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Article

The Impact of Local Government on Rural Development in South Africa

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Introduction

South Africa is often heralded as the exception in Africa. The smooth character of its transition, the statesmanship of President Mandela and its impressive new constitution have signalled the advent of a democratic system able to respond to the socio-economic problems created by apartheid. This article focuses on one aspect of this system, local government, and asks whether South Africa will achieve an effective local government system with devolved powers or whether it will fall prey to centralizing tendencies? This is significant because the local government system will have a direct bearing on the prospects for development in the country. South Africa faces the particular challenge of dealing with its rural areas, long forgotten by apartheid and now increasingly marginalised by ANC policies. This article examines the prospects for the local government system in South Africa to promote rural development. It focuses on three conditions for accountable governance and local development: effective devolution of powers to local government, synergy between local government and civil society, and cohesive local government structures.

Following a review of the concept of decentralization, this article examines the introduction of local government in South Africa and asks two questions. First, how is South Africa's new local government system likely to be affected by politics? What factors and tendencies are presently shaping South Africa's local government system? By examining the type of local government system which has been introduced in South Africa to date, I argue that South Africa will face pressures to follow the centralizing trend of other African countries. Pressures to centralize will arise in response to local government's lack of capacity and the desire of the national government to control planning and development. This will be

counter-balanced by factors such as the history of local government in urban areas, the commitment of some leaders to participatory ideals and protection by the new Constitution. These factors can be expected to ensure that some degree of devolution to local government is maintained.

Second, what impact does the present local government system have on development in South Africa? Which factors can we use to predict the future impact of local government on development? It is clear that the emergent local government system will face problems in development administration similar to many African countries. I argue that its ability to respond to the challenge of development will depend on its relationship with the national and provincial government, with civil society and among its members. The local government system will have neither the level of authority and autonomy nor the necessary funding adequately to address development problems on its own. It will depend on assistance from the national and provincial government, each of which has its own aims and concerns and may try to exert control through centralization. Local government will need civil society organizations, including non-governmental organizations (NGOs), community-based organizations (CBOs), church organizations and farmers associations, to support its development efforts. In addition, the functioning of local government structures will depend on whether administrative officers, elected officials and Traditional Authorities succeed in finding a *modus operandi* to work together. Councils which have a synergistic relationship with civil society and are not internally divided will be able to maintain focus on their aims and resist the centralizing tendencies of national and provincial government.

Background

Decentralization is trumpeted in many analyses as a solution to the problems of developing countries, yet it can be pursued in different ways. Constraints can be placed on the scope of state activities by diminishing the role of the central government in the economy and limiting the role of public officials to the management of the state (rather than allowing them continually to reformulate the rules). Society can be given a greater role in governing, by increasing public participation in politics and legalizing civil society organizations. Finally, decentralization can mean devolving responsibility and authority for services and development projects to local government (Wunsch and Olowu 1990:6). Although this article focuses on decentralization to local government, it is important to consider the impact that this may have on the political system as a whole.

While debating decentralization to local government, the conclusions reached by analysts often appear contradictory. One reason for these seemingly contradictory conclusions is that decentralization is used broadly to describe a range of relationships. Deconcentration, devolution and delegation are all types of decentralization, yet they describe relationships with very different consequences. Deconcentration refers to passing authority to a field office of the central government. In this case, the central government does not compromise its autonomy since it can review all decisions made by the lower body. Instead this form of decentralization extends the reach of the national government closer to the ground. In contrast, devolution provides local bodies with authority to make decisions. Devolution provides local bodies with autonomy and weakens the local authority of the central government. Finally, delegation is the granting of authority to an autonomous agency in which the central government maintains some power to affect the agency through appointments (Leonard 1982:28).

Devolution is the form of decentralization popularly considered most beneficial to development. The logic is that bringing decision making closer to the grassroots will promote development. This will improve its applicability to local conditions, remove options for corruption, and improve accountability to beneficiaries. Development needs 'flexibility, accommodation, adaptability and learning' which do not exist in a centralized blueprint approach (Wunsch et al 1990:270). This is particularly the case in developing countries where it is 'difficult to administer effectively from the centre when problems are poorly understood, resources are short and management systems inappropriate' (Wunsch et al 1990:6).

While devolution may seem a simple prescription for development woes, it has significant political consequences that make many governments in developing countries wary of attempting it. Devolution weakens the power of central government in local areas and its capacity to orchestrate national development. It may also lead to pressure for further changes as local areas become empowered. Often the central government fears the development of new leaders and potential opposition in local areas. As a result, many African governments have responded to demands for decentralisation through deconcentration rather than devolution. Let us consider the prospects for devolution in South Africa's new local government system.

Rural Local Government in South Africa

South Africa held its first democratic local government elections in October 1995 for all provinces except Western Cape and KwaZulu-Natal, which were delayed until 1996. What type of system was adopted and how is it likely to change? This section will provide an overview of the system of local government that has been introduced to date and will highlight its key features. It will make explicit the factors shaping South Africa's local government system, and will assess the extent to which it is likely to bow to centralizing pressures.

A. System Introduced to Date

First Local Government Elections

In preparation for South Africa's local government elections, urban areas combined the existing, racially defined authorities to create Transitional Local Councils (TLCs). In contrast, there is no history of local government in rural areas and there were no structures to be transformed. The only structures somewhat akin to local government which existed in rural areas were the Regional Service Councils (RSCs), Joint Service Boards (JSBs), and Traditional Authorities. RSCs and JSBs played an administrative function of delivering services such as water and electricity. Homelands were excluded, and services were provided to whites and some Asians.¹ Most African areas had Traditional Authorities which played a role in community governance, but any service delivery was often used for political ends.

In the 1980s the liberation struggle was driven largely by urban groups. As a result, the ANC did not give substantial consideration to addressing problems in rural areas. The Reconstruction and Development Programme's (RDP) ambitious targets for service delivery were considered a general response to all needs, and more specific strategies were left to a future local government system. The RDP did set up a committee to write a National Rural Development Policy; however this was a general policy exercise which had a limited effect.

Rural areas were ignored in the preparation for local government elections. The Local Government Transition Act (LGTA) failed to make provisions for rural areas. The structure that was finally specified was a mirror image of provisions for urban areas; it was implemented virtually overnight without taking into account the exceptional history of urban

areas and their transitional structures. Quick preparations were exacerbated by the lack of experienced leadership in rural areas. Most leaders had been elected to national and provincial government or had relocated to urban areas.

In spite of these constraints, a two-tier local government system was introduced. District Councils would serve as the upper tier or secondary level, and the lower tier or primary level would be comprised of TLCs for urban areas and Transitional Rural Councils (TRCs) for rural areas. Both levels would be directly elected, however each lower level would send a few representatives to the upper level. Once again KwaZulu-Natal proved to be an exception in this regard. TRCs were not formed, so rural areas were referred to as 'remaining areas' and District Councils were called Regional Councils.

At present, although there is substantial variance across provinces, a rough estimate of government data seems to suggest that District Councils represent an average of between 600 000 and 900 000 people and around 30 000 people are represented by the typical TRC. TRCs were elected to represent constituencies – not wards – on the basis of proportional representation. This is significant because leaders who appear on the party list come primarily from the cities and towns. Although they may originate from rural areas, many rural people consider them to be unfamiliar with rural issues and complain that they are unknown by local communities. This was a common complaint made by rural community leaders in workshops convened in all Regional Council areas by the Regional Consultative Forum on Rural Development (RCF) in late 1996 and early 1997.

Interim measures were introduced in response to powerful vested interests, resulting in significant confusion about the rural local government system. It was specified that interest group representatives (eg women, farmers, etc) may be nominated to serve on TRCs and that Traditional Authorities can serve as ex officio members. The inclusion of Traditional Authorities caused problems in KwaZulu-Natal where there are over 260 traditional leaders and where no TRCs were formed. In order to include amakhosi (chiefs) while appeasing those concerned that their number would give them an overwhelming influence, the Provincial Ministry of Local Government approved the formation of vast District Councils, which in some areas included nearly three hundred members (McIntosh 1997:7).

White Paper Process

Presently South Africa is in the interim phase of forming its local government system. This phase will be concluded with elections scheduled for November 1999 in all provinces except KwaZulu-Natal and the Western Cape, which are planned for June 2000. A key part of the interim phase was Cabinet's approval of the White Paper on Local Government in March 1998 (Local Government White Paper, March 1998). The White Paper process was carried out by a group of advisors appointed by the Minister of Constitutional Development, Valli Moosa. This inclusive White Paper Political Committee was supported by a technical drafting team, the White Paper Working Committee.

Socio-political differences among and within Provinces made it difficult to consider a rural local government model across the country. Areas with various settlement patterns have had different forms of local governance. Communal land communities, freehold communities, commercial farms, labour tenants, trust land and state land, rural towns and informal settlements each have a different basis to establish local government and may require different treatment. 'How can the peasant, large farmer and the farm labourer come together as equal participants, as electors and councillors in the same democratic structure? How can a unified Council be constructed on a basis of such cultural and historical divisions?' (Mawhood 1993:x). Although democracy is intended to mediate these differences, establishing democratic bodies able to do so poses a particular challenge given South Africa's non-democratic history.

The White Paper was expected to respond to confusion around the rural local government system by specifying changes in the model for rural areas. Instead of providing a clear model, the White Paper leaves questions open to each locality. It states that the structures should accommodate the settlement type and the approach to service delivery. This flexibility is intended to allow rural structures to develop as the product of local circumstances and experience. Although this approach has tended to frustrate people working on local government issues, there are indications that it could result in locally appropriate structures. Following the 1995/96 elections, new local government structures were immediately faced with significant challenges. Councillors have been attempting to respond to needs and have been learning about constraints. Some councils have introduced their own structures. This has particularly been the case in regard to the development of TRCs and the formation of sub-structures to

reach rural areas. In other areas, uncertainty about structures has nearly frozen council activity while structures are hotly debated.

Two Tiers?

The fact that the White Paper did not assist with the two-tier issue leaves an important question unanswered. The decision about the structure of local government is not simply a technical question. The structure has implications for the role which local government is able to play. A two-tier model clearly promotes representivity, but it is likely to have a negative impact on the viability of delivering services. Two tier structures complicate the system and increase the financial burden of local structures.

Policy makers such as Pravin Gordhan, Chairperson of the White Paper Political Committee, argue that local government is needed to play both the role of representivity and of service delivery. He argues that local government should support the development of a constitutional and democratic culture, that local government administration should focus on good governance, and that the meaning of people-centred and people-driven development should be clarified. In order to achieve these aims, institutions, processes and programmes need to be established to encourage popular participation for accountability and control. At the same time, he argues that local government should be achieving service delivery. It should develop a foundation for integrated development planning, and criteria should be established to monitor the positive steps it has taken to address socio-economic rights. Local government should be judged according to the difference it makes to people's lives (Galvin 1997).

While this sounds desirable, the new local government system has two tiers that play different roles. District Councils are able to play a role in service delivery, and have benefited from the experience and administrative base handed down by the Regional Service Councils and Joint Service Boards. They were also demarcated to include a major town and commercial farming areas in order to give them a fiscal base. While they are financially viable in theory, they will face increased responsibilities due to the inclusion of former homeland areas (McIntosh 1995:6). In contrast, Transitional Rural Councils, which were elected in all Provinces except KwaZulu-Natal, have no assets, no tax base, and many of its members are poor and illiterate. They are unable to set up offices and have difficulty meeting due to logistical problems. Presently most TRCs play a representative role but are able to do little more. Since most members of

District Councils are directly elected, TRCs exert negligible influence through their representatives.

Provincial governments will be forced to consider various options in order to deal with problems of the two-tier structure in rural areas. The two-tier structure may remain in place, but in some areas may come to exist in name only. Alternatively, the local primary structures could be made a local responsibility. This has happened to some degree in the Northern Province where stakeholders formed Rural Development Committees as representative bodies to hold accountable Councillors elected by proportional representation. A final option would be to recreate one tier of local government to play both a service delivery and a representative role. This tier would operate at a level equivalent to a magisterial district, between the two existing tiers.

Clearly local government in rural areas is in flux. As a result councillors are not focusing their energies on consolidating the new structures, but are struggling to overcome its structural limitations so that they can do their job. Rural local government will be in a vulnerable position vis-à-vis national and provincial government until a viable structure is in place.

Constitution

Despite these problems there is a high degree of enthusiasm about the prospects of the new system. This is partially because it is the first time a representative structure has been in place, but it is also because there is great confidence in the new South African Constitution to protect local government. It has been argued that the new constitution will ensure a level of devolution to local government. The new constitution supports devolution by giving it a new status as one of three spheres of government. The term 'spheres' is being used in place of 'tiers' which is seen to imply a hierarchical dimension. The constitution states 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, as provided for in the constitution' (Constitution of the Republic of South Africa 1996:section 151).

The constitution is based on the principle of cooperative government which 'seeks to establish new ways in which the institutions and structures of government at all tiers of government deal with, and relate to, one another and to the citizens they serve' (Moosa 1997:1). Each level has its separate functions.² The constitution thus requires that the national and

provincial government 'support and strengthen the capacity of municipalities to manage their own affairs, exercise their powers and perform their functions' through legislative and other means (Constitution of the Republic of South Africa, Section 54). In turn, the constitution requires local government to 'structure and manage its administration, and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community' (McIntosh 1995:9).

In order for these principles to be put into practice, it is essential that the necessary financial underpinnings are in place. There is an indication that the national government is committed to making resources available to address these goals. The chapter of the constitution on finance provides for 'the equitable division of revenue raised nationally among the national, provincial and local spheres of government (and that) local government and each province is entitled to an equitable share of revenue raised nationally to enable it to provide basic services and perform the functions allocated to it' (Constitution of the Republic of South Africa, Sections 214 and 227). Still, the allocation of revenue among these levels is certain to be contentious, particularly given the centralized and skewed patterns inherited from the apartheid government. Although it is an advisory body, the Financial and Fiscal Commission has become active in making recommendations about reforming the budget process.³

Local government functions cannot be removed arbitrarily. The national government can lodge a complaint that the municipality is not carrying out its function and then can take over this function temporarily, but there are strict procedures for this to be monitored by the National Council of Provinces which must ensure that it is a temporary measure (Constitution of the Republic of South Africa, Section 139). Any draft national or provincial legislation that will affect the status, institutions, powers or functions of local government must be published publicly to allow for representations from organized local government, municipalities or other interested parties.

Although the treatment of local government in South Africa's constitution may be admirable, the means by which this system will be introduced and sustained are not clear. In a speech on cooperative government and decentralization, the previous Minister of Constitutional Development emphasized the importance of cooperative governance and the difficulty of achieving this due to the apartheid legacy. He mentioned a range of

institutions that play a role in governance and indicated that significant institutional reform and institution building will be necessary. However he gave no indication of how his Department or any other governmental agency planned to undertake such a task. It is possible that this topic was simply not covered in Moosa's speech and that such a strategy does exist. However, it is likely this is a typical case of what Grindle and Thomas (1991) highlight as policy elite's failure to get involved in its implementation. Not surprisingly, therefore, though the White Paper provides a polished vision, it fails to provide a guide as to how it may be implemented.

The constitution which enshrines these principles is the creation of the new government with wide public consultation. Will this prevent South Africa from following the trend of most African countries where centralization has precluded effective local government?

B. Tendencies Shaping the Local Government System

South Africa in African Perspective

Local government systems in most African countries have followed a similar pattern. First, in most African countries, colonial governments operated in a centralized manner through indirect rule or association, with the District Commissioner serving as the sole local authority. Overall the impact of colonial rule 'neglected, distorted and sometimes destroyed local systems through which people were able to take collective action' (Wunsch et al 1990:27). Only toward the end of colonial rule, did governments embark on some degree of devolution in an attempt to dampen nationalist demands. Most colonial governments set up local structures modeled on their home country system.

Newly independent governments maintained these systems for a short period, and then government was centralized at the national level. Alternative political organizations were destroyed and local government was unable to resist these centralizing forces. In most cases where Traditional Authorities were significant, independent governments excluded them completely or marginalised them in local government arrangements. Independent governments believed that economic development would best be achieved through coordination at the national level. They wanted to have control over decisions and finances, particularly as they knew from their own experience in organizing nationalist movements that devolved power gave local groups the opportunity to build opposition. It was believed that having a strong government to drive development required a centralized

government. This belief was reinforced by the popular ideological paradigms of state-led development of that period (Grindle and Thomas 1991:52-57). Over time it became apparent that the 'centralising, elitist and sometimes absolutist features of colonialism have survived' (Wunsch et al 1990, Heller and Tait 1982).

In the 1980s international donors began to advocate decentralization as a means of 'tapping the energy and potential untapped at Africa's grassroots' (Wunsch et al 1990:3). Local government or self-governance is seen as one area where African countries could control factors over which they have control, rather than pointing to natural disasters and the international economic system as the source of their problems (Wunsch et al 1990:3). African governments have succumbed to pressure by international agencies to decentralize, leading observers to conclude that a number of African governments have 'shown considerable concern for evolving more popular and democratic participation through devolution' (Laleye and Olowu 1988:80). It became apparent that traditional leaders maintained a significant degree of popular support, and some weak attempts were made to revisit their role in local government. In reality, since governments often lack political commitment to these reforms, attempts at decentralization have often been deconcentration.

Whether local government in South Africa will follow the trend of Africa depends on two factors. First, the nature of its inherited institutions and its history will affect its capacity. Second, the new government's character will affect its tendency to exert control and centralize functions. In the first case, centralization would be a benign response to capacity problems. In the latter it would be a malign response in order to exert control. However we can expect that the national or provincial government would be most likely to exert its control while claiming it is responding to problems in local capacity.

First, South Africa's local government system will probably carry out many of the same functions that it did under apartheid. The major change will be that institutions, membership, and service recipients will not be defined on the basis of race. The greater capacity and autonomy of local government in metropolitan and urban areas as compared to rural areas is unlikely to change. In contrast, the rural structures that have been formed for the first time, the TRCs, will come under pressure to change either *de facto* or *de jure*. It is likely that the national and provincial levels will exert control over local government, but the areas of operation which remain the

responsibility of local government will be the ones that have already been carved out (Mamdani 1996).

The very nature of local government implies that a battle will ensue with provincial and national government over finance, functions, and programmes. Urban structures will be well equipped to engage in this battle, but this will further weaken rural structures. In particular the Traditional Authority issue will continue to create tensions between the local and national levels. At the national level, there needs to be some resolution of debates about the role of Traditional Authorities in respect to development. If no solution is found, this issue may serve as an additional issue plaguing the rural structures' relationship with the national government. As a result, rural structures are likely to be increasingly weakened and urban structures are likely to succeed in maintaining their autonomy.

As far as its history is concerned, South Africa's local government existed at the secondary level in rural areas under apartheid and existed on the basis of racial divisions in urban areas. In both cases, structures had almost complete autonomy in the administration of functions and their own fiscal base to supplement financial resources from the provincial government. It is likely that these will continue to function in much the same manner as in the apartheid period, albeit with a newly democratic membership and aims.

Local government structures have already begun to show signs of strain. The White Paper notes that one-third of local government structures are in serious financial and administrative trouble. Although the municipal budget expenditure for 1996-97 was over R48 billion, some metropolitan budgets run in the millions while some rural councils have no budget. Of this sum, roughly 10 per cent (R5.2 billion) was provided through intergovernmental transfers. Ninety per cent of the budget was collected from local tax bases, 60 per cent of which was from trading services such as electricity, water and sanitation, and 25 per cent of which was from property taxes. The national government has made it clear that intergovernmental transfers will not increase substantially. Local government can 'no longer assume that old-style service delivery, or new style simple privatization, will do. Instead it calls for strategic analysis as to the costs and benefits to the fiscus and the citizen of each option given the unique conditions in each sector' (Mark Swilling 'Creative vision for local government', *Weekly Mail and Guardian*, March 17, 1998).

The primary level of rural local government has not existed previously and thus requires support in the form of training, technical assistance and additional funding to begin to function effectively. This would appear available through the national Department of Constitutional Affairs, the provincial Ministries of Local Government and the South African Local Government Association. However these institutions each have their own aims and interests. The apparent inability or unwillingness on the part of the national and provincial governments to provide substantial support for this level to function effectively, even at what should be the high point of its support, does not bode well for the future. The government has failed to provide adequate support and training for District Councils. Expecting a lower rural tier to receive support and training is clearly a pipe dream.

Second, the character of the new government is still in flux, particularly given the recent national elections in 1999. Presently the government appears minimally centralist, yet committed to its political ideals. Although there are fears that the new President, Thabo Mbeki, will bring with him centralist tendencies from his administrative experience in exile, it is not clear what impact the new President will have on the character of the government. The constitution does specify that local government will have relative autonomy and share functions with national and provincial government, but it is left to the national and provincial governments to operationalize the level of autonomy and the powers given to local government. The result will depend on the convictions of leaders and on political will.

Internationally, development approaches favour decentralization and no longer prophesy the need for central government to control development. Although South African leaders in the national government express enthusiastic support for decentralization and have developed impressive policies to that effect, it is not clear what development approach they hold most firmly. Many of its leaders were educated and were in exile in Soviet bloc countries or in African countries where centralization was predominant. Ironically this background could mean that they favour centralization when it has come into disfavour throughout much of the world.

Already there are indications that the ANC will intervene to control situations in which it has an interest in the outcome, such as the elections for provincial Premiers. Moreover, Valli Moosa has stated that, due to corruption charges and local political disputes, there is a need for the national government departments to play a greater role in provincial

administration. Otherwise, it will be 'impossible to maintain party and government unity, let alone improve on delivery' (Marion Edwards 'The ANC thinks again on provincial power', *Weekly Mail and Guardian*, September 15, 1997). In the likely battle between provincial and local government for powers and finances, national government may wish to appear to stay out of the fray. However it may intervene under the pretense of supporting pleas of local government for assistance in holding provincial government accountable and protecting local interests. One newspaper reported that there were 'signs that the ANC's centrist faction is exploiting the provinces' mishaps to promote local government' and that their plan is to reduce provincial power by 'sandwiching it between strong municipalities that deliver and the mighty national government that delivers the plans' (Edwards in the *Mail and Guardian*, September 15, 1997). This dynamic could be complicated by party politics. For example, the national ANC government could intervene in KwaZulu-Natal to strengthen ANC local government structures and weaken IFP provincial powers.

Capacity and Control

It is most likely that the national government will be tempted to centralize development efforts when present efforts are seen not to deliver. Currently all efforts to develop the capacity of local government councillors are being run by non-governmental agencies or political parties. Although this will certainly assist councillors, it is not anywhere near the scope required. The lack of capacity of local government bodies may arise as a reason for national intervention in local government.

To date, the tendency has been to promote quick delivery by creating structures that ultimately compete with and undermine new local government structures. For example, stakeholders rhetorically support local government but then proceed to create structures which compete with local government. This is particularly the case with government departments which have created and continue to create separate local community committees for each line function. This tendency was also apparent from late 1994 when RDP structures were being developed while Minister Naidoo referred to local government as the 'hands and feet of the RDP'.

Communities were encouraged to set up local RDP committees to represent them and to promote the delivery of services promised in the RDP policy. The Minister and his staff failed to foresee the competition this would engender when local government structures were elected; suddenly there were two bodies claiming to represent communities vis-à-vis

development. This point was raised numerous times in local government workshops convened by the Land and Agricultural Policy Centre and the National Land Committee between 1994 and 1996 (Westaway 1995).

Presently the RDP has been supplanted by the neo-liberal policy adopted by the government called Growth, Employment, and Redistribution (GEAR). GEAR is a nationally driven economic plan which is already having a top-down impact on local areas. For example, Strategic Development Initiatives have been developed to encourage investment in specific areas identified by the Department of Trade and Industry as having 'inherent potential'. The means by which these have been introduced by the national government provides a strong example of its tendency to promote development by implementing and imposing national plans with little or no involvement, or even knowledge, of local government councillors.⁴

Even the White Paper itself is an expression of the tension between a local government system with its own agenda and devolved powers and a local government system which acts as an implementing arm for the national government. Integrated development planning is discussed at length as a key responsibility of local government. At the same time, local government is described as a 'point of integration and coordination for programmes of other spheres of government'. The White Paper refers to local government as a 'necessary vehicle for the implementation of policies and programmes' (White Paper, Section C:15-16).

It is likely that the national government will use weak capacity as an excuse to intervene in local government and impose its agenda. While provincial governments complain that the imposition of national policies has made implementation difficult and resulted in slow delivery, national government considers poor delivery as a reason for its greater involvement in provincial administration (Marais 1997:12-13). Already there are signs that the national government will promote its neo-liberal policy while local government will be more concerned with the provision of services to its constituencies (Evans 1997, Edwards 1997). Whether or not local government is able to withstand such pressures will depend on whether it can garner strength from its relationship with civil society and its own internal cohesion.

Impact on Development

One of the reasons why the decentralization of local government structures is important is its impact on development. The ANC government has

looked forward to the introduction of local government as a means of strengthening its capacity to deliver services and to meet the expectations of the population. The ability of local government to promote development relies on three pillars: the relationship between local government and national and provincial government, the relationship between local government and civil society, and the functioning of local government as a political and administrative unit. Specifically, these relationships also affect the ability of local government to pursue its own development agenda.

National/ Provincial Government

As discussed in the previous section, the role of national and provincial government in local government affairs will play a significant role in determining the potential for development. Local government is asked to adjust its activities to national and provincial plans. Often these plans are poorly developed and it is not clear what action would be required at the local level. Moreover the funding is typically secured only for the planning and there is no clear source of income for the substantial work which would need to occur at the local level. As a result, such exercises tend to get stuck at the level of policy while occupying the agenda of local government councils and appearing to give direction to their activities. Local government stays busy and engages in discussions of ambitious plans, but is kept from engaging with basic needs of local areas.

For example, local government structures in KwaZulu-Natal were expected to engage with at least four initiatives in 1997-98. First, the Department of Trade and Industry was introducing Strategic Development Initiatives. Second, the Ministry of Local Government was asking structures to develop regional economic plans for their areas, from the District Council to the local level. Third, an Integrated Rural Development Policy was being developed for the province. Finally, all government departments were forming local committees and were vaguely trying to establish a relationship with local government. Each of these initiatives was well funded and had numerous advisors and consultants working at the national and/or provincial levels. However each initiative failed to involve local government in its planning or implementation to any significant degree. The means in which local government has been involved in such initiatives shows that these structures are not taken seriously. This becomes a self-fulfilling prophecy; local government is not involved because it lacks capacity, yet it cannot develop capacity without such experience.⁵

One way to ensure implementation while supporting the development of local government is suggested by Judith Tendler. She argues that it is possible for national government to spearhead local programmes and play a management role without necessarily weakening local government. This is an example of promoting decentralization through centralization. Tendler is responding to the fact that decentralization is often romanticized and the positive role which national government can play is often overlooked (Tendler 1997). Although this may be a possibility, it is difficult to ascertain the intentions of the national government in such interventions until after centralization is a fait accompli.

In order to negotiate issues between national and provincial levels and between provincial and local levels, there is a need for effective inter-governmental bodies. However much such bodies may improve communication, the underlying questions of capacity and control will remain. In the best case scenario, interaction and communication between levels will persuade inter-governmental bodies that intervention and centralized control is not the best route to development. What is more likely is that local government participants will be enthusiastic about what inter-governmental cooperation will accomplish, and will gradually become disillusioned as their limitations become apparent.

Civil Society

While it is important not to idealize civil society, South Africa benefits from having a strong civil society capable of playing a role in development (Gyimah-Boadi 1996). The relationship between local government and civil society has a critical impact on the potential for local government to promote development. After considering the general potential for state-society synergy, this section will consider three scenarios for the state-society relationship.

What is the potential for state-society synergy in which there are 'mutually reinforcing relationships between government and groups of engaged citizens?' (Evans 1996:119). Evans has identified three properties as supporting successful state-society synergy, namely a high level of social capital, governmental capacity and a supportive political regime. Many areas in South Africa have a high degree of social capital. Social capital is the degree to which norms of trust and the interpersonal networks on which they are based constitute economic assets. In other words, people trust each other and work together, and this helps them to try to improve

their welfare. Although political violence has done significant damage to trust, people's experience of the struggle and of fighting for their rights against a powerful state is a powerful source of social capital. As Seidman comments, 'What was new in the 1980s was the extent to which a greatly expanded working class, and a militant labour movement based in heavy industry, demonstrated to communities that they, too, could challenge domination' (Seidman 1993:253).

Government institutions make a limited contribution as an endowment. Although there seems to be considerable capacity within national and provincial government, this has recently been challenged by a report on provincial administrations commissioned by the national government. There have been problems restructuring provincial administrations from the separate racial administrations and homeland governments under apartheid. The report says that the provincial administrations are 'suffering from an epidemic of corruption, incompetence, understaffing, demoralization and disorganization' (Ed O'Loughlin 'Mandela's regime stumbling', *San Francisco Chronicle*, October 31, 1997). Rural local government institutions are weak and are being given almost no assistance to develop.

The political regime in South Africa is supportive of a state-society synergy. South Africa's new democracy is based on the concept of a high level of public participation, and public participation in policy processes is required by the constitution (Constitution of the Republic of South Africa, Sections 59, 72, 118, 195). However, putting this into practice is often not so straightforward. Whether government leaders are open to working with civil society depends on the political culture of the government and whether the histories of individuals in government have predisposed them to working closely with civil society. South Africa's political culture is still unclear in the present uncertain political environment. Mawhood states that the political culture handed down by colonialism was the 'notion that authority was an appropriate mode of rule and that political activity was merely a disguised form of self-interest, subversive of the public welfare' (Mawhood 1993:32). To the degree that this proves applicable in South Africa, the potential of state and society working closely together is grim.

What is the nature of state-society synergy and how will it affect development efforts? The relationship between local government and civil society organizations will vary according to the local circumstances. However, we may consider three scenarios. First, attention to party politics

could dominate local government. Civil society would not be considered a valued partner, but an unnecessary hangover from apartheid days. In this case, local government would try to promote development on its own and civil society structures would gradually wither away or would struggle to change perceptions. Given the level of development needs, local government would deliver services to its supporters to a limited degree as patronage goodies. Alternatively, a relatively weak local government would compete with civil society organizations for power. Although this may result in limited development progress, energies would largely be consumed in this struggle.

In the second scenario, civil society and local government would agree on their respective roles. While this would not have the benefit of full cooperation, the pursuit of complementary roles would permit development to proceed in certain areas. Development would be limited due to gaps and duplication. In the third scenario, local government would establish a working relationship with local organizations. Local government would play the leading role in driving development and would depend on local organizations to assist with implementation. This would resemble a learning process approach in which local government learns from civil society and vice versa and in which there is a high degree of flexibility in implementation rather than the imposition of a pre-planned framework (Korten 1980). The White Paper clearly supports the last scenario, with a section on developmental local government. It even uses the language of 'social capital' and a leadership approach committed to learning. It specifies that local government should work with citizens and groups in the community. It discusses four types of citizen involvement: as voters, as consumers, as giving feedback and as partners from business, NGOs and CBOs.

The reality in many areas is that councillors' attitudes toward civil society are most accurately characterized by the first scenario. Based on consultations with councillors from all District Councils in KwaZulu-Natal, one may conclude that a 'big man' attitude is prevalent. Councillors do not see the need to cooperate with civil society and consider the involvement of civil society as an insult and a threat to their authority. With the new local government system, they no longer see a need for development organizations and openly say so. In contrast, there are some councillors who recognize the need for civil society structures to assist them with service delivery. The second scenario applies particularly in peri-urban areas such as townships. For example, councillors in the Ilembe region of

KwaZulu-Natal have agreed that NGOs will assist with water supply systems. Finally there are well-intentioned councillors who usually come from the rural areas themselves and have little experience. They are open to working with civil society, but lack the know-how and the resources to pursue this approach. Conversely there are some areas where leaders have established relationships with NGOs and CBOs, and use their skills to promote cooperation. This approaches the third, most desirable scenario.⁶

Since councillors do not represent a given ward, they are unable to establish direct relationships with a given constituency. The relationship between councillors and civil society results from the attitudes of many councillors. Councillors who would promote the second or third scenario are outweighed by 'big men' and councillors with an urban bias. In some cases the offer of NGOs to assist with service delivery may be too good to reject, but organizations promoting communication and advocacy are generally distasteful and troublesome to councillors.

These scenarios provide a road map to interpret relationships between local government and civil society. Clearly these relationships will be complex and will change over time. As we have seen, the prevalent scenario will depend on the history of the area and the attitude of councillors and civil society leaders. Factors to consider include: whether there is a group to take the initiative in establishing working relationships; whether organisations consider themselves to be competing with local government or vice versa; and, whether there are leaders who can play a role in drawing the two together through personal involvement in both groupings. Also state-society synergy is not the answer to all ills, but has problems of its own. First, by requiring an inclusive process of societal interests, it can result in a conflictual process among groups. This can be difficult to overcome and can limit development efforts. Second, the surface creation of state-society synergy can be used as a means to legitimate processes lacking substantial participation.

Local Dynamics

The new Councils have absorbed the former administration of RSCs and JSBs. Many of these employees have quit, but those remaining have significant experience with development implementation. This is often hard for councillors to accept, given that these officials are the same ones who administered apartheid policies. Some administrators are trying to take advantage of new councillors' lack of experience to pursue their own

agendas; for example, when some of the councils met for the first time, they were given agendas and documents of over a hundred pages in highly technical English. Other administrators are committed civil servants who want to promote development and have embraced change with enthusiasm. There is little doubt that they have realized that their job of administering development is easier with the support of the beneficiaries. Ironically, cooperation between the administrative and elected officials in local government structures may provide significant opportunities for development.

There is pressure from two fronts to prevent new councillors from engaging with issues in a fundamental way. First, some civil servants wish to retain their autonomy of action from councillors. In one case, the CEO of a District Council stated openly that councillors did not require training in finances since that was the job of the civil servant. Second, District Councils have formed Executive Committees as a solution to their functional problems. Increasingly Executive Committees are taking decisions and having them rubber-stamped by Councils (Regional Consultative Forum on Local Development 1997).

Traditional Authorities also provide a challenge for new rural councils. The ANC originally took the position that Traditional Authorities would undermine democracy and that this illegitimate institution should be phased out. This position changed as the ANC realized that Traditional Authorities have a strong pull on its constituents; it is estimated that Traditional Authorities have jurisdiction over 18 million people or 40 per cent of the population (Botha 1994). The Constitution captures the tension between the role of Traditional Authorities and democracy. Traditional Authorities are given an *ex officio* status in one chapter, while another chapter states that local government must be democratically elected.

Traditional Authorities vary in their level of local acceptance among provinces and within provinces, depending on the extent to which they were used by the apartheid regime and whether they were ever a part of the local culture. In KwaZulu-Natal, Eastern Cape and parts of Northern Province, where they do play an important role, their relationship with the new local government structures is uncertain. Although the White Paper has confirmed their *ex officio* status on councils, it is not clear what will really happen. At the local level, Traditional Authorities may vie with councillors around the issue of who legitimately represents rural people and whether local government structures or Traditional Authorities are

responsible for the well being of the local people. Until some local accommodation is reached, it is unlikely that any new system will be able to take root or operate effectively.

Conclusion

As far as local government is concerned, South Africa is not an exceptional case in Africa. Seeing South Africa as an exceptional case prevents leaders from anticipating challenges and responding appropriately. Although the experience of apartheid has given rise to leaders committed to democratic rule and to the constitution, South Africa's local government system has features which seem likely to move in a similar direction to many other African countries.

By shifting its focus to GEAR, South Africa is following the 1990s trend in which neo-liberal policies result in a gap between the national agenda and local and provincial agendas. The ANC has adopted development discourse to support its neo-liberal agenda. The White Paper sings the praises of 'development, delivery and democracy'. This discourse does not acknowledge the political nature of local government and development, but focuses on technical issues of capacity. Struggles between the national and the local level are not simply about capacity but, more importantly, are expressions of a struggle for control. These struggles confirm the assertion that development is 'frequently the vehicle through which the state consolidates its control over society' (Tapscott 1995:186).

The national government may continue to deliver its statements about ideal delivery systems while, with the justification of poor capacity, promoting a slow slide into decentralization in the form of deconcentration. It will be up to sub-national actors and local areas, with their differing dynamics, to utilize South Africa's strong constitution and to strengthen civil society in order to counter these trends. Based on the policies emanating from South Africa, it would appear that national leaders have learned from the rest of Africa. However, based on the present direction of local government in South Africa, we may conclude that some lessons can only be learned through experience.

Notes

1. One exception was the JSBs' creation of Section 11 committees in KwaZulu areas in the early 1990s.
2. Provincial and local government functions are specified in Schedule 4 and 5. Provincial functions include areas such as education, health, welfare, and town

and regional planning and development. These powers are held concurrently with national government. Local government functions include areas such as potable water supply and sanitation, electricity and gas reticulation, roads, market and municipal planning.

3. According to Valli Moosa (1997), 90 per cent of tax revenue is accrued by central government while provinces are the main spending agencies. Provinces cover only four per cent of their budgets with their own revenue, and 50 per cent of the national budget is allocated to the nine provinces.
4. Through my consultancy work in the Eastern Cape, I found a vivid example of the lack of knowledge of SDIs which were proceeding rapidly. After a protracted struggle, the Dwesa and Cwebwe communities had finally reached a preliminary agreement with the Department of Land Affairs and other government departments to return to the land from which they were forcibly removed under apartheid. However, local leaders found that the reason for its delay was the development of a Strategic Development Initiative which proposed other plans for tourism in the area and originally appeared to threaten the land claim.
5. I was involved in the introduction or formulation of each of these initiatives in my capacity as the Director of the RCF, a non-government organisation in KwaZulu-Natal, or as an independent consultant. In each case, we argued that local government councillors should not only be involved, but should be a driving force behind such initiatives. In all cases, local government councillors were consulted in the final stages of planning and were involved in a token manner.
6. This information was gathered through RCF's Siyimbuba Workshops between Councillors and community based organisations between September 1996 and March 1997.

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