

## D. LOCAL AUTHORITIES

# LOCAL GOVERNMENT AND SERVICE DELIVERY. THE AMATOLA BASIN IN CISKEI

by C.W. Manona

The Amatola Basin in Ciskei is administered by a Tribal Authority which was established in 1966. A chief is the head of this body which constitutes a part of a Regional Authority which in turn is linked to the Ciskei Legislature. The authority comprises the chief, two salaried headmen and 19 councillors who receive no remuneration for their services. Candidates for headmanship are chosen by the people and require the approval of the Ciskei Government. No formal elections are held when a headman is to be chosen: nominations are made at a meeting of the Tribal Authority and several such meetings are held before a final decision is made on the matter. Similarly, the councillors who represent their villages on this Tribal Authority are recruited to their positions in a somewhat informal manner: they are nominated by the Tribal Authority itself without prior consultation with their local communities whom they represent on this council. Although the sub-headmen of the various villages are not fully-fledged members of this council, they are expected to attend all the council meetings. The sub-headmen are not paid for their services even though the bulk of the responsibilities of this council is handled by them. All the members of the Tribal Authority are men and participants at meetings are overwhelmingly men. Women usually attend these meetings only when they are involved in the court cases handled by this body. Other people who are associated with the council are the urban representatives of the chief- one based in Port Elizabeth and another in Cape Town- who keep Amatola Basin residents working in town informed about developments at home. They are chosen by the local residents who work in town and do not receive payment for their services. Occasionally they collect funds which they remit home for some of the projects undertaken in the Basin, e.g. the building of the local high school and the teachers' quarters.

The principles underlying the Tribal Authority system seek not only to reconstruct old customs and usages but also to revive traditional leadership. Therefore, it is not surprising that this council tends to be a homogeneous body of men who are advanced in age: two councillors are aged eighty-three and eighty-two, eight are in their seventies, ten in their sixties and only two are in their fifties. This gives an average age of 68 years for the councillors. Moreover, with the exception of the chief who is a qualified teacher and taught for many years before taking up his present position, the majority of the members of this council have only a few

years of schooling. Seven passed either Sub A or Standard One, ten passed Standards Two or Three, one passed Standard Four and only three passed Standard Six. All have worked for longer or shorter periods outside the Basin and little of their work experience is relevant to their present positions.

These factors characterise the Tribal Authority as a conservative body which does not reflect the educational and occupational diversity of the community. As a result, the younger and better educated members of the community have virtually no influence over the affairs of the council. Although an entirely 'elite' council would probably be equally unrepresentative, the point to note is that most councillors lack the educational background which would enable them to deal more efficiently with administrative matters. Older and less educated people do not easily adapt to change and are not in a position to articulate the varied interests of a society undergoing rapid change. Moreover, this leadership is oligarchical in the sense that roughly the same councillors serve on the Tribal Authority year after year. This is largely due to the fact that no specific period is prescribed for the members' tenure of office and councillors can serve on this body for as long as they like. Similarly, the exclusion of women from the membership of the Tribal Authority is no longer consistent with the present situation in which women play an active role in many organisations. Women serve on virtually all the committees that are associated with various organisations locally and they constitute a significant proportion of the members of the nine school committees in the Basin.

The Tribal Authority court meets about twice a month and deals with a varying number of cases. Petty quarrels, minor assaults, local stock theft and damage claims arising from girls' pregnancies are typical cases which are brought before this court. Sentences are monetary fines which are sometimes enforced through the confiscation of property. This task is undertaken by one of the councillors who serves as a messenger of the court. But the extent to which this council can enforce its decisions is extremely restricted. Sub-headmen also settle minor disputes in their villages and refer other cases to the Tribal Authority. Anyone not satisfied with a decision of a sub-headman can appeal to the Tribal Authority court. In like manner, defendants in the Amatola Basin can appeal to the Middledrift

Magistrate's Court where cases involving serious violence and theft are heard. The comprehensive duties of the Tribal Authority include:

1. The maintenance of roads, dams and bridges.
2. The organisation and promotion of agricultural activities, e.g. the control of grazing and arable land, the establishment of agricultural co-operatives as well as the purchasing of stud stock.
3. The promotion of education by means of erecting and maintaining school buildings, granting of bursaries and loans to scholars.
4. The improvement of the economic and social life of the people through measures like the organisation of relief employment, the screening of applications for old age pensions and other social benefits and care for the aged and indigent.
5. To organise meetings at which labour recruiters contact workseekers living in the Basin.

Although the Tribal Authority has a wide range of duties, the fact that it has limited budgetary powers and meagre financial resources has adverse effects on its performance. Initially, the finances of Tribal Authorities were handled by Regional Authorities but in 1969 this function was transferred to the then Department of the Chief Minister. The tendency towards the centralisation of government functions is evident here. The bulk of its funds are voted by the central government while the revenue it generates locally (mainly in the form of court and pound fees) constitute only a small proportion of its annual income. During each year the council, in conjunction with the magistrate, makes recommendations for its estimates of income and expenditure for the following year and submits them for consideration by the central authorities who alone make final decisions on such matters. The Tribal Authority itself exercises no influence over this budget and its ineffectiveness locally stems largely from the fact that its annual grants are small. For example, apart from various amounts of money which the government made available for the administration affairs of this council, expenditure approved by head office in Zwelitsha for the financial year ending 31 March 1983 included R200 for the purchase of stud stock and R50 for economic improvement. Since these are only small amounts, it is not possible for the Tribal Authority to be the focal point of rural administration which can be responsible for the promotion of the general well-being and economic development of the community.

In particular, it is worth noting that although the council has the responsibility of erecting and maintaining school buildings, the budget made no provision for

such an undertaking. Consequently, the council's functions of promoting education locally are extremely limited and this important task is almost entirely in the hands of school committees which operate largely independently of the Tribal Authority. The delivery of services in this community is affected by the fact that the Tribal Authority has limited executive powers and on many issues it may not act independently (to any degree) of the central government. Instead it has to focus its attention mainly on the ways and means of carrying out instructions received from higher authorities. For instance, parliamentary matters hardly feature in the debates of the council: before the parliamentary sessions there are no resolutions made specifically for parliament and no report-back meetings are held. Similarly, a perusal of the council's records and observations shows that many of the issues discussed by the council are concerned mainly with matters emanating from outside the community and almost invariably such matters necessitate the raising of funds.

Other problems which the council experiences stem from poor communication between it and higher offices. Most of the time it is isolated and instances where government officials attend Tribal Authority meetings are few. Consequently, urgent problems often remain unresolved. This was illustrated on the occasion when early in 1982 the roof of the assembly hall of the council was badly damaged by wind. Although the council made several appeals to the magistrate for assistance in this regard, by the end of the year the hall had not been repaired. The Tribal Authority eventually decided to levy a sum of R5,00 from every household in the Basin for this purpose. Similarly, in 1979 a fence around a mountain camp broke and created problems regarding the herding of cattle. It was only after a number of letters had been written and delegations made to the Middledrift Development Office that the fence was mended. Council minutes also reflect instances in which the Tribal Authority fails to get replies to letters written to the magistrate's office. These are some of the problems which indicate the council's lack of co-ordination with higher authorities. Councillors find themselves in an ambiguous position in which they have to carry out government instructions while they have neither adequate guidance from the government nor easy means to channel people's needs to the central government. The views of a senior member of this Tribal Authority give some indication of this feeling of frustration and powerlessness:

"We are lagging behind other districts in the Ciskei. I do not know the reason for that. Since the time when I joined this council (in 1966) we have had little success in solving our problems here. Things are simply at a standstill. For years we have been pleading with the government to provide us with a bridge over that stream. Up to now nothing has been done."

A consideration of the relationship of this Tribal Authority with the people it serves raises other problems of trust and legitimacy. One of these is related to the fact that councillors are nominated by the Tribal Authority itself without prior consultation with the villages the men represent. That their authority is based on appointment from above rather than on the consent of the people raises major problems when one considers that the people have no direct sanctions they can apply over this council. In this sense, the councillors represent the Tribal Authority, not necessarily the people. They are not directly answerable to the residents of their villages for the decisions they make in the Tribal Authority. At the village level their positions are secure in that it is not their duty to hold village meetings concerning the matters discussed by the Tribal Authority: this is done by the sub-headmen to whom people turn for many of their problems. Moreover, the fact that the residents know that the councillors themselves have no power of their own means that it would be useless for the people to exert any pressure on the councillors who also have to respond to a situation which they can hardly control.

Another great weakness of the Tribal Authority system

is its lack of effective contact with the villages it serves. Reflecting the constraints of the wider political system which is based on a large measure of authoritarianism, e.g. the one-party system, the Tribal Authority has failed to encourage participation at grass-roots level and the various villages have consequently lost much of their autonomy. Virtually all decisions on important local matters are made by the Tribal Authority and there are hardly any instances where issues to be decided are even referred to the residents in their villages. As a result, most meetings in the villages are convened merely for the purpose of notifying the residents about routine administrative matters or for the passing of instructions from the Tribal Authority. In this situation the councillors tend to be out of touch with the residents' needs and aspirations and have to make decisions concerning a community they know less and less. Also, this body operates solely in the central village and the fact that its council and court meet there results in a waning of its influence in the outlying villages. The greater part of the infrastructure that exists in the Amatola Basin is in the central village and the villages further away from this centre experience great difficulties regarding school facilities, roads, shops, water supplies, clinics, etc. □