (2003) 'The state of Local Government: Third generation issues', in Daniel, J; Habib, A and Southall, R eds. 'The State of the Nation, South Africa, 2003-2004'.HSRC. Pretoria. p124.

Ayittey, G B N (1992)'Africa Betrayed'. St Martin's Press, New York. p306.

Ball, AR (1988) 'Modern politics and Government'. Macmillan. London. UK.

Barongo, Y (1985) 'Political Science in Africa'. Zed Press, PLC. London. UK.

Baker, P H (1990) 'South Africa's Future - A Turbulent Transition'. *Journal of Democracy Vol. No 4 . Fall 1990.*

Bayat, S; Ismail, N; and Meyer, I (1999) 'Local Government management'. International Thomson Publishing, Southern Africa (Pty) Ltd. Halfway House. South Africa.

Bekker, J C (1991) 'Tribal Governments at the crossroads.' *African Insight Vol. 21, No 2. 1991. p 128.*

Bekker, K (1996) 'Interest and Pressure Groups as means for Citizen Participación' in Bekker, K ed. 'Citizen Participation in Local Government.' p29. JL van Shailk Publishers;Hartfield. Pretoria.

Bekker, S (1988) 'Devolution and the State's Programme of Reform at Local Level' in Heymans, C and Totemeyer, G eds. 'Government by the People' Juta and Co. Ltd. Cape Town.

Bekker, S ; Buthelezi, S; Manona, C; Mlambo, B and Van Zyl, A (1997) 'Local Government Transition in Five Eastern Cape Towns'. *Politikon, Vol 24 (1), June-July; p 1.*

Berman, J B (1998) 'Ethnicity, Patronage and the African State: The Politics of uncivil Nationalism '. *African Affairs, 1998, 97, p 305 – 341.*

Bratton, M and de Walle, N (1997) 'Democratic Experiments in Africa: Regime Transitions in Comparative Perspective'. Cambridge University Press. UK.

Breytenbach, W J (1976)'The Political system of the Republic of Transkei - an Overview'. *Politikon 3, 1976. p 36 – 51.*

Breytenbach, W J (1997) 'Democratisation in Sub-Saharan Africa: Transitions, Elections and Prospects for Consolidation'. 2nd Edition. *African Institute of South Africa.*

Carrim, Y (2001) 'The New Local Government System'. *New Agenda. Autumn. p111 – 122.*

Carter, G M ; Karis, T ; and Stultz, N M (1967) 'South Africa's Transkei : Politics of Domestic Colonialism'. Heinemann. London. p85.

Charton, N (1976) 'Black Elites in the Transkei'. *Politikon, 3; p 64 – 74.*

Chivaura, VG and Mararike C G (1998) 'The Human Factor Approach to Development in Africa'. Harare. University of Zimbabwe, publications. p11-33.

Cloete, F (1991) 'Regionalism in South Africa: Constraints and Possibilities'. *African Insight, Vol.21 No 1.*

Cloete, F (1994) 'Local Government Restructuring'. *Politikon; Vol. 21 No 1, June, 1994.*

Cloete, F (1989) 'Local Government: Cradle or Death of Democratic Development?' in de Villiers, B edt. 'State of the Nation, 1997/98'. *HRSC. Pretoria.*

Coetzee, J K(1994) 'Religion, Transformation and Development' in Coetzee, J K edt. 'Development People'. Southern Book Publishers (Pty) Ltd. Halfway House. South Africa.

Cohen, D L (1983) 'Elections and Election Studies in Africa' in Barongo, Y edt. ' Political Science in Africa' Zed Books Ltd. London. U K. p72-93.

Cowan, B (2003) 'Rural Energy Guide: Understanding electricity and rural electrification in South Africa'. *Energy and Development Research Centre (EDRC). University of Cape Town. Rondebosch.*

Dahl, RA (1971) 'Polyarchy: Participation and Opposition'. Yale University Press. New Haven.

Decalo, S (1991) 'Back to square one: The Re-democratisation of Africa'. *African Insight, Vol. 22, No 3, 1991.*

Decalo, S (1992) 'The Process, Prospects and Constraints of Democratization in Africa'. *African Affairs (1992), 91, 7 - 35.*

Development Bank of Soutern Africa (1994) : Statistical Compilation.

Development Bank of Southern Africa (2000) *Journal. p 739.*

de Villiers, B (1992) 'Regional Government in the New South Africa'. *HSRC. Pretoria.*

de Visser, J (1999) 'The Municipal Structures Act'. *Local Government Law Bulletin , Vol. 1 No 1 April, 1999. p8-11.*

de Visser, J (2001) 'The Municipal Systems Act and Community Participation'.*Local Government Law Bulletin, Vol. 3, No 1, April, p 8-9.*

de Visser, J, Steytler, N, and Mettler, J (2000) ' Electing Councillors : A Guide to Municipal Elections'. *Friedrich Ebert Stiftung. Community Law Centre. University of the Western Cape. Cape Town.*

Diamond, L (1994) 'Rethinking Civil Society - Towards Democratic Consolidation'. *Journal of Democracy. Vol. 5, No 3, July, p4 – 17.*

Diamond, L ; Linz, J J ; Lipset, SM eds. (1990) 'Politics in Developing Countries: Comparing Experiences with Democracy'. Boulder, Lynne Rienner Publishers. London. UK.

Dickson, P (1998) 'Border farmers anxious as EO packs up' *Mail and Guardian, Dec. 18 – 23 ; p 4.*

Drah, FK(1987) 'Democracy – Radical and Liberal', in Ninsin, K and Drah, FK eds. 'The search for Democracy in Ghana: A case study of political instability in Africa'. Asempa Publishers. Accra. Ghana.

Drah, FK (1996) 'The Development and Sustenance of Democratic Governance' in 'Problems and Prospects of Democratic Governance in Africa'. Proceedings of a symposium organised by the Ghana Academy of Arts and Sciences in collaboration with the Friedrich Ebert Foundation

held in Accra, from 3 – 5 June 1996. Published by Friedrich Ebert Foundation. Ghana Office. Accra. p49-116.

Dunn, J (1993) 'Democracy - The Unfinished Journey, 508 BC to AD 1993'. Oxford University Press. UK.

Fast, H(1998) 'The White Paper and the Rural Poor'. *Journal of Development Southern Africa, Vol. 15, No 2 Winter. p307 - 311.*

Friedman, S and Reitzes, M (1996) 'Democratisation or Bureaucratisation?' : Civil Society, the public sphere and the State in Post-Apartheid South Africa'. *Transformation, 29. 1996. p55-73.*

Friedman, S (2003) 'The state, civil society and social policy: setting a research agenda'. *Politikon(2003), 30(1), p3-25.*

Frost, M (1996)'Preparing for Democracy in Authoritarian State' in Johnson, RW and Schlemmer, L eds.(1996) 'Launching Democracy in South Africa: The First Open Election, April 1994'. Yale
University Press.

Gavin, M(1999) 'The Impact of Local Government on Rural Development in South Africa'.*Transformation(40). p103-105.*

Gildenhuys, JSH (1993) 'Public Finance Management'. JL Schailk(Pty)Ltd. Publishers. Hatfield, Pretoria.

Ginsburg,D (1996) 'The Democratisation of South Africa:Transition. Theory Tested'.*Transformation 29.1996. p 74-102.*

Good, K (1997)'Realising Democracy in Botswana, Namibia and South Africa'. *African Institute of South Africa. Pretoria.*

Govender, L(1996) 'When the "chalks are down"- A Historical, Political and Social Interpretation of Teacher - Militancy in South Africa'. HSRC. Pretoria.

Griggs, R(2000) 'Voting could sort out the border disputes', *Electronic Mail and Guardian, date accessed 8/26/00. http/www.mg.co.za*

Grindle, M and Thomas, J (1991) 'Public Choices and Policy Change: the political economy of reform in developing countries'. Johns Hopkins University Press. Baltimore. USA. p52-57.

Grundy, K W(1996)'Cultural Politics in South Africa- An Inconclusive Transformation'. *African Studies Review, Vol. 39, No1, April, p1.*

Gyimah-Boadi, E(1997)'Civil Society in Africa: the good, the bad, the ugly.'*Journal of Democracy, Vol. 1, No1, May, 1997.*

Habib, A (1995) 'The Transition to Democracy in South Africa: Developing a Dynamic Model'. *Transformation 27; p 53.*

Habib, A(2003) 'State – civil society relations in post-apartheid South Africa' in Daniels, J ; Habib, A and Southall, R eds. 'State of the Nation : South Africa, 2003 – 2004. HSRC. Cape Town.

Haines, R J and Tapscott, CPJ (1987) 'Chiefship, Power and the Deformation of Development in the Transkei'. UNISA. Pretoria.p26.

Hammond-Tooke, W (1975) 'Command or Consensus: the Development of Transkeian Local Government'. David Phlip. Cape Town.

Hanekom, SX(1998) 'Why Local Government matters' in Heyman, C and Totemeyer, G eds. 'Government by the People'. Juta and C0.Ltd.Cape Town.

Hanekom, SX and Thornhill, C (1996) 'Public Administration in Contemporary Society: A South African Perspective'. Southern Book Publishers. South Africa. p52.

Hanson, E M (1998) 'Strategies of Educational decentralization - Key questions and core issues'. *Journal of Educational Administration, Vol. 36, No 2, p111-128.*

Haralambos, M and Heald, RM (1985) 'Sociology: Themes and Perspectives'.Bell and Hyman. London. p9.

Hemson, D and Owusu-Ampomah, K (2005) 'A better life for all? Service delivery and poverty alleviation' in Daniels, J; Southall, R; and Lutchman, J eds.'State of the Nation–South Africa 2004 – 2005'. p511-537.

Heymans, C (1998) 'Editorial'. *Journal of Development Southern Africa. Vol. 15, No 2, Winter, p148.*

Hill, DM (1974) 'Democratic Theory and Local Government'. George Allen and Unwin Ltd. London. p37.

Hilliard, GH (1996) 'Understanding Contemporary Local Government',in Bekker, K edt. 'Citizen Participation in Local Government' .JL van Shailk Publishers. Hatfield. Pretoria. p3.

Hlongwa, W and Ntlemo, B (2000) 'Demarcation row quietens down', *City Press, Oct. 15; p6.*

Hofmeister, W(1997)Democracy: 'Definitions and Concepts in the context of the Transformation of political Systems', in Hofmeister, W and Scholz, I edts. 'Traditional and Contemporary Forms of Local participation and Self-Government in Africa'. Konrad Adenauer Stiftung. Johannesburg.

Horowitz, DL(1985) 'Ethnic Groups in Conflict'. University of California Press, Berkeley.

Huntington, S (1991) 'Democracy's Third Wave'.*Journal of Democracy, 1991 Vol. 2 No 2; Spring.p12-34.*

Hyden, G (1996) 'The Challenges of Analysing and Building Civil Society'. *African Insight Vol. 26, No2, p95.*

Jackson, OA (1975) 'The ethnic composition of the Ciskei and Transkei'. Pretoria. Government's Printer.

Jallo, M (2000) 'Voting for Peace and Democracy in Sierra Leone'.*African Insight Vol. 32 no 4. p59 - 63.*

Kasfir, N (1993) 'Designs and Dilemmas of African decentralization' in Mawhood, P edt. 'Local Government in the Third World - The Experience of decentralization in Tropical Africa' 2nd Edition. *African Institute of South Africa. p4*

Keeton, C (1999) 'Women get a raw deal in party politics', '*Sowetan', Oct. 21,Thursday. p11.*

Keeton, C (2000) 'A fair share for black communities', '*Sowetan', Feb. 17; Wednesday p9.*

Keller, EJ (1995) 'Liberalization, Democracy and Democracy in Africa: Comparative Percpective'.*African Insight,Vol 25, No4 p224-230.*

Kershoff, G J and McCarthy, CJ (1995)'Democratisation and Economic Policy - The Experience of selected countries'. *Politikon, Vol. 22, no 1 p 36 – 49.*

Keulder, C (1998) 'Traditional Leaders and Local Government'. HSRC. Pretoria.

Kirk, P and Matlou, J (2000)'Boundary clashes leaves six dead'. '*Mail and Guardian' Jan. 21-27, 2000.*

Kotze, DA; de Beer, FC ; Swanapoel, H J; and Bembridge, T J (1987) 'Rural Development Administration in South Africa'. *African Institute of South Africa. Pretoria. p39.*

Laasko,L(1995)'Whose Democracy? Which Democratisation'? in Hippler, J edt. 'The democratisation of disempowerment: the problem of democracy in the Third World', p211. Pluto Press. London.

Lawrence, P(1976) 'The Transkei: South Africa's Politics of Partition'. Ravan Press. Johannesburg.

Lipset, SM (1981) 'The Political Man: The social bases of democracy', Garden City. Doubleday.

Madlala, C(1997) 'Why the government doesn't know where to draw the line'. '*Sunday Times', July , 15 p25.*

Mahlalela, X; Rohde, J and Bennet, J (1998) 'The Status of Primary health care Services in The Eastern Cape, 1997: A Report'. Kanya Printers, Dimbaza. Eastern Cape.

Matloa, PS (2008) 'The Role of African Traditional Leadership in Modern Democratic South Africa: Service Provisioning in Rural Areas'. PhD thesis. University of KwaZulu-Natal (unpublished).

Matlou, J (2000) ; 'Chiefs face Thabo Mbeki over Traditional Lands'. '*Mail and Guardian'. Jan. 28 – Febr. 3, 2000.*

Matlou, J (2000) 'Some of South Africa's boundary flashpoints', '*Mail and Guardian', Jan. 28-Feb. 3.*

Mattes, R; Taylor, H and Africa, C (1999) 'Judgement and Choice in the 1999 South African Elections. *Politikon,(1999) 26(2) p 235 – 247.*

Mawande, J (2003) 'Chiefs, defectors may boost ANC'. '*City Press' Nov. 2. 2003.*

Mawhood, P (1993) 'Decentralization: the concept and practice', in Mahood, P edt. 'Local Government in the Third World – The Experience of Decentralization in Tropical Africa'. 2nd Edition. *African Institute of South Africa. Pretoria.*

Mawhood, P (1993) 'Conclusion - the problem of decentralization for governments' in Mawhood, P edt. 'Local Government in the Third World-The Experience of Decentralization in Tropical Africa'. 2nd Edition. *African Institute of South Africa. Pretoria. p257-263.*

Mbeki, T M (1997) 'Forward - The White Paper on An Integrated National Disability Strategy'. p1.

McLean, I (1996) 'Oxford Concise Dictionary of Politics'. Oxford University Press. New York.

Mears, R (1997) 'Improving economic development in Greater Soweto : The Role of Local Government'. *African Insight. Vol.27No 3, p178 - 187.*

Mettler, G (2004) 'Guidelines for Ward Committee: strengthening participatory governance'. *Local Government Bulletin. Vol. 6, No 1. February, 2004. p1-3.*

Mgijima, T and Associates(1999) 'Land Development Objectives and Integrated Development Plan (IDP), 1999 – 2004.

Minogue, M ; Polidano, C ; and Hulme, D edts. (1998) 'Beyond the New Public Management : Changing Ideas and Practices in Governance'. Edward Elgar Publishing Ltd. U K.

Mohale, J (1999) 'New demarcation plans upset councils',*Sowetan', Oct. 21. Thursday. p11.*

Mohr, P (2000) 'Economic Indicators'. Revised Edition. UNISA. Pretoria.

Monaheng, T (1999) 'Decentralisation of development in Lesotho'. *African Insight, Vol. 29 ; No 1 &2, p 3-10.*

Motloung, B and Mears, R (2003) 'An Integrated Approach to Alleviating Poverty in Africa'. *African Insight, Vol. 33, No 4. p5.*

Narsoo, M (1992) 'Doing What Comes Naturally' in 'A Development Role for the Civic Movement'. *Centre for Policy Studies. Johannesburg.*

Nattrass, N (2003) 'The state of the economy. A crisis of employment', in the 'State of the Nation', edt. Daniels, J et al. HSRC. Pretoria. p141-157.

Naude, WA (2003) 'Local Government Transformation in South Africa: Challenges for local economic development in a globalising economy'. *African Insight. Vol. 33 , No 3 p 50-56.*

Ndungane, N (2003) 'Social Activism and Socio-Economic Rights'.   *New Agenda. Issue No 12. Fourth Quarter. p 17 – 19.*

Ndletyana, M (1999) 'The United Democratic Movement: a critical assessment'. *Politikon(1999), 26 (2), p179 - 188.*

Ndletyana, M (2002) 'Chiefs in a quandary'. *'Sowetan'. Feb. 14.*

Ngcobo,RMB(1997) 'The Role of Civil Society in the Reconstruction and Development Programme (RDP). A Comparative Study of Community-Based Organisations (CBOs) in KwaZulu Natal'. MA thesis. University of Natal. Unpulished.

Ngware, SSA(1997) 'Civil Society and Forms of Political Participation in Tanzania', in Hofmeister, W and Scholz, I edt. 'Traditional and Contemporary Forms of Local Participation and Self – Government in Africa'*Konrad Adenauer-Stiftung.p237-248.*

Niekerk, van S (2001) 'A Commitment to Developmental Local Government'. *New Agenda. Summer. p64-72.*

 Nong, E (1999) 'Enhancing Local Government Service Delivery: A Batho Pele (People First) Perspective', in 'Search of Excellence: Local Government and Service Delivery'. Seminar Report, 28-30 April, 1999. Thohoyandou, Venda. *Konrad Adenauer Stiftung.*

Norris, M (1993) 'Sudan: administrative versus political priorities' in Mawhood, P edt. 'Local Government in the Third World: The Experience of Decentralization in Tropical Africa'.*African Institute of South Africa. Pretoria. p49-73.*

O'Donnell, G and Schmitter, PC (1986) 'Transition from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies'. Johns Hopkins University. Baltimore.p7-8.

Okudzeto, S (1996) 'Safeguards for democracy - The Role of People' in 'Problems and Prospects of Democratic Governance'. Proceedings of a symposium organised by the Ghana Academy of Arts and Sciences in collaboration with the Friedrich Ebert Foundation, held in Accra – Ghana, 3 – 5 June, 1996. p34.

Olivier, JL and Rule, S (1999) 'Free and Fair: voters evaluation of the 1999 election'. Politikon(1999), 26 (2) ; p225-234.

Owen, CP (1995) 'A Policy for the development of a District Health System for South Africa'. in Owen, CP edt. 'Health Policy Co-ordinating Unit' ,National Dept. of Health. Pretoria.

Owusu Ampomah, K (1994) 'Instilling Voting Culture in South Africa: Reward Voters and Punish Non-Voters ?'in 'Democracy, Development Programme'. Konrad Adenauer Stiftung. p5-6.

Palma, di G, (1990) 'To craft democracies: An Essay on Democratic Transition'. University of California Press. Berkeley.

Planact, (1992) 'The Re-organization of Local Government in South Africa'.Johannesburg. p24.

Polunic, J(1999) 'The Transformation of Local Government in KwaZulu-Natal. PhD Thesis submitted in the Department of Politics. University of Natal. Durban. July 1999. unpublished.

Pottie, D (2001) 'Electoral management and democratic governance in South Africa'. *Politikon, Vol.28, No 2, Nov. 2001. p133-153.*

Price, M (1991) 'The Apartheid State in Crisis - Political Transformation in South Africa, 1975-1990'. Oxford University Press. UK.

Pycroft, C (1998)'Integrated Development Planning or Strategic Paralysis?.Municipal development during the local government transition and beyond, 1998'. *Journal of Development Southern Africa. Vol. 15, No 2, Winter. p155.*

Rasheed, S (1996) 'Development, Participation and Democracy in Africa'. *African Institute of South Africa. p 68.*

Reader's Digest (1995) 'Illustrated History of South Africa: The Reader's Digest Association Ltd. Cape Town. p472-490.

Robinson, M and White, G (1998) 'Civil Society and social provision: the role of civic organizations' in Minogue, M; Polidano, C ; and Hulme, D edts. 'Beyond The New Public Management: Changing Ideas and Practices in Governance'.Edward Elgar Publishing Ltd. Cheltenham. UK.p229.

Rogerson, CM (2002) 'Planning Local Economic Development- policy challenges from the South African Experience', *African Insight, Vol. 32, No 2, p40.*

Rogerson, CM and Ndlovu, N(2003) 'Rural Local Economic Development through Community-based Tourism'. The Mehloding hiking and horse trail, Eastern Cape. South Africa. *African Insight, vol 33, No1/2.*

Sadiki, MP (2000) 'Integrated Local Governance and Development Planning: A Case Study of the Greater Louis Trichardt Transitional Local Council'. MA dissertation. School of Life and Environmental Science. University of Natal. Durban.

Segar, J (1986) 'Local Level Politics in a Border Village in Post "independence" Transkei. MA dissertation. University of cape Town.

Schmidt, S (1997) 'Is Small Beautiful? The Significance of Decentralisation and Local Self-Government in the Context of Recent Processes of Democratisation in Africa'. Hofmeister, w et Scholz, I; eds. 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa'. *Konrad-Adenauer Stiftung. Johannesburg. p36.*

Schmitter, PC(1994) 'The Dangers and Dilemmas of Democracy'. *Journal of Democracy, Vol. 5 No 2. April, 1994. p58-74.*

Schmitter, PC (1994) 'The Proto-Science of Consolidology: can it improve the outcome of contemporary efforts at democratization ?' *Politikon, Vol.21, No 2, Dec. 1994.*

Scholz, T (1997) 'Promotion of Local Self-Government in Africa as a task of the Konrad Adenauer Foundation: Experiences and Prospects' in Hofmeister, W; and Scholz, I ; 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa'. *Konrad-Adnauer Stiftung. Johannesburg.*

Schrire, R (1992) 'Wealth or Poverty ? – A critical choices for South Africa'. Oxford University Press. Cape Town. p616.

Segar, J (1989) 'Fruits of Apartheid. Anthropos, Cape Town.

Sehoueto, I M (1997) 'Civil Society and the Forms of Political Participation in Africa' in Hofmeister, W and Scholz, I; 'Traditional and Contemporary Forms of Local participation and Self-Government in Africa'. *Konrad-Adenauer Stiftung. Johannesburg. p209.*

Seiler, J (1999) 'Setting new boundaries', '*Sowetan'. Oct. 27, Wednesday; p10.*

Seiler, J (1999) 'Demarcation Problems', '*Sowetan', Nov. 23. p8.*

Shraeder, PJ (1995) 'Political Elites and the Process of Democratisation in Africa' in Hippler, J edt. 'The Democratisation of disempowerment: the problem of democracy in the Third World'. p44-69.

Sinclair, TA (1977) 'Aristotle: The Politics'. Penguin Classics. p28.

Singh, M (1992) 'Transformation Time'. *Transformation, 17 (1992) p48.*

Slabbert, van Zyl F (1992) 'The Quest for Democracy: South Africa in Transition'. Creda Press. Pretoria.

Solomon, H and Libenberg, I (2000) edts. 'The Making of Modern Africa: Consolidation of Democracy in Africa - A view from the South'. Asgate Publishing Ltd. South Africa.

Southall, R (1998) 'A deepening of democracy? Establishing provincial government in South Africa' *African Insight Vol. 28, No 1&2, 1998 ; p5 –18.*

Southall, R(1999) 'The Struggle for a place called home : The ANC versus the UDM in the Eastern Cape'. Politikon, Vol.26.

Steytler, N; de Visser, J and Mettler, J (2000) 'Making Law: A Guide to Municipal Councils' . *Community Law Centre. University of the Western Cape.*

Steytler, N and Mettler, J (2001) 'Ward Committees'. *Local Government Law Bulletin. Vol. 3, No 1, April. p 2- 5.*

Streek, B and Wicksted, R(1981) 'Render unto Kaiser: a Transkei Dossier'. Ravan Press. Johannesburg.

Tapscott, C (1997) 'The Institutionalisation of Rural Local Government in Post-Apartheid South Africa' in Hofmeister, W and Scholz, I edts. 'The Traditional and Contemporary Forms of Local Participation and Self-Government in Africa'. *Konrad-Adenauer Stitung. p 291.*

Tjonneland, E (1998) 'Aid Development and Politics in Southern Africa : A Critical Look at new conditionalities in Official Development Assistance'. *Journal of Development Bank of Southern Africa. Vol. 15 No 2. Winter, 1998; p186.*

Thomas, T(1998) 'Policy and Budget speech, 1998/99'. MEC for Health, Eastern Cape.

Thornhill, C (1995)'Local Government: Government closest to the People;.HSRC. Pretoria.

Totemeyer, G (1988) 'Local Government: Where Politics and Public Administration meet' in Heyman, C and Totemeyer, G edts. 'Government by the People?. The Politics of Local Government in South Africa'. Juta and Co (Ltd). Cape Town.

Turok, B (2000) 'Editorial Commentary'. *New Agenda,Winter 2000. p4-7.*

Van der Berg, S (2005) "The evidence on Poverty'. *New Agenda. p21-25.*

Van Vuuren, W (1995) 'Transition Politics and the prospects of democratic consolidation in South Africa'. *Politikon, Vol.22 No1, p5- 23.*

Van Zyl, J (1994) 'What should government "deliver", in terms of the RDP?' *African Insight, Vol. 24, No 3, p194 – 199.*

Venter, A and Johnston, A (1991) 'Politics: An Introduction for Southern African Students'. Oxford University Press. Cape Town. p8.

Venson, P (1997) 'Civil Society and Forms of Political Participation in South Africa ' in Hofmeister, W and Sholz, I ; edts. 'Traditional and Contemporary Forms of Local Participation and Self-Government in Africa'. *Konrad-Adnauer Stiftung. p 278.*

Wessels, JC and Pauw JC eds. (1994) 'Reflective Public Administration - Views from the South'. Oxford University Press. Cape Town.

World Bank Report (1978)

World Development Report (2004) p1.

Young, C(1997) 'Democracy and the Ethnic Question in Africa'. *African Insight. Vol. 27, No1, 1997.*

Zuern, E (2000) 'The Changing Roles of Civil Society in Africa Democratisation Processes ', in Solomon, H and Liebenberg, I eds. 'The Making of Modern Africa: Consolidation of Democracy in Africa - A view from the South'. *.Ashgate Publishing Ltd. South Africa. p96.*

1.1.1 NATIONAL LEGISLATIVE INSTRUMENTS, REPORTS AND OTHER DOCUMENTS CONSULTED

The South African Local Government Transition Act, (LGTA) 1993

The South African Constitution Act, 1996

The South African Constitutional Amendment Act, 1998

The South African Electoral Commission Act, 1996

The South African Electoral Act, 1998

The South African Local Government Demarcation Act, 1998

The Local Government Municipal Structures Act, 1998

The Local Government Municipal Structures Amendment Act, 1999

The Local Government Municipal Systems Act, 1999

The Local Government Electoral Act, 2000

The Local Government Laws Amendment Act, 2002

The Local Government Municipal Structures Amendment Act, 2002

The Local Government Municipal Systems Amendment Act, 2003

The Draft Guidelines for the Establishment and Operation of Municipal Ward Committees (the Guidelines), 2003

The Traditional Leadership and Governance Framework Act, 2003

The South African Schools' Act, 1997

The South African Government's 'White Paper on an Integrated National Disability Strategy'. Rustica Press. Cape Town.
The South African Year Book - 2002/2003;GCIS. Pretoria. p169.

The Republic of South Africa, 'Growth, Employment and Redistribution: A micro-economic strategy. Department of Finance, Pretoria

Ministry for Provincial Affairs and Constitutional Development: The White Paper on Local Government, March 1998. CPT Book Printers, Arcadia. Pretoria.

Ministry for the Public Service and Administration: The White Paper on the Transformation of the Public Service. Government Printers; Pretoria. Nov. 1995.

Energising the Nation: The Department of Minerals and Energy (2003) Government Printers. Pretoria.

Disabled People South Africa (2001): An Empowerment Tool: Pocket Guide on Disability Equity published by the DPSA. Parliamentary Office on Disabled People, p 83 – 84.

'In search of Excellence, Local Government and service delivery'. *Seminar report. No 4, 28-30 April, 1999. Thohoyandou. Venda.*

The African Monitor, vol 6 No1, Feb. 2001

The Southern African Local Government Elections Update, Dec 5; 2000.

The Southern African Local Government Elections Update, Dec 19; 2000.

The Southern African Local Government Elections Update, April, 2001.

Ward Map for Municipal Elections, 2000; March Registration Statistics

1.1.2 INDEPENDENT ELECTORAL COMMISSION (IEC): DOCUMENTS CONSULTED

The IEC (2000): 'Training Manual - Voter Education for the 2000 Municipal Elections'. Election House, Sunnyside. Pretoria.

The IEC (2000): 'Local Government 2000 and Beyond, vote and be involved' Education Support Services Trust (ESST) Publishers. Pretoria.

The IEC (2000): 'Municipal Elections - Presenter's Handbook'. Election House, Sunnyside. Pretoria.

The IEC (2000): Municipal Elections - Voting Day Guide', Election House, Sunnyside. Pretoria.

1.1.3 LOCAL NEWSPAPER PUBLICATIONS CONSULTED

The Kokstad Advertiser (2003) Feb. 27 issue

The Kokstad Advertiser (2004) Nov. 25 issue

The KwaZulu-Natal: Empowerment Report, 19 – 25 April 2002

The Informer: Weekly newspaper for Southern KwaZulu-Natal and the Eastern Cape. 11 June, 2004
The Informer: Weekly Newspaper for Southern KwaZulu-Natal and the Eastern Cape. 02 July, 2004.

1.1.4 NATIONAL NEWSPAPER PUBLICATIONS CONSULTED

The Educators Voice; Mar.1999 vol. 1 No 2

The Educators Voice; Mar. 2000 vol 1,

The City Press; Nov.2, 2003

The Daily Dispatch; Oct. 9, 2000.

The Independent on Saturday; Jun. 2, 2001

The Mail and Guardian; 1994 Dec. 15-22

The Mail and Guardian;1998, Dec. 11-17

The Mail and Guardian; 1998, Dec. 18-23

The Mail and Guardian; 1999, Nov. 5-11

The Mail and Guardian; 2000, Jan. 21-27

The Mail and Guardian; 2000, Jan. 28-Feb. 3

The Mail and Guardian; 2000, Apr. 6-12

The Mail and Guardian; 2000, Dec. 8-14

The Natal Witness; Nov. 5, 1998

The Natal Witnesses; Feb. 5, 1999

The Sowetan; Oct. 21, 1999

The Sowetan; Oct 27, 1999

The Sowetan; Nov. 28, 1999

The Sowetan; Feb. 14, 2002

1.1.5 LOCAL GOVERNMENT NEWSLETTER, BULLETIN ETC CONSULTED

The Local Government Law Bulletin, vol. 1 No 1; Apr. 1999

 The Local Government Law Bulletin, vol. 2 No 1; Mar. 2000

The Local Government Law Bulletin, vol. 1 No 1; Apr. 2000

The Local Government Law Bulletin, vol. 2 No 2 Jun. 2000

The Local Government Law Bulletin, vol. 3 No 1 Apr. 2001

1.1.6 HEALTH MAGAZINES/NEWSLETTERS CONSULTED

Health Magazine: News and Views from the Department of Health. Transkei, vol.3 No 2. Dec. 1983.

A Policy for the Development of a District Health System for South Africa, 1995

The Status of Primary Health Care Services in the Eastern Cape Province, 1997

1.1.7 OTHER: INTERNET SEARCH

Burger, D (2002) 'Local Government'-South African Year Book, 2002/03, p 1-3. 22-03-04.

Developing a Culture of Good Governance (1998) 'Report of the Presidential Review Commission on the Reform an d Transformation of the Public Service in South Africa' .22-01-04. p 1-55.

HSRC (1999) 'Democracy SA : South Africans' local service priorities – and "scorecard" of delivery', media releases, March 8,1999. http://www.hsrc.ac.za/media/1993/3/19990308.html. p1-2.

Joel, D (2001) 'Designing Better Electoral Systems for Emerging Democracies: A Better Electoral System for South Africa' ?. File//A:/Untitled % 20 Document.htm. p1-3. 13-08-99.

Local Government Elections (2000)'IEC - Voter Turnout Report', Eastern Cape, Umzimvubu (Mt Ayliff). Municipal Summary.

http://www.elections.org.za/iecweb/ Other/LGE.Reports, p1-2. 22-01-04.

Local Government Elections (2000) 'IEC – Individual Party Support Report', Eastern Cape. ANC.

http://www.elections.org.za/iecweb/other/LGE Reports. LeadParty, p1-3. 22-01-04.

Local Government in South Africa(2004) 'Developmental Local Government',

http//www.etu.orp.za/toolbox/docs/localgov/webdevlocgov.html, p1-4. 2004/01/10.

Local Government in South Africa (2004) 'Integrated Development Planning for Local Government'. http://www.etu.org.za/toolbox/docs/localgov/webidp.html, p1-6. 2004/01/10.

Local Government in South Africa(2004) 'Municipal Service Delivery',

http:/www.etu.org.za/toolbox/docs/localgov/munservice.html, p1-6.2004/01/10.

Local Government in South Africa' Understanding Local Government,

http:/www.etu.org.za/toolbox/docs/localgov/webundrstdlocgov.html,html p1-10. 2004..

Mbeki, T (2004) 'State of the Nation Address', by the President of South Africa, House of Parliament, Cape Town. www:legilink. co.za. p13. 6-02-04.

Nel, E (1996) 'Local Community Economic Development: Applied Practice and Current Policy Formation in Small Towns in South Africa'.

http://comm-dev.org/conf96/nel.htm .22-03-04.

Pottie, D (2000)'The Electoral System', in *'South African Local Government Elections'*, website. File//:A:/South %20Africa%localgovernment%20eletions.website.htm. p1-2.13-08-99.

Reyes, M (2000) 'Women Around the World': Attaining Gender balance in Political Representation. File//A:Women/world.htm. 1-10-04.

1.2 PRIMARY SOURCES

1.2.1 Interviews

Mr Mahlangu, District Commissioner of Maluti Magisterial District; 30-07-97.

Mr Jonasis, Chairperson of SANCO, Maluti Branch; 19-08-97

Unnamed Tribal Authority Member; 19-09-97

Mr Lesaoana, EDO, Maluti District Education Office; 25-09-97

Mr Makaula, District Manager. Maluti District Education; 17-12-97

Dr Ganusah, Medical Officer, Maluti Community Clinic; 3-01-99

Unnamed Community Youth Leader; 19-02-99

Mr Nyamakazi, Chairperson, Maluti Transitional Rep. Council (Maluti TrepC); 22-07-99.

Mr Bernard Jafta, Member, Maluti TrepC; 22-07-99.

Chief Moshesh; 7-08-99

Mr Mongoato, Chairperson -ANC Local Branch, Maluti District; 14-08-99

Mr Gonya, Member: Maluti TrepC. 11-09-99

Unnamed Health Administrator, Maluti Community Clinic; 22-09-99

Mr Dada, Retired Education Officer; 19-10-99

Unnamed Community Resident, Maluti; 23-10-99

Mr Andile Gwiji, Tribal Authority Councillor; 5-04-00.

Chief Magadla; 3-05-00.

Unnamed unemployed Graduate teacher; 6-08-00

The District Electoral Officer; 10-10-00

Miss Lulama, Asst. Administrative Officer, Maluti TrepC; 8-11-00

Mr Nonkonyana, Magistrate of Maluti District; 8-11-00

Mr Mongoato, Chairperson - ANC Local Branch, Maluti District; 11-11-00

Chief Sibi; 15-11-00

Sabelo Boxa, VE Field-Worker; 14-11-00

Samuel Sokoto, VE Field-Worker; 14-11-00

Moso Cosmos, VE Field-Worker; 17-11-00

Ms Nomonde Valashiya; 20-11-00

Mr Clifford Mabutyana, Local politician; 8-01-01

Mr Lesaoana, EDO, Maluti District Education Office; 20-01-01

Mr Spengane, Maluti TrepC Member; 14-05-01

Unnamed local resident of Maluti; 24-03-02

Mr Mongoato, Chairperson -ANC Local Branch, Maluti District; 17-10-02

Mr Ncobo, Local stock-farmer, Maluti; 8-11-02

Mr Zongwana,Local stock-farmer; 5-05-02

Unnamed local resident of Maluti; 21-04-03

Unnamed local Municipal Official; 20-04-03

Mr Matubatuba, Municipal Engineer; 5-06-03

Mr Dambuza, Local stock-farmer; 13-08-03

Cllr Nyamakazi of Ward 24, Maluti; 24-08-03

Rev. Manciya, Chairperson-Maluti District Education Forum; 25-09-03

Cllr. Jafta; 28-09-03

Rev. Mahlasela Chairperson, Maluti District Church Ministers' Forum; 28-09-03

Mr Makaula, DM of Maluti District Education; 17-12-03

Miss Cecilia Thoko; 18-04-04

Mr Masima, local Teacher; 21-04-04

Mr Masima, local Teacher; 16-05-04

Unnamed local Teacher; 5-06-04

Mrs Lepallo, Nurse, Maluti Health Centre; 15-06-04

Mrs Potwana, Local Teacher; 14-06-04

Unnamed Construction Worker, Maluti; 7-07-04

Cllr Mrs Gonya; 16-07-04

Mr Letuka, Principal of a High School, Maluti; 16-07-04

Unnamed Construction worker, Maluti; 16-07-04

Mr Petros Sipho Nkungu, Deputy Chairperson of DDPO; 24-07-04

Miss Zodwa Ndarane, Chairperson of DDPO; 31-07-04

Cllr DS Jafta, Ward 23: Maluti; 26-07-04

Miss Disemele Nokwanda, Member - DDPO; 27-07-04

Dr Ganusah, Medical Officer; Maluti Health Centre; 4-08-04

Unnamed Local Chief; 23-08-04

Mr Phooko, Community resident; Maluti; 20-09-04

Mr Lepheana, Community resident; 23-09-04

Mr Bongani, Maluti Health Centre; 24-09-04

Mr Lesaoana, EDO of Maluti District Education Office; 1-10-04

Unnamed Community resident; 4 -10-04

Mr Thabo Mongoato; Chairperson, ANC Local Branch; Maluti; 8-10-04

Miss Cecilia Thoko; 19-11-04

Mr Frans Rakaibe, DCES of Maluti District Education Office; 3-02-05

Mr Matsau, Local resident; 10-01-05

Mr Memane, Local resident; 4-04-05

Mr Zongwana, local resident; 5-05-05

Miss Bukiwe Gingji, a local Teacher; 26-05-05

Mr Mapena, Local Teacher; 28-05-05

Unnamed Senior Official of the Afred Nzo Municipality; 25-09-05

1.2.2 OTHER

SABC Programme (2005): 'Asikhulume' (Let us Talk) programme presented by Mr Xolani Gwala on the 'Extent of Poverty Levels in the Eastern Cape'. 13-03-05.

SABC Programme (2005): 'Morning Life' programme introduced by Mr Vuyo Mbuli. The programme covered protesting local residents of Maluti district against poor service delivery by the Alfred Nzo District Municipality. 29-05-05.