

**Local Governance and Traditional Leadership: A
Case study of Umgungundlovu, Umzinyathi,
Uthukela, and Amajuba Districts in KwaZulu-Natal.**

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requirements for the degree of
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DECLARATION

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- (ii) This thesis has not been submitted for any degree or examination at any other university.
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DEDICATION

To my late Mother Mirriam Mzuzile Gama who made a lot of sacrifices to ensure that I had a good education and a secure life. Her role as both father and mother to me has inspired me to be what I am today. May your soul rest in peace Smiriza.

ABSTRACT

The purpose of this study was to examine aspects of rural local governance within the democratic local government system in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts of KwaZulu-Natal. This study could feed into the management and policy making systems of the Department of Local Government and Traditional Affairs of the Province. It would also inform a practical traditional administration centre model. It also intends to provoke a debate on issues of rural local governance in particular within the democratic local government system in South Africa.

The study looked at the evolution of the institution of traditional leadership over the years. Policy issues with regard to the functioning and structuring of traditional leadership institutions in local governance were used as a basis for this discussion. Different items of legislation relating to local government and traditional leadership in South Africa generally and in KwaZulu-Natal in particular were analysed to give insight into the issues of rural local governance. It was found that traditional leaders have always worked hand in hand with government and that the government has and still is making deliberate efforts to keep traditional leadership under its control by paying their salaries and controlling all processes and systems in the functioning of traditional authorities. National and Provincial policies were found to be giving government (both National and Provincial) too much discretionary powers regarding the roles and functions of traditional leaders.

The KwaZulu-Natal Department of Local Government and Traditional Affairs (DLGTA) had transformed tribal courts into Traditional Administration Centres (TACs) in line with the government's call to bring government services closer to the people. There are sixty-four TACs in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts of KwaZulu-Natal. This study reviews the level of functionality of these TACs over a period of 6 months. The activities of all TACs were monitored and recorded daily for the duration of the study. The study revealed that the TACs were generally not being used to their full potential. A combination of well equipped centres coupled with motivated and committed support staff is crucial for the effective functioning of TACs.

The study also looked at different community centre models and compared them with the traditional administration centre model to help develop a practical traditional administration centre model. The study further recommends that TACs be linked to the Multipurpose Community Centres (MPCCs) either as extensions or satellites thereof. In terms of ownership, it is recommended that TACs be handed over to the local municipalities in order to ensure proper maintenance and sustainability thereof.

As part of rural local governance, the study also investigated synergistic partnerships between the institution of traditional leadership and municipalities. This was done through focus group discussions with government officials, traditional councils, municipal councillors and community members. The focus group discussions also revealed the level of understanding on the roles of traditional councils and municipal councillors by different groupings i.e. government officials, traditional councils, municipal councillors and community members. The study concludes that conflict between traditional leaders and municipal councillors is inevitable and that it is difficult but not impossible to form functional linkages between the two. South Africa has seen remarkable improvements in the transformation of the institution of traditional leadership in terms of composition, functions and legal manifestations. There is a reasonable understanding on the roles of municipal councillors but traditional councils seemed not to be clear about their roles and policy issues in general. Many subjects believed that direct intervention by National and Provincial governments was desirable if sound local governance was to be attained. The study also recommends that agency agreements be entered into between traditional councils and municipalities and between traditional councils and provincial governments to allow traditional councils to perform certain functions on behalf of government departments and municipalities.

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LIST OF ABBREVIATIONS

ABET	:	Adult Basic Education and Training
ANC	:	African National Congress
CBO	:	Community Based Organisation
Contralesa	:	Congress of Traditional Leaders of South Africa
DFO	:	Development Facilitation Officer
DLGTA	:	Department of Local Government and Traditional Affairs
DPLG	:	Department of Provincial Government and Local Government
DWAF	:	Department of Water Affairs and Forestry
GCIS	:	Government's Communication and Information System
ICT	:	Information and Communication Technology
IDI	:	Integrated Development Strategy
IDT	:	Independent Development Trust
IRD	:	Integrated Rural Development
IRDS	:	Integrated Rural Development Strategy
IT	:	Information Technology
ITC	:	Information Technology Centre
KZN	:	KwaZulu-Natal
MPPCs	:	Multi Purpose Community Centres
MSAA	:	Municipal Structures Amendment Act
NGOs	:	Non Governmental Organisations
PFMA	:	Public Finance Management Act

PIA	:	Project Implementing Agent
PTO	:	Permission to Occupy
RSA	:	Republic of South Africa
SBD	:	Small Business Development
SITA	:	State Information Technology Agency
SMME	:	Small Medium and Micro enterprises
SPSS	:	Statistical Package for Social Sciences
TACs	:	Traditional Administration Centres

CHAPTER 1

GENERAL INTRODUCTION AND OVERVIEW OF THE STUDY

1.1 Introduction to the study

Traditional authorities are institutionally weak and need strengthening. There are no clear cooperative structures and functions for traditional leadership in South Africa. This leads to poor rural local governance. Some rural areas are ignored as a result of the rift that exists between traditional leaders and municipal councillors. Even if a number of interventions can be introduced, without proper cooperation between local structures both traditional and elected, development in rural areas is likely to be hampered. Better policy and strategies that will look at the local government structures and functioning is needed to ensure that rural areas are developed.

The aim of this study was to look at some aspects of rural local governance within the democratic local government system in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts of KwaZulu-Natal. The study investigated the institution of traditional leadership in the context of local governance. A historical perspective with regard to the functioning and structuring of traditional leadership was also examined using legislation as a basis for this discussion. Legislation examined was that relating to local government and traditional leadership in South Africa generally and in KwaZulu-Natal in particular.

The study also investigated the functionality of Traditional administration centres through a survey of sixty four of the total of eighty traditional authorities from Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts. Sixteen were omitted from this study because they did not have traditional administration centres. Different community centre models were examined and compared to the traditional administration centre model in order to develop a practical traditional administration centre model. Different theories were also analysed in the context of local governance in South Africa to determine what is and what ought to be.

Synergistic partnerships between the institution of traditional leadership and municipalities were investigated through focus group discussions with government officials, traditional councils, municipal councillors and community members. This was done in order to provide recommendations for local governance structures and interventions in traditional authority areas.

This study can feed into the management and policy making systems of the Department of Local Government and Traditional Affairs. It also should inform a practical traditional administration centre model.

1.2 Context of the study

“The traditional leaders are closer to their community than anyone else. They have their finger on the pulse of the community. They can communicate faster and more effectively with their constituents and provide guidance on policy issues. Their culture of consultation and general consensus is one of their major strengths (Molotlegi 2006:8)”. Although outsiders may believe that decision making takes long in traditional leadership structures, the truth is that once every member of the community has had the opportunity to understand the context and dynamics of the situation, and agrees to a way forward, the process that unfolds is quicker and simpler than when a decision is taken in haste, and unresolved issues dealt with along the way.

There is a need to return to the common traditional ways and use the wisdom gleaned over generations together with knowledge of the systems created by government to accelerate shared development for all. There is also a need to look carefully at the behaviour of traditional leaders while doing this, and avoid a populist approach. The time has come for the institution of traditional leadership to understand the value of their human capital, their land and the resources therein, and for them to participate as equal partners in the process to grow the economy of their communities (Molotlegi 2006:4).

It is inevitable for rural people to seek the services of the institution of traditional leadership. Traditional communities often find themselves compelled to seek confirmation of their residences from traditional leaders in a variety of circumstances.

A typical case is when they need to open a bank account or to apply for a bank loan or seeking any other help from the banks. They have to go through the same process in order to get help in the magistrate's offices (Ntsebeza 2005:13). Traditional communities are not able to access basic government services for identity documents, birth and death certificates which they need in order to access social services like pension grants without producing letters from their traditional leaders to confirm their residence. This reflects the importance of the institution of traditional leadership in the lives of rural people and in governance in general. If people are to be able to access basic government services, there is therefore a need to improve the capacity of traditional leadership institutions in order for them to provide better administrative support to their communities.

The Department of Local Government and Traditional Affairs (DLGTA) exists to promote people-centred, accountable and viable local governance that accelerates service delivery and ensures sustainable communities. One of the objectives of this department is to align the institution of traditional leadership within local governance (DLGTA 2006:8). The Department is also endeavouring to forge a synergistic partnership between traditional leaders and municipalities. Both the National and Provincial policies emphasize consultation with the client. To succeed, DLGTA should support and implement provincial policies in line with national legislation (DLGTA 2006:4).

The challenge in South Africa generally, and KwaZulu-Natal in particular, is that one cannot talk of local governance in rural areas without touching on traditional leadership. The responsibilities and functions of traditional authorities and municipalities also tend to overlap (RSA White Paper on Local government 1998). There are also many contradicting legislations about the roles and functions of traditional leadership. While the Constitution recognizes the institution, status and role of traditional leadership, it does not spell out the roles and responsibilities (RSA Constitution, 1996:119).

1.3 Motivation for research

The KwaZulu-Natal Department of Local Government and Traditional Affairs is supposed to assist traditional authorities and municipalities throughout the province in

ensuring that they are able to provide better services to their communities (DLGTA 2004:3). In order to provide appropriate support, there is a need to examine the existing local governance structures and how they function. This will ensure that issues that really matter to local governance are being addressed. The author was appointed as Deputy Director in the Department of Local Government and Traditional Affairs: Urban and Rural Development Chief Directorate from July 2003. The literature review is the result of a search for information that would enable her to manage in the best way possible in order to fulfil the Department's responsibility of supporting municipalities and the institution of traditional leadership in fulfilling their mandates of delivering services to the people. Another motivation for the choice of this study is the fact that a topic on local governance and traditional leadership is of considerable relevance to the current debates about governance in rural areas.

1.4 Research questions

The key question to be researched is whether or not effective local governance can be achieved through a combination of traditional leadership and democratic local government within Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts. Effective local governance in this context refers to the promotion of development and performance, policy facilitation, service delivery management as well as democratic responsiveness. National and provincial laws, policies and practices governing local government and traditional leadership will be used as a basis for this discussion.

In order to further explore issues of local governance and traditional leadership within Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts the following four sub-problems were identified by the researcher:

Sub problem 1:

- What is the historical background of traditional leadership and development in South Africa, and how did history influence the present? Policy will be used as a basis for this discussion.

Sub problem 2:

- How effective are Traditional Administration Centres in terms of functionality? These will be assessed through a survey of all traditional administration centres in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts in relation to literature recommendations.

Sub problem 3:

- How does the traditional administration centre model compare with other community centre models? This section will help the researcher to provide recommendations for a practical TAC model.

Sub problem 4:

- What is the nature of working relations between the institution of traditional leadership and municipal councillors and how can these be enhanced? These will be assessed through focus group discussions and interviews with government officials, traditional councils, municipal councillors and community members.

1.5 Focus of study

This study is based on the four district municipalities in the province of KwaZulu-Natal. These are Umgungundlovu, Umzinyathi, Uthukela and Amajuba district municipalities. These municipalities provide a good example of areas where traditional leadership is in control. They are also a combination of both strong rural and urban settings which is typical of many of the municipalities of KwaZulu-Natal (DLGTA 2007:43-47).

The municipalities were established in terms of section 12 (2) of the Local Government: Municipal Structures Act, Act No 117 of 1998. This section provides that the MEC for local government in a province must establish a municipality in each municipal area which the Demarcation Board demarcates in the province in terms of the Local Government: Municipal Demarcation Act 1998 (Act 27 of 1998).

The Umgungundlovu District Municipality is made up of seven local municipalities. These are Msunduzi, uMshwathi, uMngeni, Richmond, Mkhambathini, Mooi Mpofana and Impendle. The administrative seat of Umgungundlovu district is the city of Pietermaritzburg. The total population according to the 2001 census is 927 837,

56.01% being females while males make only 43.99%. Blacks make up 82.68% of the total population (Statistics South Africa: 2001).

Umzinyathi District Municipality on the other hand is situated at Dundee. The local municipalities falling under Umzinyathi district are Msinga, Nquthu, Umvoti and Endumeni. The total population is 456 452, 56.01% is females while 47.25 % is males. Business, Tourism and Agricultural sectors are the main drivers of the economy within the district (Statistics South Africa: 2001).

The Uthukela District Municipality's administrative seat is in the town of Ladysmith. The district is made up of Okhahlamba, Imbabazane, Indaka, Umtshezi and eMnambithi Local Municipalities. Its population is 656 986 people, 54.06% being females and 45.94% males. The district is faced by challenges of low revenue base, poor infrastructure, limited access to services, high levels of poverty and unemployment. Amajuba District Municipality on the other hand is seated in the town of Newcastle. The Local Municipalities are Newcastle, Danhauser and Emadlangeni formerly known as Utrecht. Females make up to 52.11% while males make 47.89% of the 468 040 total population (Statistics South Africa: 2001).

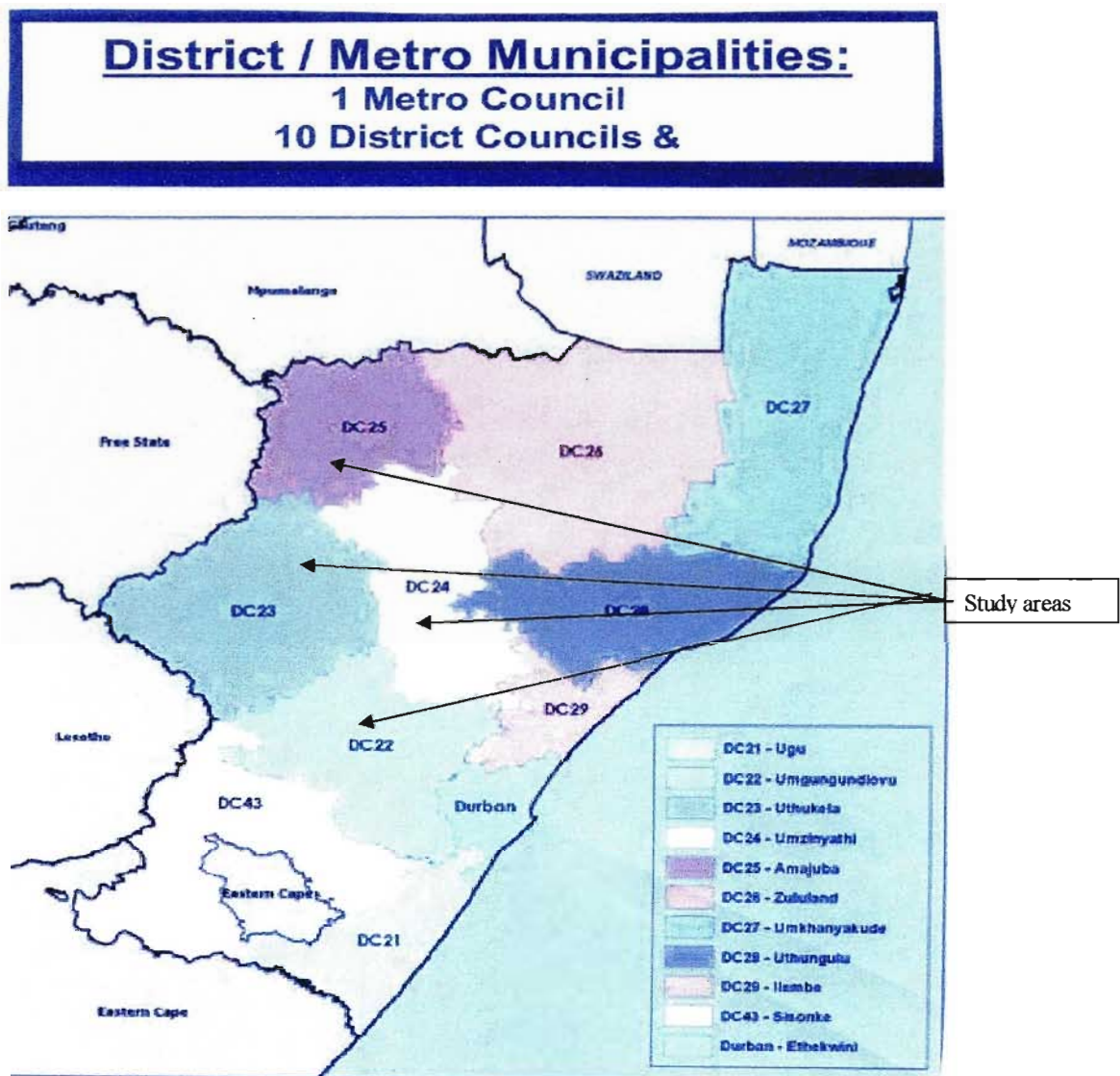


Figure 1.1: Map of KwaZulu-Natal, municipal boundaries (DLGTA 2005)

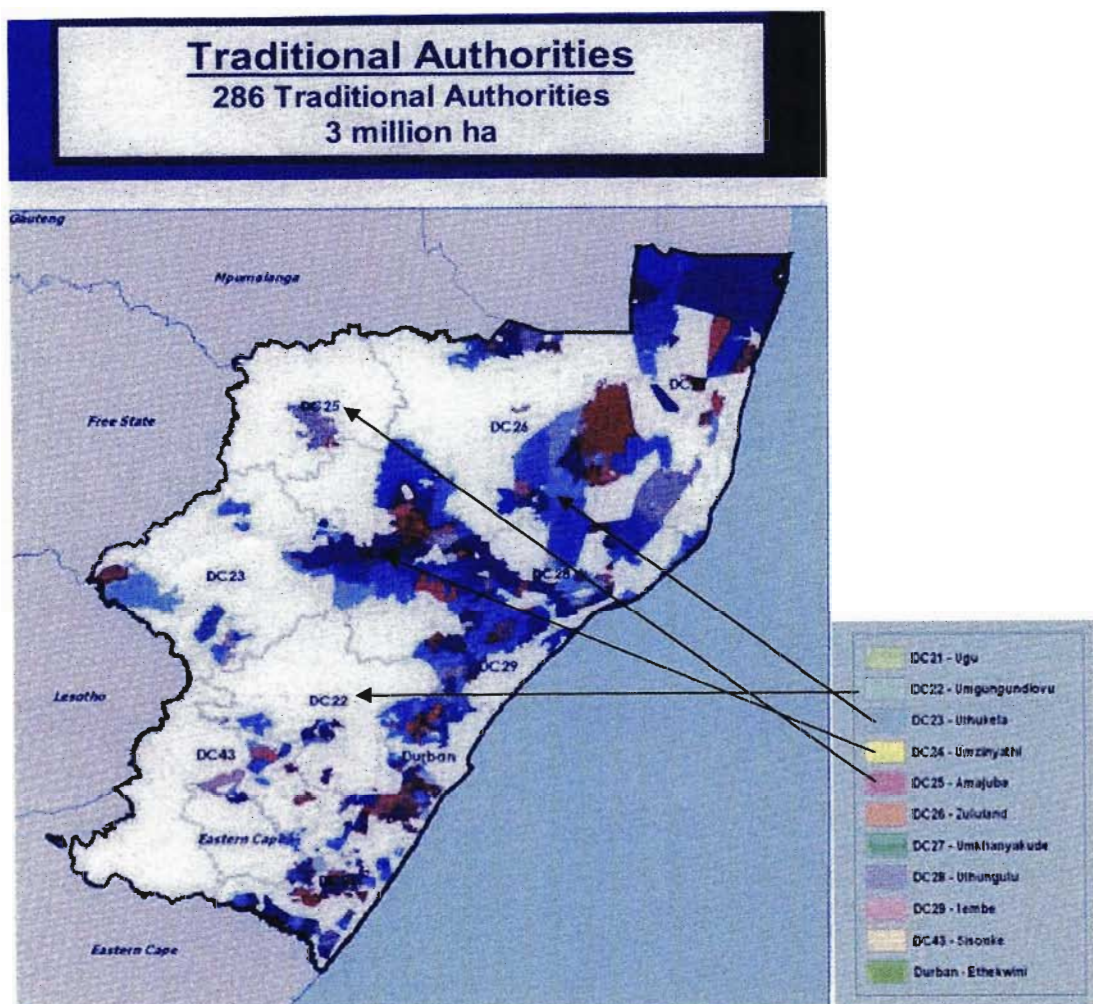


Figure 1.2: Map of KwaZulu-Natal traditional authorities (DLGTA 2005)

The above map shows the location of traditional communities in KwaZulu-Natal where the traditional administration centres are situated.

1.6 Objectives of the study

The study aims to examine the place of traditional institutions in a democratic South Africa by looking at the history of traditional leadership and how this institution fits into the local governance system in the study area. Different legislations relating to the

functioning of local governments and the institution of traditional leadership will be examined in order to compare what is proposed in terms of legislation and what is actually happening in day-to-day operations. Various theories will be discussed and linked to the practice of local governance and traditional leadership in the study areas in order to analyse and understand local government and traditional institutions as organizations.

The study further assesses the level of functionality of traditional administration centres as structures of rural local governance. The functionality in this regard is about whether or not TACs are accessible throughout the week for communities, whether service providers like government departments, NGOs and community organisations do use the centre for the benefit of the community. This assessment will be useful in determining whether or not TACs are capable of bringing government services to the people. Different community centre models will also be examined and compared to the TAC model in order to provide recommendations for a practical TAC model.

Synergistic partnerships between the institution of traditional leadership and municipalities will also be investigated in order to suggest interventions that will promote good working relations between the two; thus ensuring effective local governance and delivery of services to the needy communities.

1.7 Research methodology

Methods of collecting data require a researcher to reflect on planning, structuring and executing the research in order to comply with the demands of truth, objectivity and validity. It focuses on the process of research and decisions, which the researcher must take to execute the research project. Research methodology consists of primary and secondary data collected for the study.

1.7.1 Primary data

The primary data on the functionality of Traditional Administration Centres (TACs) consisted of daily functionality reports from the targeted TACs. For assessing partnerships between traditional councils and municipalities, primary data consisted of focus group discussions with members of traditional councils, municipal

councillors, and government officials from DLGTA and municipalities as well as community members from the targeted traditional authorities. A detailed discussion of qualitative and quantitative research methods employed for the study is discussed in Chapter 4.

1.7.2 Secondary data

The secondary data involved a conceptual framework as a basis for the examination of the literature articulated in texts comprising of surveys, books, academic journals, papers, bulletins, theses and periodicals and the internet. The National Government websites, Acts and legislation, published and unpublished reports and documents were also consulted in order to identify policy applicable in KZN.

1.8 Limits of the study

This research is likely to have the following limits:

1) Municipal Councillor participation

The numbers of municipal councillors participating was very limited compared to the other participants i.e. DLGTA staff, traditional council members and community members. The views of municipal councillors particularly when it comes to recommended interventions and structures for improving relations between traditional leaders and municipalities are crucial in this study. The calibre of councillors who participated was however good, for example one of the respondents was the Mayor of a municipality, two were Speakers in their municipalities and some ward councillors from different municipalities.

2) The capacity of Traditional Councils

Another limiting factor is that traditional councils were new and had not received any training from DLGTA. This compromised the quality of data received from them because of their limited level of understanding of policy and other issues. One believes that if the traditional councils had already received training, they would have a better understanding of the legislation and the roles of local government and

themselves. This would put them in a better position to offer informed and valuable solutions to the challenges of synergistic partnerships.

3) The district municipalities

The study was limited to only four of the nine district municipalities in KwaZulu-Natal. These are the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts (see figure 1.1). Although there are considerable similarities between the municipalities under study and the rest of the province, the study cannot be generalised throughout KwaZulu-Natal. Investigating 100 percent of the district's Traditional Administration Centres however addressed this limitation and ensured an accurate degree of representation.

4) The role of Traditional Leaders

Another limitation is that the debate about the traditional leadership role in governance is not entered into in this research. Only sixty four of the two hundred and eighty six traditional authorities in KZN were investigated (see figure 1.2). The study cannot therefore be generalized to all traditional authorities in KwaZulu-Natal.

1.9 Clarification of terms

1.9.1 Traditional Authorities

The term traditional authorities will be used to refer to the institution of traditional leadership encompassing all amakhosi of various ranks, their izindunas, traditional councillors, secretary and abanumzane (prominent male figures) of any particular traditional community. The term that is used by government is "traditional community". As to "who exactly constitutes a traditional authority is highly disputed (Ntsebeza 2005:5)". Traditional authorities have since been replaced by traditional councils in accordance with the new legislation. In this study traditional authority refers to a community that is under the leadership of an inkosi or traditional leader.

1.9.2 Traditional community and council

The traditional community will be referring to a traditional community as pronounced in section 2 (1) of the Traditional Leadership and Governance Framework Act 2003.

The term traditional council refers to the council as applied in section 3 of the Act. Synergistic partnerships are working relations or operational connections between traditional councils and municipalities as set out in section 5 of the Traditional Leadership and Governance Framework Act 41 of 2003 and section 10 of KwaZulu-Natal Traditional Leadership and Governance Act No. 5 of 2005. The term also applies to the working relations between and within the different spheres of government.

1.9.3 Local governance

All definitions of governance are related to the problems of securing convergence among the diversity of actors and organisations or redistributing power in a social field (Contandriopoulos, Dennis, Langley, and Valette 2004:627). For the purpose of this thesis, local governance will refer to the system of governance that incorporates both the traditional and democratic system of government.

1.9.4 Isilo

Isilo means the Monarch for the Province of KwaZulu-Natal, as recognized in section 17, or "king" as defined in section 1 of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003).

1.9.5 Inkosi

Inkosi is a senior traditional leader of a traditional community as defined in section 1 of the Traditional Leadership and Governance Framework Act 2003 (Act No 41 of 2003) and recognised as such in terms of Section 19 of the KwaZulu-Natal Traditional Leadership and Governance Act 2005 (Act No 5 of 2005). Amakhosi has a corresponding meaning. The terms Inkosi, chief and traditional leader will be used interchangeably to refer to a leader of a particular traditional community. While the term inkosi is used mainly in KwaZulu-Natal South Africa, other terms like Kgosi, Hosi, and Morena are also used in different parts of the country.

1.9.6 Isiphakanyiswa

Isiphakanyiswa means an Inkosi who holds office in terms of a customary electoral procedure or appointment as opposed to chiefs of royal blood.

"Iziphakanyiswa" has a corresponding plural meaning.

1.9.7 Ibambabukhosi

Ibambabukhosi means a regent or an acting traditional leader appointed in terms of section 30 of the KwaZulu-Natal Traditional Leadership and Governance Act, Act No.5 of 2005.

1.9.8 Induna

Induna means a traditional leader who is under the authority of, or exercises authority within the area of jurisdiction of, an Inkosi in accordance with customary law, and who is recognized as such in terms of section 27 of the KwaZulu-Natal Traditional Leadership and Governance Act 2005 (Act 5 of 2005), and Izinduna and Ubuduna have a corresponding position meaning.

1.9.9 Tribe

A tribe is the body of people organised under the rule of an independent chief. Each tribe occupies its own territories and manages its own affairs and acts as a single unit e.g. in instances like war (Dlungwana 2004:6). Tribes were colonial constructs and were legitimated with reference to tradition. The term tribe was often used to refer to the structures of chieftaincy particularly during the wars. Chiefs ruled over their tribes in accordance with their respective native laws and customs. The description of tribes as meaning people of shared origin, language, culture and territory is much inherent in colonial literature on stateless societies (Lentz and Nugent 2000:5-9).

1.9.10 Traditional leadership

Looking at tradition in relation to land tenure issues, Amanor 1999:43 asserts that:

❖ "The concept of tradition has been defined, redefined and reinvented by the colonial powers and the state to be incorporated into the state as an arm of rural administration.

He further argues that:

❖ “The concept creates an ideology of rural political integration that is used to regulate and define control over land and natural resources in the interests of the alliance between the dominant classes and fractions within the state and world capital. It is also a belief or practice transmitted from one generation to another and accepted as authoritative or deferred to, without argument (Amanor 1999:43)”.

Distinguishing between traditional and modern African philosophies, Harvard educated Ghanaian Philosopher Kwame Gyekye asserts that:

❖ “Traditional philosophy has its basis in African culture and experience rooted in religious beliefs and experience. It is any cultural product that was created or pursued, in whole or in part, by past generations and that, having been accepted and preserved, in whole or in part, by successive generations, has been maintained to the present (Gyekye 1987:12-14)”.

For the purpose of this study traditional leadership will be used to refer to the customary institutions or structures, or customary systems or procedures of governance, recognized, utilized or practiced by traditional communities as provided for in the Traditional Leadership and Governance Framework Act, (Act 41 of 2003).

According to Kwame Gyekye in the Commonwealth Local Government Forum (1995:5), “it may be said that from the point of view of a deep and fundamental conception of tradition, every society in our modern world is “traditional” in as much as it maintains and cherishes values, practices, outlooks, and institutions bequeathed to it by previous generations and all or much of which on normative grounds it takes pride in, boasts of, and builds on”.

1.10 Organisation of the study

This study is divided into eight chapters:

Chapter One is an introductory chapter that gives an overview of the study. It presents an introduction to the issues of local governance and traditional leadership. It gives the background to the study; a brief description of the context and motivation for the study is also provided. A research question follows highlighting the role and

place of traditional leadership in local governance within the democratic system of government. The focus of research is outlined followed by objectives of the study. Finally, the research methodology and organisation of the study is presented.

Chapter Two presents an African experience of Traditional Leadership and Governance. It outlines the traditional leadership structures and gives a historic perspective of traditional leadership. It also looks at traditional leadership and its role in land allocation, as well as the social and cultural changes that take place within traditional communities. In reviewing the African experiences the chapter presents case studies of Sierra Leone, Botswana, Ghana and Uganda. This chapter contends that traditional leadership is characteristic of Africa and will always transform in line with the governments and new developments.

Chapter Three gives a historical perspective of traditional leadership and development in South Africa using related literature as a basis for this discussion. The origins of traditional leadership are discussed in terms of heredity and /or appointments. It also presents the historical perspectives of traditional leadership and governance from the pre-colonial era through to the colonial, post-colonial and apartheid eras. The chapter also presents different pieces of legislation governing the institution of traditional leadership and governance. The chapter further explores theories on local governance as they apply to the system of local governance and traditional leadership. The chapter concludes that traditional leadership is at the heart of local governance and should be included at all levels of government.

Chapter Four discusses KwaZulu-Natal's experience of the traditional leadership institution. It looks at the structural arrangements of the institution and the Local and Provincial Houses of Traditional Leaders. The chapter also examines the transformation process and the KZN Department of Local Government and Traditional Affairs' challenges that were brought about by the transformation of the traditional leadership institution. It also gives an account of the different functions and services that were offered by the Department during the study period as well as some of the special programmes and interventions. The chapter concludes that comparatively speaking the province of KwaZulu-Natal has made remarkable progress in attempting to support and bring back the dignity of traditional leaders.

Chapter Five discusses the research methodology and design used to gather primary data for the study. A brief description is given on quantitative and qualitative methodologies employed according to research methodology theory. A general discussion on how a social survey on the functionality of traditional administration centres will also be presented. A detailed account is also provided on focus groups discussions on synergistic partnerships between the institutions of traditional leadership and municipalities on local governance issues.

Chapter Six reviews the concept of traditional administration centres (TACs) as developed by DLGTA. It further discusses different community centre models and compares them to the TAC model. Based on the literature review and the different community centre models examined, a recommended practical TAC model is presented. The chapter concludes that the TACs are milestones in the history of traditional leadership; they have elevated the status of amakhosi. A practical TAC requires an appropriate building that would cater for the needs of an individual traditional authority, finances, appropriately trained staff and a good management team. There cannot be a one-size-fits-all model for TACs.

Chapter Seven presents the discussion and results of the survey on the functionality of traditional administration centres. This includes discussing the study area, description of the survey, how ratings on TACs functionality were given based on the researcher's observation. This chapter also presents the results of focus group discussions on synergistic partnerships between the institution of traditional leadership and municipalities.

In **Chapter Eight**, the conclusions and recommendations in relation to what was revealed by the study and what is recommended by literature and policy are presented. The chapter also considers some recommendations for further research.

1.11 Conclusion

The future of traditional communities appears to depend on the cooperation between the institution of traditional leadership and the democratic system of government. The transformation process of the institution of traditional leadership saw a new balance of power with the introduction of the new order legislation in 2003 that guides

traditional leadership and governance. The researcher contends that a review of existing traditional councils will reveal lessons learnt in terms of local governance and best practices will inform a practical Traditional Administration Centre (TAC) model proposed as a result of research conducted. The research will provide sufficient background to the current locus of local governance. It will also provide some answers to the big question on how working relations can be improved between traditional leadership and municipalities. With the current debates on local government and traditional leadership there is no doubt that the system of traditional leadership in this country needs to improve and be in line with the democratic system of government that South Africa ascribes to. According to Vilakazi (2003:3) "there are measures and steps necessary in bringing about the integration of traditional governance on one hand and the modern democratic form of government on the other".

1.12 Projection for the next chapter

The following chapter presents a discussion on traditional leadership and governance in Africa. It discusses traditional leadership structures, historical perspectives as well as the role of traditional leaders in land allocation. In order to gain more insight into the African experience of traditional leadership the researcher includes case studies of Sierra Leone, Botswana, Ghana and Uganda. These were chosen on the basis of the availability of detailed information on the subject. The next chapter concludes that traditional leadership is inherent in Africa and can be tapped into in order to promote democracy in African countries.

CHAPTER 2

TRADITIONAL LEADERSHIP AND GOVERNANCE IN AFRICA

2.1 Introduction

Rural people throughout Africa, who average well over 50% of the population of the continent, continue to turn to traditional leaders for governance in matters relating to justice, land rights, customary and traditional practices (Vilakazi 2003:9). They also respond positively to mobilisation by traditional leaders. Traditional leadership in Africa is also not necessarily in opposition to the formal government structures. After the post-colonial era in African countries, traditional leaders came to power to lead various governments. In most cases, the new government leaders in African countries brought to the fore, the issues of traditional leadership and their institutions as part of the agenda in the government of the day. Many African countries demonstrate that the aspirations of such traditional structures can be reconciled quite effectively with those of the central state and local government. They actually co-operate positively together for the common good (Ntsebeza 2005:4).

Traditional leadership without external interferences operated on the principles of community participation, consultation, and consensus, through an accepted level of transparency through the village council or open tribal consultative meetings. These principles are according to Molotlegi (2006:3) not too different from those of democracy. The political reforms in many African countries put new emphasis on the role of traditional leadership. The relationship between traditional leaders in Africa and modern forms of local, provincial and central governments has been complex and at times beset with difficulties.

The historical role of traditional rulers was to serve as a bulwark for the defence and integrity of the traditional state, even if through a different set of instruments and strategies. In the olden days, traditional leaders were heads of state, chief justices, lawmakers and enforcers, spiritual leaders and above all military leaders. They were also great farmers, hunters, and traders as well as being adept in the sciences that enabled them to extract gold, diamonds and other minerals. Their mandate was to

make sure that their people enjoyed peace, prosperity and security at all times. According to Panin (2007:1-2), the state functioned through an elaborate system of protocols negotiated through generations which defined the place of every segment of society such as men, women, children, and youth. There were duties and responsibilities for everyone and these were well known and applied equally to all people within the jurisdiction of the kingdom. There were processes for seeking justice, punishing crime and rewarding achievement and compensating those wronged by the state and or individuals. There was a system for removing traditional rulers if they were found wanting. This demonstrates that “the historic states or kingdoms were not the primitive, unregulated entities portrayed as state of nature by Western fiction. In fact they were and are closer to our modern notions of democracy than the despotism that was imposed by European colonialism on our people (Panin 2007:2)”.

In Africa generally a chief or king was the political head of a tribe responsible for the administration, public affairs and all governance related matters. “In South Africa, for example, the current perception is that kings and chiefs must be apolitical and be ceremonial; this is alien to Africa. The African custom allowed them to act politically (Mekoa 2006:37)”. Centuries before the advent of colonialism, Africans were satisfied and progressed under the rule of political kings and chiefs. Africa had kingdoms and not republics. Chiefs also presided over traditional courts.

It is common knowledge that traditional leaders are involved in politics and understand the concept of political opposition. One assertion that is made by the critics of traditional leadership is that in many African languages there is no word for opponent or opposition, the nearest translation of opponent is enemy. Since political opponents are not really enemies, the existence of opposition parties in African countries can help to further confuse the illiterate constituencies. The reason why many Africans welcomed changes from multi-party to one-party system of government is because they argued that there was no reason why democracy in Africa had to mimic Western multi-party competition, especially since this pluralist form of democracy had no historical roots on the African continent (Thomson 2004:110-111).

The era following colonialism was generally marked by the zeal to redress the problems created by colonial rule. However attempts to redress have not gone without criticism. Some of the areas of contention are the role of traditional institutions in a democratic state, legitimacy of institutions and communities, elected representatives versus hereditary leaders, legal entities versus cultural and traditional and lastly, perpetuation of interference versus desire to transform the institutions. In the post-colonial era in all African countries, indigenous people came to power to lead various governments. This is unlike the situation in countries like Canada, Australia, New Zealand, and other countries where traditional communities were not fortunate to control the post colonial state (DLGTA 2007:3). The indigenous communities of these countries, comparatively speaking, created structures that catered for their unique interests in a more fashionable way than their counterparts in Africa.

2.2 Traditional leadership structures

Traditional leadership is recognised as entailing different structures and levels of responsibility (Alcock and Hornby 2004:13). At the top of the hierarchy are paramount chiefs who reign over tribal areas where their people live and hold the right for traditional use. Within the tribal area or district, the local or village level is run by the headman on behalf of the chief. Traditional boundaries to these areas are generally known to the tribe. The tribal area may have in addition to the paramount chief's tribe, other tribal groups, living in it and who may have been conquered in the past or who would have chosen to be affiliated to the tribe. This hierarchy is not traditionally African, in the traditional context; traditional leadership does not seem to have used the titles of paramount chiefs, chiefs, or headman.

The general response to colonial imposition on traditional leaders was that they either willingly accepted the colonial forms of governance into their own and those that did not do so, soon realised that the only way they could continue to be leaders was to give in, rather than fight the introduction of colonial rule (Mkhize, Vawda and Sithole 2002:9). As a result, independence frequently resulted in the marginalisation of some traditional leaders whilst others were left out of the system of governance because the new governments could not trust them for having colluded with the previous colonial governments (DLGTA 2007:7). Research has shown that governments like

Kenya and Zimbabwe, that had previously removed traditional leaders from their structures are now involving them in order that they may assist government, particularly in matters relating to communal land use. Those that marginalised them and removed their powers have accepted that community mobilisation would be near impossible without them (Commonwealth Local Government Forum 1995:2).

2.3 Historical perspective

The deliberate distinctions in the English language such as tribes and chiefs when referring to African traditional governance but rather to European traditional governance as that of nations and kings must have crept into the African use of the English language at about the time colonial education took root. The general titles used on leaders of African Tribes, though the words varied from tribe to tribe, was equivalent to king and it implied ruler or leader to his people regardless of the size of the tribe or the land they occupy. For example, in Southern Africa, Kgosi, Nkosi, Hosi, all refer to the leader of the tribe who was regarded as supreme, a single "African" label is still to be found (Commonwealth Local Government Forum 1995:1).

The formal role and rights of traditional leadership in Africa has changed substantially over time. Considering the effects of colonialism and of the new national governments on traditional leadership, the institution has shown great resilience as an institution of governance mainly because of the support it gets from local communities. While some traditional leaders aligned themselves with national governments and liberation struggles, many did not allow themselves to be used to defend the colonial order; as a result independence frequently resulted in discrediting and marginalising traditional leadership (Ntsebeza 2005:1; Commonwealth Local Government Forum 1995:4). With time, rural people in Africa continued to be attached to the institution of traditional leadership. The value of making use of traditional leadership in support of community-based development is increasingly being accepted and has become an issue that can no longer be ignored (Ntsebeza 2005:17).

Considering constitutional provisions, the new agenda for local government in Africa has had to assure a place for traditional leadership. The Constitutions and other legal provisions of Ghana and South Africa, for example, both formally acknowledge the

roles and rights of traditional leaders at local level. The establishment of national and provincial councils of traditional leaders with a function to safeguard and promote local traditions and customs and holding a role on important issues relating to economic, social and cultural development is encouraged for all nations observing traditional leadership systems (Wallerstein 1964:150).

When colonial rule took stronghold in Africa between the 18th and 19th centuries, tribal communities were amalgamated to form territories of various political groups known today as nation States e.g. Gold Coast (now Ghana), Nigeria, Sierra Leone and Liberia (Morrison 1982:23). These territories were further subdivided into administrative divisions under the control of colonial Commissioners who maintained law and order. Although local leadership engendered a cohesive form of traditional government, with tribal councillors assisting their natural rulers (chiefs) in various forms of decision making, there was no form of unified government across tribal lines or territorial boundaries. Before the colonial rule in Africa, traditional governments in various local jurisdictions appeared fragmented as tribal warfare was still prevalent (Cartwright 1978: 32-58).

It should be noted that even before colonial authority took strong hold of Africa, local governments were well established in rural communities under traditional chieftaincy, even though it was difficult for them to form a national government. Educated paramount chiefs introduced a variety of community development projects in their chiefdoms (Cartwright 1978:65). Chiefs required the community to provide free labour to do the work which was enforced by severe fines and corporal punishment when people failed to work. Many paramount chiefs fell victim when they were taken to task for enforced communal labour as violators of human rights and uprisings against them resulted in the loss of chieftaincies for many of them. In spite of all this, many chiefs played significant roles in the development of their communities. For example, the building of schools, roads, dipping tanks for livestock and other infrastructure were made possible through the negotiations of chiefs with the government and / or other funding agents, as well as his ability to properly manage funds collected from the community (Wallerstein 1964:151).

The importance of traditional authorities was underscored during the 1940s. Cooperative societies were introduced in some West African Countries like Ghana and Uganda. The Registrar of Co-operative Societies channelled loans to borrowing members through the paramount Chiefs whose membership in the co-operative movement was vital as a medium of guarantee for members to obtain loans (Picard 1987: 54).

To stimulate dialogue among paramount chiefs, a House of Chiefs, or Protectorate Assembly was established in countries like Botswana, Ghana, Uganda and Sierra Leone. The House of Chiefs was also meant to coordinate the Administrative functions and activities of Paramount Chiefs as well as to provide decision making inputs into the legislature. Only a few paramount chiefs were nominated as unofficial members of the Legislative Council which was the main governing body which met in the capital city. Every city council and the Protectorate Assembly were responsible to the Legislative council. The establishment of the Houses of Chiefs or Assemblies of Chiefs in many parts of Africa was a move towards democracy as Chiefs assembled and took decisions with consensus (Picard 1987: 46).

Parliamentary democracy later abolished the House of Chiefs and allowed election to parliament through voting by secret ballot. Many paramount chiefs were elected into parliament during these multiparty elections, some assumed ministerial positions to participate in cabinet decisions. This process of decision making favoured women to organise and /or participate in parliamentary elections because with democracy came the inclusion of women who were previously excluded from any positions of power. The introduction of party politics in Africa compounded the problems of paramount chiefs as it created institutional changes that threatened the very traditional powers of the chiefs. Chiefs were required to rally political support for political parties at the local level and this in many cases created conflict between them and politicians especially when a chief would lobby for an opposition party, and also because traditionally they were supposed to equally serve all members of their communities irrespective of their party political affiliation (Morrison 1982: 2). These are assertions in respect of many African countries not only Ghana.

According to Arthur Abraham in Commonwealth Local Government Forum (1995:17):

The most important and immediate effect of these political and administrative divisions were “to rob the traditional rulers of their supremacy as independent Kings”. Traditional Kings were re-designated as Paramount Chiefs (or other names according to territory) to make distinctions from monarchies known in Europe. Secondly they were made natural rulers of small territorial units (chiefdoms), subordinate to the central colonial administration. The role of the chiefs altered significantly; instead of acting as independent ruler, they had to submit to the authority of the colonial state which prescribed new rules and regulations for the exercise of their local authority. The chiefs were now in a dilemma of representing their people while serving as agents of colonial government.

To strengthen the bond of traditional leadership in provincial communities, colonial masters signed various forms of treaties with local tribal leaders, some of whom were eventually crowned as paramount chiefs. This also provided the instruments of control and means of providing support to colonial rule in Africa. After signing peace treaties with the local Kings in the colonies and protectorates, the colonial administrators replaced them by re-designating them as paramount chiefs or other designations and in their place they appointed mayors of the cities who had responsibility for local administration in the new forms of local government called municipalities.

2.4 Traditional leaders and land allocation

The allocation of land is a central responsibility that most traditional leaders are determined to keep (Goodenough 2002:98). Traditional leadership in Africa has always had responsibility for the allocation of land for people. There are two categories of land that were granted for each household, i.e. a residential site and a field. Land was owned on a communal basis, being held in trust by the traditional authorities, and plots were allocated under the permission to occupy (PTO) system. PTOs were legal documents that were issued to confirm rural residents' rights to occupy a particular piece of land. They were not freehold title and they carried very weak rights compared to freehold title (Ntsebeza 2005: 5).

Traditional leaders were also responsible for settling land disputes in the area. Disputes often arose between traditional leadership and local authorities over the allocation of land and where the former felt that they retained specific rights over communal land. Traditional leaders have had an important role in development and the provision of services at local level, both individuals and communities. In the past they have effectively performed many of the functions normally carried out by local authorities in such areas such as schooling, basic health care and land use and allocation. They have also assured the mobilisation of local resource articulation of local needs and priorities (Commonwealth Local Government Forum 1995:7-8).

Prior to the introduction of the Traditional Leadership and Governance Framework Act, Act 41 of 2003 and the Communal Land Rights Act, Act 11 of 2004 which clarify the roles of traditional leadership; control over land continued to be a thorny and unresolved issue; the perception of many South Africans in rural areas after 1994 was that in keeping with the democratic principles proclaimed in the constitution, all functions that were performed by traditional authorities would be taken over by the newly elected councillors (Ntsebeza 2005:15). In the absence of new legislation, government officials continued to recognize traditional authorities (and not elected councillors) as having the powers to allocate land. Ntsebeza (2006:15) argues that this created confusion for rural residents.

According to Mekoa (2006:38), land in African tradition was thought of as the soul of African life. There was no individual ownership of land. The belief was that the land belonged to the ancestors, hence could not be sold or disposed of. In addition, because of mainly the graves of the ancestors in the community-owned land, it was difficult for the living dispose of it. Land was the source of economic livelihood and was communally owned for the benefit of every member of the community.

2.5 Social and cultural changes

According to the Commonwealth Local Government Forum (1995:8-10), African society in rural areas is undergoing major transformation, both positive and negative, on account of various social and cultural influences. Traditional leadership, working

with local authorities, can serve to enhance the positive aspects of change and minimise its detrimental affects by ensuring that:

- Traditional leaders help to explain and, where feasible, manage change and introduce new concepts within their communities.
- Traditional leaders seek to maintain family bonds in rural areas with a view to promoting social cohesion and counteracting juvenile delinquency and crime.
- Relations with central and local government are managed although they vary considerably over time as well as between different countries. In some countries, traditional leadership maintains considerable autonomy whereas in others it is highly regulated by law, even to the extent of the government determining rates of remuneration of individual leaders.
- The continuing respect shown by local people towards traditional leadership can be used to educate, guide, inform and advise the local communities on issues relating to welfare, education and development.
- The credibility accorded to traditional leadership provides an encouragement for more effective consultation and dialogue between central and other forms of local government.
- Traditional leadership assist local administration by providing leadership in maintaining the best customs and traditions, arranging local or tribal ceremonies, representing their people on issues of customary nature, presiding over meetings where matters of interest to the community are discussed, prevention of offences and encouraging NGO bodies. (DLGTA 2007:7).

Traditional leadership has historically played an important part in society and local governance by maintaining good relations with civics and CBOs in their communities. They still continue to do so and it is important that their role should be understood in this context. Informed traditional leaders should give a lead in mobilising public opinion in development activities and in encouraging people participation in development programmes undertaken by various agencies in consultation with responsible authorities. Local community or development forums of a statutory or

non-statutory nature could provide a valuable framework for traditional leadership, civics, and community-based groups to meet, consult and where appropriate initiate joint action on developmental issues (Commonwealth Local Government Forum 1995:10).

A few chiefs settled cases unofficially in the cities and received small payments for helping the colonial government collect taxes and for performing other duties. Greater and supreme jurisdiction however remained in the colonial court system in which court magistrates in the municipalities presided over cases. A small police detachment was also set up in order to maintain law and order in and around the municipalities in each country as reflected below.

2.6 A Review of African experiences

The researcher also investigated the African experiences of the institution of traditional leadership with a view to illustrate the similarities and differences in how the system works in different countries. The countries investigated are Sierra Leone, Botswana, Uganda and Ghana. Other countries with traditional leadership systems are among others, Nigeria, Tanzania, Kenya, Ivory Coast, Cameroon and Zambia.

2.6.1 The case of Sierra Leone

2.6.1.1 Background information

Sierra Leone is located on the West of Africa and its capital city is Freetown, which is home to 500 000 of Sierra Leone's 4 million inhabitants (Reno 1995:5). The land area of the country is about 27,925 square miles and it is bordered on northeast and -west by Guinea, southeast by Liberia, and on the west and southwest by the Atlantic Ocean. The estimated population is now 3.5 million of which 75 percent live and work in rural areas. This essentially rural country is comprised of about 18 ethnic groups of which the two largest are the Mende and Temme (Beoku-Betts 1994:18). It should be noted that "it is only among the Mende in the southern and eastern provinces that the tradition of women as chiefs and the right of children from ruling houses to inherit chieftaincy through their mother continues as a cultural tradition (Beoku-Betts 1994:154)".

During 1896, Sierra Leone officially became a British Colony with a major part of the rural economy becoming incorporated into the world market system. Like in most African states, some hierarchical form of administration was imposed in Sierra Leone during the colonial period (Mukonoweshuro 1993:3). Various hut and poll taxes were instituted aimed at covering the costs of administration (Beoku-Betts 1994:158). Sierra Leone achieved independence with dominion status and membership of the Commonwealth on April 27, 1961 as a multi-party state under the leadership of its Prime Minister, Sir Milton Margai, at that time it had nine to ten political parties who later decided to come together and form a United Front (Foray 1988:3).

Some of the present day traditional leadership in Sierra Leone include Chief Mongo Bala of the Mongo Chiefdom who played an important role during the war when he pleaded with the Guinean soldiers to spare the rebel's lives. They indeed agreed to release them (Jackson 2004:133). Others include Paramount Chief Kande Sayo, Chief Balansama, Paramount Chief Kumba Fanko and chief Tala Sewa. Paramount Chiefs were influential among their people. It is for this reason that many politicians like AB Magba-Kamara depended on their support during the elections.

2.6.1.2 Traditional Leaders and government

Indigenous politicians played an important role in the decolonisation of Sierra Leone (Mukonoweshuro 1993:139). Chiefs had no recognisable political base during the inter-war period, but they had been organised through local state institutions (the Native Authority system) as a dominant rural group. In addition, during the second world war, the basis of the chiefs organisation was given a more overtly political form through the inauguration of Chief's Conference which was designed to bring the chiefs together for the purposes of identifying and discussing their mutual interests. After 1945 the Chiefs were to acquire political maturity through among other things, participation in the new political institutions created by the state for the purpose of installing them at the centre of the political stage and the decolonisation process. The chiefs dominated the political arena as a result of the 1945 decolonisation process. The spread of educational institutions in Protectorate produced a cadre of educated elements; some of them became chiefs who then began to challenge the unrepresentative nature of the institution of chiefs (Mukonoweshuro 1993:142-153).

2.6.1.3 Traditional Leaders and the land question

With the exception of state-owned land in the western area, most land is commonly held by kinship groups through the system of communal, semi-communal and family ownership. Besides the right of birth, land is also acquired by begging for a small fee and by pledging. The title to land rights is usually vested in chiefs or family heads and they are responsible for the allocation of other forms of tenure. "Only 6 percent of land holders in Sierra Leone are women (Beoku-Betts 1994:18)." This is probably because women are legal minors and have no rights of inheritance under customary law. Women can acquire land through their paternal family and to a lesser extent from their spouses. Generally women's rights to land are subordinate under customary law although men are obligated to provide them with piece of land particularly for food production purposes (Beoku-Betts 1994:18-23).

According to Cartwright (1978:50), the concept of local government and leadership in Sierra Leone dates back to the pre-colonial era when traditional systems of leadership were either hereditary or achieved through recognition of benevolence and loyalty to the clan. Leadership was also achieved through bravery, especially in territorial acquisitions as a result of tribal warfare. In the West African Sub-region, pre-colonial traditional forms of leadership that characterised either inheritance or achievement simply thrived and became more viable through the consensus of elders in the community and it transcended through the family/clan. This type of tradition of community leadership was the origin of chieftaincy or kingship which gradually engendered ruling houses upon which the community depended for protection, advice and promotion of sustained cultural values. In return, the community paid homage to their leaders by giving them esteemed reverence in varying forms and circumstances (Cartwright 1978:50).

Each leader ruled independently and enjoyed unlimited and undefined powers over his tribe. Traditional leaders were also custodians of the land e.g. the Mendes in Sierra Leon appropriately referred to him as NDO MAHI (Chief of the land). With the decline or gradual cessation of tribal warfare in many parts of Africa, the system of chieftaincy developed into a pattern of tribal leadership, becoming more cohesive by the will and consensus of the tribesmen. By definition then, a chief was someone who

ruled by consensus over a community of clans/tribesmen indefinitely, providing protection for the community and serving as a sole custodian of communal property- mainly land (Mekoa 2006:4).

The Legislative Council held sittings in Freetown where its proceedings were more closely related to colony matters than the protectorate. Thus the Freetown Municipality in Sierra Leone, for example became the first class township, the only one in the country with a form of local government that was devoid of chieftaincy and this was known as the Freetown City Council which was headed by the mayor (<http://www.Siera-Leone.org>).

When the British declared the Hinterlands as Protectorates in the late 1900s, a native system of local administration was instituted completely from the imposition of European administration introduced in the colonies. During the process of annexation of colonial territories, the colonial masters organised the local rulers and signed treaties with them and made them paramount chiefs who formed part of their machinery of government. The paramount chief in his ordinary jurisdiction was not subordinate to any other chief or another paramount chief but directly to the central state through the commissioners at either the district level or provincial level. His domain of jurisdiction was restricted to the chiefdom (tribal setting where the local elders were co-opted into local councils) to make meaningful decisions on matters affecting the chiefdom. The chiefs were regarded as agents of government who were only to liaise between government and their people on matters pertaining to chiefdoms, but never to participate in central government decision making processes (Mukonoweshuro 1993:142-153).

2.6.1.4 Conclusion

The traditional leadership institution in Sierra Leone, like in many African countries, has undergone a number of changes from the colonial period through to independence. The colonial administrators also subjected the authority of the paramount chiefs to the state and regarded their authority for maintaining social stability as part of their administrative functions. The colonial administrators also introduced a parallel local system of administration known as the Native Administration through the formation of Chiefdom Councils. This was patterned on

the Nigerian model featuring the establishment of chiefdom boundaries, the formation of tribal authorities and institution of treasuries with paramount chiefs and district commissioners. The chiefs of Sierra Leone dominated the political arena as a result of the 1945 decolonisation process in which they played an important role. This is one country where the tradition of women as chiefs and the rights of children from ruling houses to inherit chieftaincy through their mother continues to be a cultural tradition (Mukonoweshuro 1993:142-153).

2.6.2 The case of Botswana

2.6.2.1 Background information

All citizens of Botswana are referred to as the Batswana. The Capital of Botswana is Gaborone which has a population of about 250 000 people. The Botswana national statistics estimate the population at 1.7million in 2001 (Thomson 2004:100). The country is surrounded by Namibia on the West, Zambia on the North, South Africa on the South and Zimbabwe on the North East. "The ethnic groups that exist are Tswana 79%; Kalanga 11%; Kgalagadi, Herero, Bayeyi, Hambukush, Basarwa ("San"), Khoi, whites, 10% (Lee 1993:9-11). The official languages are English (official), Setswana and Ikalanga. By the year 2003 Botswana had a population of 1.76 million people (<http://www.kenyamission-botswana.com>)".

Gender representation in Botswana's traditional Leadership structures still reflects the historic gender inequalities of Botswana society. This is still so despite Botswana being a signatory to the 1997 SADC Heads of State Declaration on Gender and Development, which commits the member states to, among others, "ensuring equal representation of women and men at all levels of the decision-making structures, including traditional structures of member states (Linchwe 2007:2)". Out of total number of eight (8) Dikgosikgolo (Paramount Chiefs) recognised in Botswana, six (6) are males while only two are females. Representation in Ntlo ya Dikgosi (House of Chiefs) also follows the same trend with only four (4) female members out of a total membership of thirty-five (35). Talking about traditional leadership and gender at the international conference on the global perspective on traditional / indigenous leadership in Durban on 26-27 October 2007, Kgosi Mothibe Linchwe of Botswana also mentioned a case of the Bamalete tribe which in December 2001, made history

in Botswana as a predominantly male tribal assembly to endorse Mosadi Seboko as the first female Kgosi who succeeded her late brother Seboko Mokosi II. "Some of the things that the tribal assembly together with the royal family considered for her appointment were, her birthright and the qualities she possessed as opposed to the established norm of looking at gender as the main determinant when they endorsed her as their tribal leader (Linchwe 2007:3).

Other than this current development, the most significant developments in Botswana occurred between 1953-65 with the winding down of the colonial administration and preparation for independence. The African Administration Proclamation of 1956 recognised tribal councils as chiefly advisory bodies and established subordinate councils under local headmen within each chiefdom (Schapera and Comaroff (1991:68-69). The chiefs continued to govern their people as before and expected non-interference from the British in their domestic affairs. This indirect rule which delegated much authority to the Tswana Paramount Chiefs (dikgosi) and those whose political structures did not fit the Tswana model because the degree of sovereignty was very limited.

Botswana is characterized by a strong system of government. Even in the late nineteenth century, Bamangwato, the Central District of modern Botswana possessed a strong state. Sustained growth is the norm, albeit on a narrow sectoral base. The traditional authority system is equally strong. The traditional authority system in Botswana remained strong during Protectorate rule, and was transferred into the new independent state. Tswana leaders successfully negotiated internal self rule, and later independence from the British. There were traditional rulers still in place and a new range of national political parties used the traditional structure as an arena for political mobilization, particularly the institution of the kgotla (the public meeting place in the village). It is in the kgotla where debates on public issues are held and cases heard under customary law. The chief's councils and courts were forums in which legislation was formulated, and the chief would invite open argument about policy. Even succession, although limited to those with some genealogical claim, ultimately rested upon the consent of the people. There is therefore a debate

as to whether the system under which chiefs gained and exercised authority was not itself democratic in some sense (Comaroff and Comaroff 1999:1995-196).

The new leadership of Botswana faced a challenge of creating a national unity by establishing a sense of nationhood. The main unifying force within the new state was the orderly structure of the Tswana chiefdoms which within the last two centuries had taken control over the greater part of the territory of present day Botswana. The hierarchal structure of the chiefdoms also provided a place for other groups, either as associated foreigners or as subjects. The Tswana chiefdoms became codified in the constitution as the main symbol of national unity (Saugestad 2001:72).

2.6.2.2 Traditional leaders and government

Botswana gained independence in 1966 and became a sovereign state. This came with uncertainty with regards to territorial boundaries. These were arbitrarily drawn cutting across social and linguistic communities. As a result of these boundaries, "there are a number of other groups or tribes in addition to the numerically dominant Tswana. (Saugestad 2001:71)". The strong groups like the Kalanga in the East, the Herero in North-West and the numerically large group of Kgalagadi are dominant ethnic groups.

Under a local government system introduced at independence, there are nine district councils, two city councils (Gaborone and Francistown) and four town councils. This makes Botswana an established liberal democracy that has existed since the pre-independence. The system of traditional leadership in Botswana exists parallel to the democratic system of government (Good 2002:3). Botswana is a typical traditional society based on Kgosi (Chieftainship). The political leadership of the country is also a replica of chieftainship. In terms of the Constitution of Botswana, parliament comprises the National Assembly with 40 elected members, the President, the Speaker, Attorney general and four members nominated by the President. The assembly is elected for five years on a political party basis. The Botswana House of Chiefs forms part of the Botswana Government.

According to Botswana government (2007), in <http://www.gov.bw>, the Botswana National House of Chiefs before 2007 comprised fifteen members as provided for in

the Constitution of Botswana. Eight members were ex-officio members who represented eight tribes, 4 elected members were from the four districts of North East, Chobe, Kgalagadi and Ghanzi and three elected members were elected by both the ex-officio and elected members. The requirement for the three members was that they should be proficient in English. Other prerequisites for being members of the House of traditional leaders were that they should not be politicians nor should they be civil servants. The House serves as advisory body to parliament and government on important national traditional issues affecting traditional communities. Tribal administration is housed within the Ministry of Local Government.

History has shown that there has always been some link between traditional leadership and politics in the African continent. It has also showed that "African societies enjoyed a tradition of participatory democracy and were not used to dictatorships and autocracies prevalent in Africa today (Mekoa 2006:36)". For example, in Botswana, Sir Seretse Khama, a grandson of Khama III who had emerged as the most prominent indigenous leader in 1872, founded the Botswana Democratic Party which won most of the elected seats in the pre-independence poll of 1965. "Seretse Khama led Botswana from independence in 1966 until his death in 1980 (Thomson 2004:101)". During independence, Seretse Khama became the country's first president who favoured the creation of a multiracial democratic society in which traditional laws would retain their due place (The Economist Intelligence Unit 2001:5). His policies included among others, the encouragement of foreign investment and neutral stance towards the racist regimes in South Africa and Rhodesia, now Zimbabwe. When Kgosi Ian Khama Seretse Khama won a constituency seat within his chieftaincy in Central District, he appeared before the voters explicitly as their chief. Although he was more apolitical than President Mogae, he had his values firmly authoritative (Good 2002:17).

2.6.2.3 Traditional leaders and the land question

Most Tswana people are dependant on land for food and raw materials. Formerly each tribe had its own territory, but today much of Bechuanaland is occupied by Europeans and non-Africans. During 1991, in the Protectorate of the Tswana living under rural conditions, 98.6% were in reserves demarcated for them by government,

0.9% on crown land, 0.5% in European areas. In Bechuanaland, 67% were reserves, 33% on European owned farms (Schapera and Comaroff 1991:14). In the Protectorate, almost every tribe officially owned the Reserve that it occupied. Land could not however be alienated to non-Africans without the consent of Government, which had the power to regulate the use of land.

The main interest of the British during the colonisation period was to protect the road to the North. The British South African Company wanted to take over existing land concessions, which would then make it a colony. The Batswana chiefs actively rejected this idea (Saugestad 2001:69). Europeans and other non-Africans required the chief's permission to trade and carry on their business in his Reserve; they were expected to pay rent for their land and had limited grazing facilities. Land owned by Government or missionaries or purchased by the people themselves, was controlled by the South African Native Trust, a Government agency established in 1936 with powers that were similar to the Government in the Protectorate. Except for Government supervision, the use of tribal land was controlled by the chief acting through the headmen of villages and wards. Their responsibility was to see that every married man received free grants of residential and cultivating land, which he, in turn portioned out among his dependants (Saugestad 2001:69-70).

As long as the owner used his arable land, he had exclusive rights over them, and on his death, land was normally passed on to his heirs. A man was free to give away or lend out some of his land, but he could not claim payment in return. If the owner moved away permanently or was banished from the tribe, he would forfeit his rights and his land became available for re-allocation. Pastoral land in the larger Western tribes was divided into administrative districts under overseers, whose permission was needed to keep cattle there (Schapera and Comaroff 1991:5).

2.6.2.4 Conclusion

In Botswana, like other African countries with traditional leadership system, chiefdoms are very much part of government. Chiefdoms are provided for in the Constitution of Botswana. The history of Botswana has proved that there is a link between traditional leadership and politics. There is also evidence that the institution of traditional leadership can be incorporated into a democratic system. The National

House of Chiefs in Botswana like in South Africa and other African states, play an advisory role to the central government.

2.6.3 The case of Uganda

2.6.3.1 Background information

Uganda is situated in Eastern Central Africa. The capital city is Kampala and the whole country has a population of 24.8 million people. "Prior to the imperial rule this part of East Africa was home to the polity of Buganda, along with a number of other smaller kingdoms. Buganda later became a formal British protectorate in 1894; two years later, the neighbouring kingdoms of Bunyoro, Toro, Ankole and Bugosa also gained the same status and were later consolidated with Buganda to form the state of Uganda (Thomson 2004:142).

The status of traditional leaders has varied considerably in the various periods for the selected countries. All societies in Uganda had some form of traditional leadership whether on a hierarchical or on a horizontal, more democratic basis. The traditional leaders could assist in the creation of a strong, united nation. In short, these institutions could form an effective bridge between tradition and modern political and social norms, making the task of building the nation easier, and more efficient. The British colonial government recognized that traditional leaders and cultural institutions in Uganda played a very major role in the development and transformation of society. They also realized that it was much easier to mobilize people of similar ethnic backgrounds to work together (Hansen 1977: 19).

"During the colonial period, the various states and districts were administered through their traditional leaders and cultural institutions where these existed. For example, under the 1900 Buganda Agreement, the Kingdom of Buganda remained a Kingdom as a whole, and was administered through the Kabaka (King), the Katikkiro (Prime Minister), the Abakungu (Ministers), the Lukiiko (Parliament), and the local government administrative structure from the Masaza to Batongole. Similar arrangements worked with the rest of Uganda. The Buganda Agreement of 1900 is however no longer in force. This federal and semi-federal arrangement was maintained by the 1962 constitution. Although there was a level of federalism and

recognition of kingdoms during the colonial era, these kingdoms were abolished after independence only to be recently recognized only in cultural matters (<http://www.federo.com>)”.

2.6.3.2 Traditional leaders and government

Uganda is a unitary state that has decentralised administrative matters to local government units. Various political and cultural groups have called for federalism. In terms of the Federal System, various Kingdoms and non-kingdom states could continue to follow their traditional ways of life and observe their cultural and social systems under one nation that followed the goals and objectives of the nation. The matter of the Federal System of government still remains very contentious and there has not been agreement in this regard (Mulwanyammuli Ssemwogerere, Katende, Mayiga, Kulumba 2004:1).

The Central Government of Uganda have control over national matters like defense, citizenship, foreign relations, telecommunication, electricity, inter-region highways, dams, rail networks, airports, national monuments and natural resources and other such overall national policies. The regional governments on the other hand take care of regional matters in the particular regions like schools, health services, feeder roads, culture, land, local services, local government, local development plans and local economic policy (<http://www.federo.com>).

The coming together of the two systems of government i.e. political leadership and traditional leadership resulted in an inevitable conflict between the two governance institutions. Africa can learn something from this Ugandan experience. The government had made it possible for the traditional leaders to be revived. This meant that people's cultural and social beliefs were returned. There were mixed feelings about this, but traditional institutions having by and large promoted peace in Uganda. The traditional leaders have played a significant role in unifying the peoples in Uganda (Kavuma 2004:2).

Associations based on ethnic identities and solidarities like the traditional leadership institution are often excluded from most objective-categorical specifications of the civil society concept. There is even some degree of skepticism about them for different

reasons. It could be because some people view them as oppressive and backward when it comes to political, social, economic issues. To others, as in parts of Ankole, traditional leadership institutions are seen as instruments of domination by one social or ethnic group over others. And yet others see them as instruments of exclusion (Comaroff and Comaroff 1999:109). There is an assumption that traditional institutions are static and resist change.

On looking closer at the traditional leadership institutions of Uganda like those of Buganda, it is evident that they had a capacity to change. This change would however come about once the traditional leaders have realized the need for it. Once the proposed change is accepted by the leaders, their constituencies quickly followed. And once the population enjoyed the benefits of the change, even the traditional leaders could not stop them. This clearly shows that traditional leaders can play an important role in bringing about change (Kibuka 2002:1).

2.6.3.3 Traditional leaders and the land question

The chiefs were regarded as supreme natural rulers who reigned for life and could only be removed from office through natural death. To safeguard traditional values and customs, the tribesmen or community members voluntarily appointed elders of the land who prescribed rules and regulations governing social behaviour, allegiance to the gods, acquisition of landed property and arrangement of customary marriage as well as the exercise of power and the art of governance. These supreme rulers were therefore symbolised as the fathers of their people and were regarded as such in almost every part of Africa (Commonwealth Local Government Forum 1995:15-29).

During the pre-colonial period chiefs controlled land and wanted to preserve that state of affairs (Nayenga 1979:1). The pre-colonial era was characterized by four varying tenure systems that differed from one ethnic group to another. These were the rights of clan over land, the rights of the Kabaka, individual hereditary rights and lastly the peasants' right to occupy land under chiefs. During the colonial and post colonial era, three types of land tenure were Mailo land, which was land to be divided between the Kabasa and other notables like chiefs and high ranking officials. There

was also a freehold tenure particularly in Toro and Ankole. The last one was the leasehold (Rugadya 1999:2).

Land reform in the 1995 Uganda Constitution and the Land Act of 1998 was allocated by chiefs. For example, Mukasa was a Christian chief who used his influence as a chief to allocate land to mission schools and supported the building of many schools particularly, the Bishop's school which was dedicated to the sons of chiefs (Byaruhanga 2005:1).

2.6.3.4 Conclusion

Traditional leadership is inherent in all societies of Uganda. The government of Uganda has not agreed to the Federal System of government which permits various Kingdoms and non-kingdom states to continue following their traditional way of life. Generally the people of Uganda have confidence in the traditional leadership system of governance. The government of Uganda also recognizes the importance of traditional leadership in development hence the agreements like the 1900 Buganda Agreement.

2.6.4 The case of Ghana

2.6.4.1 Background information

"In the olden days, the traditional rulers were heads of state, chief justices, lawmakers and enforcers, spiritual leader and above all military leaders. They were also great farmers, hunters, and traders as well as being adept in the sciences that enabled them to extract gold, diamond and other minerals. Their mandate was to make sure that their people enjoyed peace, prosperity and security at all times (King Panin 2007:1). British colonialism introduced a system of indirect rule which was effected largely through traditional authorities (Lentz and Nugent 2000:18)". Because of that, some scholars and commentators started branding traditional leaders as collaborators with the colonialists. According to His Majesty King Osagyefuo Amoatia Ofori Panin of the Akyem Abuakwa state in Ghana, this is both untrue and unjustified. He argues that the role of the traditional rulers enabled traditional communities to remain intact in the face of the colonial onslaught which sought to erase their cultural and social achievements and cohesion. He further asserts that indirect rule was

rather an acknowledgement of the fact that the traditional system had withstood the strength of the colonial push and survived. It showed that the traditional system with its inbuilt cultural strengths would not succumb (King Panin 2007:2).

Ghana's post-colonial political history is not different from that of other African countries. Stability entered Ghanaian politics with the coming to power of Flight Lieutenant Jerry Rawlings who took the country through structural adjustments from 1981 to 2000. The country is a typical rural state with its economy dependant highly on agricultural production of products like cocoa, cereals maize rice and cassava (Hutchful 2002:6-7).

2.6.4.2 Traditional leaders and government

Ghana was characterised by dualism in its administration. One can argue that the new institutions were created as a result of the inadequacies of the old administrative institutions for the political and developmental purposes. The old administrative institutions did not positively respond to the demands for change (Amonoo 1982:66). Ghana had its first elections in 1951 under a new constitution, the Convention People's won (Thomson 2006) in <http://www.nationsencyclopedia.com>, Morrison 1982:23).

In 1954, the assembly and cabinet became all African. A new party, the Ashanti-based National Liberation Movement (NLM), was formed to fight the general centralizing tendencies of the CPP and also to maintain the position of the traditional rulers. One of the first acts of independent Ghana under Nkrumah was the Avoidance of Discrimination Act (1957), prohibiting sectional parties based on racial, regional, or religious differences. This led the opposition parties to amalgamate into the new United Party (UP), opposing the government's centralization policies and the declining power of the traditional rulers (Gale 2006:2).

The structure of the kingdoms consisted of a king, councils and courts. The chief's council was the real governing body of the town. The members of this governing council were usually the heads of the various clans. The council was presided over by the chief. The councillors represented the people, and, as such, had to confer with them on any issue that was to be discussed in the council. In His speech at a

conference on global perspectives on traditional / indigenous leadership in Durban on 25 October 2007, His Majesty King Osagyefuo Amoatia Ofori Panin said in Ghana they are celebrating 50 years of independence this year and have found a constitutional and political settlement that has allowed a peaceful coexistence between the state authorities and traditional rulers. This peace according to King Ofori Panin is grounded in the 1992 Constitution of Ghana which has assigned traditional rulers their roles within their jurisdictions and accorded them respect as part of the governance structures (Panin 2007:3).

2.6.4.3 Traditional leaders and land question

Talking at an international conference on the global perspective on traditional/indigenous leadership held in Durban on 26-27 October 2007, King Togbega Gabusu VI of Ghana said "in the present circumstances traditional leaders engage in various economic activities themselves and they also provide the appropriate enabling environment for members of their communities to carry out their economic activities. The provision of land, market places for traders, the release of food and cash crop farming, the release of land to central government for various infrastructure development projects are but a few of the functions of traditional leaders in Ghana (Gabusu 2007:2)".

The land question is critical because the perception is that clarification of land tenure issues would promote investments, improve agricultural production and encourage international investment in the natural resource sector. Ghana like many African states had experienced the evolution in the economic and political situations from the colonial period to the era of structural adjustment. Land tenure continued to be a contested terrain in which different actors constantly attempted to redefine what constituted customary rights for their own benefit. Land tenure was therefore "a process that was always being negotiated through manipulating social networks of patronage (Amanor 1999:44)."

It is further argued that Land rights in Ghana have been defined by interactions in three different arenas i.e. customary land law, the concession system and legislation in the law courts. Customary law is described as the rights and lack of rights of the peasantry in land, the concession system refers to the rights of capital, and legislation

defines and redefines the changing context of rights and interests in land in accordance with the needs of development in progress without disturbing the ideological conception of the timelessness of tradition. Some argue that considerable change has been brought about without disturbing ideological conceptions of traditions. The traditional system of land tenure is based on a system of multiple land rights that offers rural citizens of Ghana no security in land. The basis of this land tenure system is the alliance between chiefs and the state as the basis of rural administration and control over land (Lentz and Nugent 2000:99-103).

2.6.4.4 Conclusion

The history of Ghana shows that even the most sophisticated African traditional political systems have kinship units such as the family, the clan, and lineage at the core of their organization and authority. And since Africans' sense of identity and their early socialization are a function of these kinship units, traditional institutions are potentially among the most useful instruments through which policy makers can effect social change in Africa (<http://www.globalvolunteer.org>). The history of land relations in Ghana and the nature of contemporary struggles suggest that an autonomous customary system of land tenure that cannot be defined, but that the system of communal land meshes with other systems of political land administration (Amanor 1999: 137).

2.7 Concluding comments

In general many countries are still grappling with the role and contribution of traditional leaders in the current democratic dispensation. Some notable similarities between the identified countries that in all of them the institution of traditional leadership has received constitutional recognition and that there is generally a certain level of linkages between traditional leadership and politics. For example, there seem to be a relationship between heredity and political choice when the chief and paramount chief are to be elected. These factors contribute to a key question which is whether or not effective local governance can be achieved through a combination of traditional leadership and democratic local government. Traditional leadership has won unprecedented powers in rural local governance. Control of the land allocation process has been central to the understanding of the survival of traditional authorities

and also on how they derived their authority. For illustration purposes, the cases of Sierra Leone, Botswana, Uganda and Ghana have been presented. There are many similarities between the traditional leadership systems of these countries and that of South Africa and KwaZulu-Natal in particular. The state should play a critical role in regulating the land market through consultative processes and legislation.

Traditional leadership in Africa has stood the test of time. Legal provisions for recognition and functioning of traditional leadership are not new in Africa like in South Africa. The institution of traditional leadership has an organic link with rural communities in particular. It enjoys a degree of legitimacy and support within the traditional communities, but this support varies from area to area. The functions of traditional leaders should be seen as being complementary to those of local government rather than conflictual. The government has attempted to define the roles of the Houses of Traditional Leaders, and this should avoid overlaps with municipal councils.

Literature has revealed a number of various elements of traditional African institutions that can be considered democratic. Certainly all traditional institutions could, with modifications be accommodated in national constitutions with strong bills of rights. The bills of rights would stipulate that where necessary, local practices be modified to ensure compliance with universal human rights standards. It is crucial to ensure compliance, explained and implemented on the basis of locally understood concepts. For instance, each culture has some conception of the importance of justice; this can be used as a starting point to address such issues as women and children's rights. In this endeavour, traditional leaders could be indispensable, especially in the countryside.

2.8 Projection for the next chapter

The following chapter presents a historical perspective on traditional leadership and governance in South Africa. It discusses the legislative framework of local government and traditional leadership and governance. In order to gain more insight, different theories of local governance are studied; these include the pluralist and liberal; elitist; Marxist and feminist and lastly, public choice theories.

CHAPTER 3

TRADITIONAL LEADERSHIP AND DEVELOPMENT IN SOUTH AFRICA:

3.1 Introduction

While the majority (57.5%) of the South African population lives in urban areas, a significant number (42.5%) is located in rural areas. KwaZulu-Natal is predominantly rural with 54.0% of the population living in rural areas and only 46.0% in urban areas (Statistics South Africa: 2001). In some Provinces, such as the Limpopo, the proportion of the African population living in rural areas is over 85 per cent. This large population lives under the authority of Traditional Leaders. "Among rural people, and a substantial number of urban and semi-urban Africans, the voice and sentiments of traditional leaders still command respect. This includes even Africans living in urban and semi-urban areas, because a substantial proportion of these people are recent immigrants from African rural communities (Vilakazi 2003:9)". This implies that traditional leaders need to be included at all levels of government; national, provincial and local (Ntsebeza 2005:1, Dlungwana 2004:1).

The Department of Local Government and Traditional Affairs (DLGTA) is responsible for supporting local government and traditional institutions. As mentioned earlier, it will be difficult to discuss rural local governance without understanding traditional leadership and the institution of *ubukhosi*. The traditional leadership institution has always been seen as the main governing system closest to and accepted by rural communities. Traditional leaders have always had a variety of administrative powers, including control over the allocation of land (Vilakazi 2006:2, Ntsebeza 2005:1, Dlungwana 2004:1, Keulder 1998:4).

The main objective of this chapter is to present a historical perspective of traditional leadership and development in South Africa and to examine how this institution fits into the local governance agenda. Understanding the history of

traditional leadership should be useful in attempting to understand a role of the institution today. Writing in van Rouveroy van Nieuwaal and van Dijk (1999:155), Van Kessel and Oomen argue that “rather than being phased out as relics of pre-modern times, chiefs are re-asserting themselves in post-apartheid South Africa and are not satisfied with a ceremonial role as guardians of African custom”.

The institution of traditional leadership has undergone significant changes and could be traced back to the colonial era when traditional systems of leadership were either hereditary or achieved through recognition of benevolence and loyalty to the clan. While it is believed that the chieftaincy is hereditary, there are many instances where it has been usurped or acquired in some other way and by force. Traditional leadership could also be assumed through bravery especially in territorial acquisitions as a result of tribal warfare. However as a rule, the chief succeeds automatically to his office by right of birth (Dlungwana 2004:8, Parker 1995:38, Welsh 1973:112).

In most African continents, the tribe has been the basic unit of the people's organisational structure. A tribe is the body of people organised under the rule of an independent chief. Each tribe occupies its own territories and manages its own affairs and acts as a single unit; for example in instances like war (Dlungwana 2004:6). The chief rules over his people and not over the territory although the territory forms an important part of the chieftainship. Membership of the tribe is determined more by allegiance to a chief than by birth (Schapera 1996:69).

3.2 Hereditary or appointed

Historically traditional leadership in Southern Africa assumed a relationship of blood relatedness between the leader and the people under his authority (Mkhize, Vawda and Sithole 2002:14). Contrary to popular belief though, not all chiefs in the KwaZulu-Natal are born or hereditary leaders (Keulder 1998:21). In the Natal Native Commission of 1881-2 there were 102 tribes under the charge of 173 chiefs/headmen in Natal. Of those 99 were hereditary, 46 were created or

appointed, 28 were headmen appointed and recognised by the government. Appointed chiefs originated when Shepstone (Secretary for Native Affairs) encouraged the fragmentation of tribes thereby destroying hereditary traditional authorities. Most appointed chiefs came into power because they were submissive to the government of the day. Africans who had performed some useful services could be rewarded by being made chiefs. In some cases government could appoint a "government induna" to take temporary or permanent charge of the tribe (Commonwealth Local Government Forum 1995:3; Dlungwana 2004:8; Welsh 1973:111).

During colonial and apartheid periods a number of people were appointed as traditional leaders. Some were deposed as chiefs and replaced with others if they were seen as not serving the government of the day. For example in 1847 chief Fodo was deposed as chief and replaced by his uncle Mfengwana in KwaZulu-Natal. South Africa has about 839 traditional leaders, 63 acting, 25 landless, 73 appointed (Dlungwana 2004:9; Keulder 1998:21).

3.3 The historical perspective

This following section looks at the history of the institution of traditional leadership. The history will be useful in attempting to understand the institution today. National and provincial legislation on local government and traditional leadership will be used as a basis for this discussion. Only those policies that have a direct impact on the functioning of local government and the institution of traditional leadership are discussed. It is assumed throughout this discussion that the motivation for such policies is to promote sound local governance that results in effective government.

3.3.1 The pre-colonial era

The institution of Traditional Councils has been part of African Culture from time immemorial, thus, it existed even before the partition of Africa. It is through the Traditional Councils that Traditional Rulers who had the responsibilities of

governing nations, presided over disputes and ensured that the needs of their people were taken care of (Manda 2007:4).

Traditional leadership is not unique in South Africa. Prior to colonization in Africa, systems of governance were characterised by traditional leadership. Virtually all societies have had chiefs at one time or another in their history. Before the 17th century there were no kingdoms in South Africa but clans recognised as single individuals, usually the senior member as their head. Dominant lineage within a clan was the basis for establishing the power of chiefs. During the pre-colonial era the institutions of traditional leadership practised their own systems of governance without any foreign influences or interference (Masemola 1990: 35). The pre-colonial era can therefore be perceived as a tranquil phase, in that administratively the institution used to practice its powers with reference to itself and not outsiders. The traditional institutions were fully independent during this era.

The establishment of kingdoms started during the 17th and 18th centuries when most powerful leaders of a Zulu tribe fought the neighbouring tribes. The rise of the Zulu kingdom under Shaka for example was as a result of a far broader process of social change. Changes in government from chiefs to kings to Presidents and to mainly elected parliaments have been a slow process brought about by economic and social change (Welsh 1973:7).

3.3.2 The colonial era

Since the beginning of colonial domination in Natal and Zululand during the 19th century traditional leaders have had an uneasy relationship with the successive colonial governments (Mkhize, Vawda and Sithole 2002:9). The roles of chiefs were distorted by the colonialists in order to suit their needs and not those of the people themselves. They did not comprehend the African system of government and instead they formed and forced the indigenous Chiefs to follow their own ideas of democracy and good governance. They introduced both direct and indirect rule at different stages of colonial rule. Indirect rule through traditional

rulers was the predominant system of government in former British colonies (Manda 2007:5). But even though indirect rule was the predominant mode of governance, chiefdoms had Chief's Councils which advised the chief in governance. It was therefore the Chief-in-Council that governed the chiefdom and not the Chief standing on his own. The negative effects of indirect rule on the institutions were enormous. For example, this era was marked by resistance; oppression; co-option of traditional leaders and ultimately the creation of new institutions that did not have reference to history or culture (Masemola 1990: 35).

Colonialism was therefore characterized by an unprecedented move by colonisers in trying to utilise traditional leaders as an auxiliary of government administrators. The colonisers exerted a lot of pressure to tear apart the fibres of the institutions of traditional leadership because while trying to preserve what was left of their authority, the traditional leaders sacrificed their spiritual being, economic power and mandate. The establishment of African reserves and the survival of African chieftaincy started in Natal. The institution of traditional leadership was established and governed for a number of years by what is referred to in the constitution as "old order legislation", mainly the Black Administration Act, Act 38 of 1927 and the Black Authorities Act, Act no. 102 of 1982 and the KwaZulu Act on the Code of Zulu Law Act 9 of 1985. According to the old order legislation, traditional authorities govern according to customary and statutory law in line with the Constitution. In the KwaZulu- Natal context, specific mandates were derived from the KwaZulu-Natal Amakhosi and Iziphakanyiswa Act, Act 9 of 1990. These and many other laws were racially based and not in line with the current democratic system of government (DLGTA 2006:6).

The Black Administration Act (No 38 of 1927) was concerned with the better control and management of black affairs and enabled the Governor-General to recognise or appoint any person as a traditional leader and to make regulations prescribing the duties, powers, privileges and conditions of service of amakhosi. The Governor-General also defined the boundaries of the area of any traditional authority and could divide any existing tribe into two or more parts or amalgamate

tribes or parts of tribes into one tribe to constitute a new tribe. As Shula Marks wrote in Beinart and Dubaw (1995:94), these provisions were in line with most colonial policies implemented throughout the continent. Policies referred to here are; the allocation of reserved lands for African tribal consumption, the recognition of customary law, administration through acceptable traditional authorities, the exemption of Christian Africans from customary law, and the attempt to prevent permanent African urbanisation through the institution of a labour system (Keulder 1998:21).

The control of the African population had been premised since the mid-nineteenth century on the rule of chiefs (Welsh 1973:7). The conquest of Zululand in 1879, its annexation by Britain in 1887 and its final take over by Natal in 1897 posed problems in the control of African population. The war of 1879 was undertaken in the first instance largely to destroy the power of the Zulu King and thus release the resources and manpower for white exploitation. It was difficult to fill the power vacuum left by the removal of the king in Zululand. Despite the British victory at Ulundi, the imperial army never totally destroyed the Zulu kingdom. Because the Zulu king posed too much of a threat to be recognised as a ruler, some more compliant alternatives had to be found (Beinart and Dubow 1995:94). King Dinuzulu was returned as one of the many chiefs of Zululand in 1883 in an attempt to end the civil war which had erupted in his absence. The trial of Dinuzulu, his son and heir for rebellion in 1887, and his exile to St Helena, the non-recognition of Dinuzulu's position as Zulu king on his return from exile were all attempts to destroy the Zulu kingdom (Welsh 1973:7).

The Shepstonian system devolved substantial local control to African chiefs who were seen as the best guarantors of a stable social order. The then Natal government was against any form of recognition of the special position of the Zulu kings. In 1892 for example, Shepstone wrote that "hereditary chiefs may be officially deposed by the paramount power, may be refused recognition, may be sent into exile or replaced under personal disabilities (Mkhize, Vawda and Sithole 2002:9; Welsh 1973:112). The Zulu kings like Dinuzulu kaCetshwayo were as a

result exiled and lesser chiefs appointed to control the area. This replacement of hereditary amakhosi who did not act in ways approved of by the colonialists was part of a strategy by the colonists to govern with few resources an indigenous population that had been defeated militarily. It was only in 1917 that King Solomon was recognised as chief of Usuthu section of the Zulu, any further hopes he might have had a wider recognition of paramountcy were frowned upon by the Natal administrators (Beinart and Dubaw 1995:97).

King Dinuzulu's son Solomon struggled to be recognised as chief of Usuthu and also to be recognised as the Zulu paramount. King Solomon's brother Mshiyeni was later recognised as Head of the Zulu Nation and Regent while Solomon's potential heirs were minors. Traditional leaders were forced to become part of the colonial local government administration and were isolated in their tribal areas and forced to report only to the local magistrate. "The use of chiefs as administrators was as a result of a small number of civil servants available to rule the African population, for example in 1871 the African population of Natal was 300 000 and the total number of magistrates was only eleven (Welsh 1973:112)". Chiefs were then paid by the government and answerable to the magistrates and no longer to their people. Not all traditional leaders allowed themselves to be manipulated by the colonial rule (Beinart and Dubaw 1995:97).

After a prolonged succession dispute between Solomon's heirs in the 1940s, King Cyprian was recognised as chief of the Zulus in 1948. It was during the same year that the National party came into power and put legislation in place that introduced a system of indirect rule where traditional leaders were moved to bureaucratic structures (Mkhize, Vawda and Sithole 2002:9). The Bantu Authorities Act and the Promotion of Bantu Self Government Act of 1959 were used to create independent states in line with the separate development thesis. These acts also provided for the creation of Tribal, Regional and Territorial authorities. These tribal and ethnic units formed the cornerstone of what would be referred to as the national states (Dlungwana 2004:10; Beinart and Dubaw 1995:99). As mentioned earlier, traditional leaders became administrators in their

various territories and were remunerated by government as civil servants. The incorporation of the institution of traditional leadership into the state by the Bantu Authorities Act (1959) laid the foundations for autocratic rule in the homelands. Through this Act traditional leadership was no longer strictly a hereditary right and the appointment of all new traditional leaders had to be ratified by the homeland governments. Traditional principles for the appointment of tribal councillors were discarded and some were elected and the remainder were appointed by the chief himself (Dlungwana 2004:47).

Local government in rural areas was reshaped by the Black Authorities Act, Act no 102 of 1982 which aimed at self rule and ultimately independence for the Bantustans. Power rested with a hierarchy of compliant chiefs who were made utterly dependant on the patronage of the Department of Native Affairs (Ntsebeza 2005:14). Chiefs were no longer accountable to their subjects, but to the Department. Their powers were increased while their legitimacy was being eroded. Adding to their unpopularity was their role in the implementation of the policies of agricultural betterment, which involved cattle culling and land demarcation (Goodenough 2002:10).

3.3.3 The apartheid era

The establishment of the Union of South Africa in 1910 did not usher any new improvements in the position of traditional leaders and their people. Instead the government tried to estrange traditional leaders from their followers in order to force them conform to the Natal Code (Mkhize, Vawda and Sithole 2002:11). The apartheid era was marked by contradictory, vague and unclear policies on traditional leadership. The institution could not however be ignored in rural areas since it played a key role in rural governance.

The KwaZulu Amakhosi and Iziphakanyiswa Act, Act No 9 of 1990 together with subsequent amendment Acts (KwaZulu Amakhosi and Iziphakanyiswa Amendment Act No. 9 of 1991, KwaZulu Amakhosi and Iziphakanyiswa Amendment Act No. 3 of 1992, KwaZulu Amakhosi and Iziphakanyiswa

Amendment Act No. 7 of 1993 and KwaZulu Amakhosi and Iziphakanyiswa Amendment Act No. 19 of 1993) dealt with various matters relating to amakhosi and iziphakanyiswa in KwaZulu. It also spelt out the roles, functions and remuneration of traditional leaders in KwaZulu. The Act also prescribed how traditional leaders could be appointed, disciplined, dismissed and retired. This Act according to McIntosh, Vaughan and Xaba in Goodenough (2002:31) vested executive powers of any traditional community in the inkosi and isiphakanyiswa who should act on the advice of the traditional council. This Act was also found to be inconsistent with the Constitution of the country.

3.4 Policy and legislative framework of the post-apartheid era

The post apartheid era saw the emergence of new legislation guiding the institution of traditional leadership. For example, The Council of Traditional Leaders Act of 1994 (Act 31 of 1994) which was later replaced in 1997 with the Council of Traditional Leaders Act, (Act 10 of 1997) provided for the establishment of a body that was concerned with issues relating to traditional leaders. The Council of Traditional Leaders Amendment Bill of 1998 introduced the National House of Traditional leaders and the Provincial Houses of Traditional leaders in six provinces i.e. KwaZulu-Natal, Eastern Cape, Free State, Mpumalanga, Northern Province and the North West as provided for in the Republic of South Africa National House of Traditional Leaders Act, (Act 10.of 1997).

The Republic of South Africa National House of Traditional Leaders Act, (Act 10.of 1997) and the National House of Traditional Leaders Amendment Act, (Act 20.of 2000) provide for the establishment of the National Houses of Traditional Leaders. The National House of Traditional Leaders has six sub-committees that comprise six members from each provincial house. In KwaZulu-Natal in particular, the House of Traditional Leaders was formed in terms of the KwaZulu-Natal Act on the House of Traditional Leaders Act, 1994 (Act 7.of 1994). This Act states that the House must deliberate and give advice to the government on

matters pertaining to traditional leadership and their communities, indigenous and customary law and must make proposals on any proposed legislation or executive action. The creation of the Houses of Traditional Leaders gives an opportunity to the traditional leaders to foster an ongoing institutional capacity to deal with their issues, as well as opportunities to raise issues as colleagues (Ray 2001: 45).

Other than these legally constituted structures, African National Congress (ANC)-aligned traditional leaders around the country organised themselves and formed the Congress of Traditional Leaders of South Africa (Contralesa) in September 1998. There is also a Coalition of Traditional Leaders which was formed on February 16, 2000 in response to the concerns arising from the demarcation process in areas under the jurisdiction of traditional leaders. The coalition is made up of three members from each Provincial House of Traditional Leaders, the National House of Traditional Leaders, the Royal Bafokeng and Contralesa. Members from KwaZulu-Natal included the head of the provincial House of Traditional Leaders Inkosi Mangosuthu Buthelezi, provincial minister of Traditional Affairs and three other traditional leaders (Dlungwana 2004:4).

Chapter 12 of the Constitution contains sections on the recognition and role of traditional leaders. Section 211 states that “the institution, status and role of traditional leadership according to customary law are recognised, subject to the constitution, a traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which includes amendments to or repeal to that legislation or those customs. It further states that the courts must apply customary law when that law is applicable to the Constitution and any legislation that specifically deals with customary law. In terms of roles, the Constitution states that the National legislation may provide a role for traditional leadership as an institution at local level on matters affecting local communities (Constitution of the Republic of South Africa 2006)”.

The current or new order legislative framework is derived from chapter 12 (sections 211 and 212) of the South African Constitution of 1996. In addition, the relational framework and functional linkages between traditional authorities and municipalities is regulated by the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), the White Paper on Local Government of 1998 and the Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998).

The role of traditional leadership at the local level is stipulated in the White Paper on Local Government which gives the functions of traditional leaders as well as their developmental roles. It also distinguishes between the roles of local government and those of traditional leadership by reporting that local government does not, for example, lend itself to legal functions; neither speak about traditional affairs nor act as custodians of tradition and culture.

3.4.1 The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) provides for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all. The Act also provides for the manner in which municipal powers and functions are exercised and performed, to empower the poor and ensure that municipalities put in place tariffs and credit control policies that take their needs into account by providing a framework for the provision of services, service delivery agreements and municipal service districts.

This Act stipulates key municipal organisational, planning, participatory and service delivery systems. The legislation covers the rights and duties of municipal councils and those of the local community. It emphasizes the involvement of communities in local government processes. Although no specific role is mentioned for traditional leaders in this legislation, the Act does open the way for proactive traditional leaders to ensure that the local community is part of the

goings-on in the municipality in which they live. Section 29 (1) (b) (iii) of the Act specifically provides for the participation of traditional leaders in the integrated development plans. The amended Municipal Systems Amended Act (2000) regulates the provision of services either through internal or external mechanisms. It has specific provisions relating to public-private partnerships in respect of feasibility, procurement, contracting, security and debt (Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)).

3.4.2 The Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

The Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) defines the structures of local government by providing for the establishment of municipalities and defining the types of municipalities that may be established. The Act also provides for the division of functions and powers between the categories of municipalities. It defines among other things, which areas should have category A, B and C municipalities and describes the various types of municipalities within those categories. The Act states that a local municipality is required to carry out general local government functions as defined in the Constitution, excluding the functions and powers that are allocated to the district municipality within which it falls. With regard to the participation of traditional leaders in municipal councils, Chapter 4 (81) of the Act also provides for the participation of traditional leaders in municipal councils by stating that traditional authorities that traditionally observe a system of customary law in the area of a municipality, may participate through their leaders in the proceedings of the municipal council and those traditional leaders must be allowed to attend and participate in any meeting of the council.

The same Act provides that traditional leaders were not allowed to exceed 10 percent of the council. This was later increased to 20 percent in an amendment of the Act. Although traditional leaders have no voting right according to this legislation, they must be consulted about matters that relate to traditional affairs.

Only traditional leaders that represent a traditional authority can participate. The provincial minister has a role to play and is required to identify traditional leaders that would occupy the 10 or 20 percent allocation of seats on the district or local council concerned. The traditional leaders identified must hold the supreme office of authority in the particular traditional authority and must be ordinarily resident in the municipal area in question. If more than 10 percent are identified, the provincial minister can determine a rotation system allowing all the traditional leaders to participate. The minister is expected to identify the traditional leaders on the recommendation of the provincial House of Traditional Leaders. The provincial minister can also regulate the participation of traditional leaders and prescribe a specific role for traditional leaders in the affairs of the municipality.

The extent of traditional leaders' participation in municipal councils also needs to be well understood. Participation as defined by this Act means that one could address the meeting. The traditional leader is therefore not merely a silent observer of proceedings (Goodenough 2002:43). She/He may, subject to the rules and orders of the municipality and any regulation of the MEC, participate in any debate on a matter if she/he is a councillor. This would include the right to submit motions, make proposals and ask questions. His/her participation in a council meeting is not limited to the matters directly affecting the area of the traditional authority (Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)).

3.4.3 The Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)

The Municipal Demarcation Act, 1998 (Act 27 of 1998) enabled the demarcation of municipal boundaries for the whole of South Africa ahead of the December 2000 local government elections. This was aimed at introducing uniformity in government structures. It had a significant impact on traditional authorities because local government structures had previously played little if any role in most traditional authorities. The demarcation process saw the number of

municipalities in South Africa reduced from 843 to 285. This demarcation which cut across rural districts and tribal land as well as municipal areas and wards created more powerful local governments that had more administrative control over their areas. The demarcation process resulted in 277 traditional authorities in KwaZulu-Natal, 186 in the Eastern Cape, 12 in the Free State, 47 in Mpumalanga, 189 in the Northern Province and 62 in the North West being officially recognised. These cover about 6 percent of South Africa's surface area. The decrease in the number of municipalities also had an impact on the powers of traditional leaders (Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)).

3.4.4 The White Paper on Local Government (March 1998)

In terms of the White Paper on Local Government, there should be cooperation between different governance structures that exist in rural areas. With regard to traditional leaders, the White Paper states that traditional leaders have a responsibility for a number of functions, including: "acting as head of traditional authority, and as such exercising limited legislative powers and certain executive and administrative powers; presiding over customary law courts and maintaining law and order; assisting members of the community in their dealings with the state; advising government on traditional affairs through the Houses and Council of Traditional Leaders; convening meetings to consult with communities on needs and priorities and providing information; protecting cultural values and providing a sense of community in their areas through a communal social frame of reference; being a spokesperson generally for their communities; being symbols of unity in their communities; and being custodians and protectors of the community's customs and general welfare (White Paper on Local Government (March 1998))".

Traditional leaders are also to consult with traditional communities through *imbizo* (a mass gathering of communities called by local leadership to discuss various community issues). The White Paper further stipulates the developmental roles of Traditional Leaders as "making recommendations on land allocation and the

settling of land disputes; lobbying government and other agencies for the development of their areas; ensuring that the traditional community participates in decisions on development and contributes to development costs; and considering and making recommendations to authorities on trading licences in their areas in accordance with the law (White Paper on Local Government (March 1998)).

The White Paper makes no provision for local government powers for traditional authorities and mentions traditional leaders only marginally, almost as an afterthought (Goodenough 2002:39). It is full of references to the ways in which traditional and community leaders could and should interact with local municipalities to promote the development of communities. There is nothing specific that refers to the roles and functions of traditional leaders (The White Paper on Local Government (March 1998)).

3.4.5 The Public Finance Management Act, 1999 (Act 1 of 1999)

Adherence to the principles of the Public Finance Management Act, 1999 (Act 1 of 1999) is expected in the way traditional leaders handle public funds because they are public entities. The Public Finance Management Act (PFMA) regulates financial management in the National and Provincial Governments to ensure that all revenue expenditure and assets and liabilities of those governments are managed efficiently and effectively. The Act provides operational parameters with regard to the administration of traditional authority financial matters. These include the need for the compliance of the budget and reporting formats with Medium Term Expenditure Framework and PFMA. Furthermore, all traditional authorities should develop a risk management and internal audit plans (Public Finance Management Act, 1999 (Act 1 of 1999)).

3.4.6 A discussion document towards a White Paper on Traditional Leadership and Institutions

This document was aimed at engaging all South Africans in a dialogue regarding the traditional leadership institution. The challenge which the document sought to

engage was not on whether or not to recognise the institution of traditional leadership, but to determine how the institution would promote constitutional democracy. The document covered a historical overview and functions, the structure of traditional leadership in various provinces, the appointment and recognition of traditional leaders, their removal from office, the role of women in traditional leadership, the status of youth in traditional communities, party political affiliation, remuneration of traditional leaders and cooperative governance. It also covered the role and function of statutory bodies representing traditional leaders, traditional leaders and issues having trans-provincial implications, traditional communities, national borders and trans-national implications (Discussion document towards a White Paper on Traditional Leadership and Institutions 11 April 2000).

It was reported that 67 group submissions were received in response to the discussion document. These raised concerns about issues like reviewing of criteria for being king or queen, the role of headman, the development of policy of “landless chiefs”, the participation of traditional leaders in rural local government, cooperative governance, the participation of women in traditional leadership structures, the equity clause in the Bill of Rights and the legitimacy of some traditional leaders (Goodenough 2002:47).

The discussion document was received with mixed feelings. While some officials saw it as long overdue and an opportunity to speed up the process towards policy on traditional leadership, some amakhosi viewed it as an insult to the institution of traditional leadership. This discussion document was followed by the Green and White Paper phases, and later the rationalisation of legislation (Traditional Leadership and Governance Framework Act 2003 (Act 41 of 2003) and implementation thereof.

3.4.7 The Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003)

The Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003) was passed in accordance with the Constitution of the Republic of South Africa 1996 (Act 108 of 1996). "The Traditional Leadership and Governance Framework Act endorses tribal authorities which were set up in terms of the Bantu Authorities Act as a foundation for what it refers to as Traditional Councils (Ntsebeza 2005:15)". The Act recognizes traditional leaders to be the interface between the traditional community and the state. According to the Traditional Leadership and Governance Framework Act 2003 (Act 41 of 2003), National government or a provincial government may provide a role for traditional leaders in respect of arts and culture, land administration, agriculture, health, welfare, the administration of justice, safety and security, the registration of births, deaths and customary marriages, economic development, environment, tourism, disaster management the management of natural resources and the dissemination of information relating to government policies and programmes (Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003)).

3.4.8 The Municipal Finance Management Act, 2003 (Act 56 of 2003)

While the Public Finance Management Act regulates financial management in the National and Provincial governments, the Municipal Finance Management Act, 2003 (Act 56 of 2003) regulates financial management at Local Government level. Traditional leaders are expected to understand and adhere to the principles of the Municipal Finance Management Act since they have a role to play in promoting development at a local level and to work closely with the local municipalities. The MFMA aims to secure sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government, to establish treasury norms and standards for the local sphere of government and to provide for matters connected therewith. The Act addresses issues of supervision of local government financed management, municipal revenue, municipal budgets, debts, as well as cooperative government in terms of National and Provincial allocations. It also specifies the responsibilities of mayors and other municipal officials, e.g. the role of the Accounting Officer in

municipal financial management. It further provides for the establishment of municipal entities, financial reporting and auditing, resolution of financial problems as well as financial misconduct (Municipal Finance Management Act, 2003 (Act 56 of 2003)).

3.4.9 The Communal Land Rights Act (CLARA), 2004 (Act 11 of 2004)

The South African government has struggled with the issue of land control in rural areas since 1994. The post-1994 state has inherited a system of administration that was based on the concentration of all power in these rural areas in the hands of unaccountable traditional authorities. For example, the functions of land administration and local government were all fused in the office of traditional authorities with traditional leadership incorporated into the structures of government as an extended arm. Developments have resulted in a 2003 Communal Land Rights Bill which later became the Communal Land Rights Act (CLARA), Act 11 of 2004. This Act recognizes the traditional councils as having authority to administer and allocate land in rural areas.

When it came to issues of land allocation there was often conflict between headmen (izinduna in KZN) and elected councillors (Ntsebeza 2005:13). According to Ntsebeza (2006:14), "rural struggles were, in essence around the land issue and the role of traditional authorities in land matters broadly and the allocation of land in particular. Traditional leaders worked hand in hand with the apartheid state in the exercise of resettling the rural communities into closer settlements in the 1950s and 1960s." Ntsebeza (2006:14) further asserts that the question of legitimacy of traditional leaders was very much associated with their position in the control of land allocation process. The elected councillor may have brought electricity and water in the area but the land is in the hands of the chief. This is particularly true in KZN where traditional land is under the Ingonyama trust.

The issue of Communal Land Rights is the most critical issue upon which the development potential for the entire country of South Africa depends. The

Communal Land Rights Act, 2004 (Act 11 of 2004) provides for legal security by transferring communal land including KwaZulu-Natal Ingonyama land to communities. The Act focuses on reforming the tenure systems throughout South Africa applicable to communally occupied areas. According to Vilakazi (2006:2), the KwaZulu-Natal Department of Agriculture and Environmental Affairs has reported that more than half of all arable land in the Province, 5.4 million hectares, is in Communal Land areas, under the sovereignty of Traditional Leaders. He asserts that this is the source of the heavy statistics on poverty, diseases, social misery, and underdevelopment in KwaZulu-Natal." The future of our country depends directly on what we do and what we fail to do, in Communal Lands and rural areas".

The Act intends to provide an enabling environment for communities, individual households, individual families and individual persons to obtain legally secure tenure within contexts where communal tenure regulates land. It also provides for the administration of communal land, introduces a number of administrative structures in this regard, whilst also effecting the further democratisation of existing structures. "Traditional Councils are recognized as having the authority to administer and allocate land in the rural areas (Ntsebeza 2005:15)". Mechanisms for the investigation of land rights as well as for dispute resolution are introduced. The need to bring about equality for women and the recognition of the role of community-based institutions is referred to in the preamble. The three main objectives are to extend full and equal status to all land tenure rights held under various land tenure systems, to provide for the transfer of communal land, and to rationalise the law and administrative practices that exist at present (and simultaneously introduces a single, uniform and developmental-oriented system of land administration).

The Communal Land Rights Act (2004) Act 11 of 2004 intends to transfer the ownership of traditional community land from the RSA government to the respective Traditional Authorities. Legal personality will be afforded to traditional communities. Each community will be able to formulate its own rules as regard

the contents, allocation and management of land. The actual allocation will be done by a Land Administration Committee which will be established for each Traditional Community. A major departure of the existing situation is that land planning, allocation and management will be done by the Land Administration Committees. Traditional leadership's land allocation and management role will be diminished by limiting their membership to 25% of the composition of these Land Administration Committees.

The Act also provides for the establishment of Land Rights Boards at a "district level" where the membership of traditional leaders would be limited to two Amakhosi each identified by the Provincial House of Traditional Leaders. Another important deviation is providing adult members of the community concerned with the opportunity by means of majority decision, to agree to individualise, and eventually to privatise part of the traditional community area concerned. The Ingonyama Trust Board (ITB) will be retained; its composition will remain as it is at present. (This excludes any membership's right by Traditional Leadership except that of Ingonyama as chairperson). The future role and powers of the ITB would be limited to that of the new Land Rights Boards which are of an advisory and monitoring nature. The Land Rights Boards are also tasked with assisting Land Administration Committees in its jurisdictional area. The ITB will be deemed to be the Land Rights Board for all Traditional Community land in whatever previously has been the jurisdictional area of Ingonyama Trust Board (Communal Land Rights Act 2004, Act 11 of 2004).

One should note that a select group of officials and other members appointed by the Minister of Land Affairs will not be reflective of the actual population within these areas, and the composition of this "ITB" Land Rights Board will be different from all other. Traditional leaders who will have two guaranteed representatives on all other Land Rights Board will not have any representation on this specific Land Rights Board. More than 200 Land Administration Committees in the previous Ingonyama Trust jurisdictional area will have only one Land Rights Board responsible for monitoring and assisting them. The transfer of land

ownership to the Traditional Community concerned will be followed by a community decision regarding the future scenario of land tenure arrangements for that specific community-owned land. Management and administration of land will be removed from the KwaZulu-Natal Provincial Government and vested in the Department of Land Affairs.

Three tenure options are identified in the Communal Land Rights Act 2004 (Act 11 of 2004), these are:

- Land parcels to be held by individuals/households with Deed of Land Tenure rights (which will be registered in the Deeds Office, and which cannot be used as security) and the remainder in communal ownership;
- Land parcels to be held by individuals/households with western type Title Deeds (which may be used as security) and the remainder in communal ownership; or
- The whole community to be held in individual ownership with western type Deeds (which may be used as security).

The first option referred to above is to be preferred because it allows for continued community control as regards access to land. Once a Title Deed has been issued, full ownership of the land has been transferred to the individual concerned, who may then at will encumber or alienate his/her property without recourse to the community concerned, its Land Administration Committee or the Land Rights Board concerned. This is a major deviation from current procedures (Cousins 2004:19-23).

CLARA intends to repeal the following legislation:

- Amakhosi and Iziphakanyiswa Act of 1990;
- KwaZulu Land Affairs Act 11 of 1992;
- KwaZulu Land Regulations;
- KwaZulu Financial Regulations; as well as
- KwaZulu-Natal Ingonyama Trust Amendment Act 9 of 1997.

According to DLGTA 2005: 7-8, the Communal Land Rights Act 2004 (Act 11 of 2004) the implementation of CLARA might lead to a need for DLGTA to disestablish the Chief Directorate responsible for ITB land. CLARA will also significantly affect the land allocation and management powers and functions of the clients of the Department, especially Izinduna and Amakhosi. With regards to traditional communities, a void may be created if the necessary support systems to capacitate communities in the transfer of ownership to and the management of such community land by them, are not made available. Regarding the beneficiaries (recipients of the envisaged deeds of land rights in terms of the CLARA), it is probable that they might be held liable for paying property rates, and the community itself for the remainder (the commonage held in communal ownership).

The Act however provides for the granting of exemptions, reductions and rebates for certain categories of land and categories of persons. Various options are mentioned e.g. Rates are disallowed for a period of 10 years for beneficiaries in terms of land reform programme (which principle should also include those individuals whose security of tenure is being improved in terms of land tenure reform legislation), for a period of 10 years (on condition that the land parcel in question is not alienated to a third party) (cl 15(1) (g). In addition, the Minister of Provincial and Local Government (with the concurrence of the Minister of Land Affairs) may identify a category of properties, or specify a limit on the rate payable, and inform the municipality concerned that a rate above the specified limit, is disallowed .

In examining the implications of CLARA on traditional communities, Cousins (2004:18) asserts that community titling should be one tenure option. On the other hand, Cousins (2004:19) suggests that South Africa can learn from other African countries who have implemented a number of alternative approaches to communal land tenure reform rather than titling. "The alternative land tenure laws recognise and protect existing occupation and use of communal land, and give them a status of property rights, without requiring their conversion to Western,

exclusive notions of private ownership. Support must however be provided to local processes of defining, negotiating and administering rights and obligations. Officials must be available to assist local bodies and group members to define and record their rights, and to resolve disputes. This may be costly, but it is not as expensive as the titling model (Cousins and Hornby 2002:11)".

Those who are not in favour of the Communal Land Rights Act argue that the Minister of Land Affairs is given more powers to determine the new order rights in terms of her own discretion. They also assert that these rights are not clearly defined. The measures for achieving gender equality in relation to land rights are seen to be weak and unconvincing and may be easily overridden by Traditional Councils. "Communities are required to adopt community rules to govern land use and administration, that will set out who can hold new order rights, but there is no requirement that the community must agree to the content of these rules (Alcock and Hornby 2004:7)". Lastly, there are already many boundary disputes in existence whether in relation to restitution claims or tribal jurisdiction, or transfer of title as proposed by this Act. The Act is therefore viewed as a potential catalyst for even greater levels of conflict in these kinds of situations.

3.4.10 Local Government Property Rates Act, 2004 (Act 6 of 2004)

The Local Government Property Rates Act, 2004 (Act 6 of 2004) was promulgated to guide municipalities in their rights to levy rates on all properties. It regulates the power of a municipality to impose rates on property, to exclude certain properties from rating in the national interest. It also makes provision for the municipality to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies, to make provision for fair and equitable valuation methods of properties, to make provisions for an objections and appeals process. Section 88 of the Act provides for transitional arrangement with regard to valuation and rating under prior legislation. The Act regulates the power of a municipality to impose rates on properties. The Act also defines the

market value as the price that one would realistically get for a property in an open market.

The Local Government: Property Rates Act, 2004 (Act 6 of 2004) has implications for the Traditional Leadership and Institutions. The Act provides that in terms of Chapter 2, rates, with certain exceptions, must be imposed on all rateable property within the municipality. The aim is that municipalities should not be selective in targeting properties for rating purposes. This provision serves transparency, but is also necessary to establish a clear perspective of a municipality's potential revenue capacity in terms of property tax. Where there is a need to alleviate the tax burden, for instance on the poor, the Act envisages that this should be effected by way of tax exemptions, rebates and reductions must be in accordance with open and accessible process and disclosed in the annual budget.

The Act in principle also applies to all traditional community areas and a number of scenarios can be identified:

- As long as the land is under the control of Ingonyama Trust Board, the ITB will be liable for the payment of property rates.
- If KwaZulu-Natal Ingonyama Trust Amendment Act, 1999 (Act 9 of 1997) is repealed, the land would become "ordinary state land" and occupiers i.e. the traditional communities would become liable for rates.
- Once a traditional community area has transferred in ownership to the community concerned, that community as the owner would be liable for rates.
- If the community were to decide to privatize parts of the land, transferring specific land parcels to individual community members in full ownership, those owners would then be liable.

It should be noted that any repeal whether contested or not will create a legal and administrative vacuum. The repeal of the Black Administration Act 1927 (Act 38 of 1927), the KwaZulu Act on the code of the Zulu laws no 16 of 1985 and the

1987 code of Zulu law had a negative effect on the traditional authorities and traditional boundaries because it did not allow traditional communities to full ownership of the land they occupied.

Table 3.1: Laws repealed by the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act 5 of 2005)

<i>Repealed Law</i>	<i>Content</i>
Act 38 of 1927	Black Administration Act 38 of 1927
Proclamation No R 110 of 1957	Regulations prescribing the duties, powers, privileges and conditions of service for Chiefs and Headman
Act No 7 of 1974	KwaZulu Tribal Taxation Act, 1974
Act No 17 of 1979	KwaZulu Financial Regulations for Tribal and Community Authorities Act, 1979
Act No 16 of 1985	KwaZulu Act on the Code of Zulu Law, 1985
Proclamation No. 151 of 1987	Natal Code of Zulu Law, 1987
Act No 9 of 1990	KwaZulu Amakhosi and Iziphakanyiswa Act, 1990
Act No 6 of 1993	KwaZulu Act on the payment of salaries, Allowances and other Privileges to the Ingonyama, 1993
Act No 2 of 1994	KwaZulu-Natal Legislative Remuneration Act, 1994
Act No 7 of 1994	KwaZulu-Natal Act on the House of Traditional Leaders, 1994
Act No 5 of 1995	KwaZulu-Natal Amakhosi and Iziphakanyiswa Amendment Act, 1995
Provincial Notice No.243 of 2000	Transitional measures: Appointment of municipal facilitation committee for DC 29 Area, 2000

Traditional authorities are spatially located within tribal boundaries as defined in terms of (the repealed) section 2, 3, 4 repealed Act 9 of 1990. The 1985 KwaZulu Act was amended by the:

- KwaZulu Amendment Act on the code of Zulu Law 21 of 1989
- KwaZulu Amendment Act on the code of Zulu Law 9 of 1990
- KwaZulu Amendment Act on the code of Zulu Law 13 of 1990

- KwaZulu Amendment Act on the code of Zulu Law 3 of 1991

New order legislation replaces all repealed old order legislation and the old laws are reflected in table 3.1 above.

Table 3.2: New order legislation

New Order legislation
The Constitution of South Africa Act 119 of 1996
Communal Land Rights Act, 2004 (Act 11 of 2004)
Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003)
KwaZulu-Natal Leadership and Governance Act 2005 , (Act 5 of 2005)
The White Paper on Local Government of 1998
Public Finance Management Act, 1991 (Act 1 of 1991)
Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)
Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
Local Government: Property Rates Act, 2004 (Act 6 of 2004)

In KwaZulu-Natal in particular, traditional leaders render services to communities with regard to providing access to land, issuing Permission to Occupy certificates, resolve conflicts, register births, deaths and customary marriages, process applications for identity documents, provide testimonials (DLGTA 2001:2). Another problem in KwaZulu-Natal is that, while traditional leadership is entrusted with so many responsibilities, there are no sustainable revenues but *ad hoc* tribal levies; and stipends are received only by Amakhosi and traditional secretaries as remuneration for their role as leaders of traditional authorities. There are also no budgets allocated to traditional authorities for development purposes (DLGTA Development Legislation Handbook, 2002:33). Another problem is that while traditional leadership is recognized by the Constitution, the structure and institution of traditional leadership is weak and lacks political and economic powers. Often members of traditional leadership are uneducated (Oomen 2002:2; DLGTA 2001: 4).

3.5 Traditional Leadership and Local Governance in South Africa

In His address prepared for a Workshop for the KwaZulu-Natal Independent Electoral Commission and Amakhosi, held in Pietermaritzburg, on the 28th of March 2003, Dr. M.G Buthelezi, the then Chairman of the House of Traditional Leaders in KwaZulu/Natal, and Minister of Home Affairs said:

“Traditional leaders are complex institutions. The institution of traditional leadership is both an organ of State as well as an organ of civil society (Vilakazi 2003:5)”.

This captures the essence of the matter, as well as the great possibilities in the role which Traditional Leaders can play in the construction not only of South Africa but of Africa as a whole. As a crucial constituent and organ of African society, which faces the gigantic challenge of development and modernization, Traditional Leaders must empower themselves for the crucial leadership role they must play in this Endeavour (Vilakazi 2003:5-6).

The delivery of qualitative and quantitative goods and services is done by both Traditional Leaders and local governments. It is therefore an undeniable reality that the indigenous institution, the Traditional Council, has a very important role to play in modern democratic states. Traditional Councils do not intend to compete with local governments as other people are made to believe; Traditional Councils, in fact, are complementary to local governments and should be seen to play this role in the national development of modern democratic states in Africa (Manda 2007:2).”

Rural areas are characterized by a complex situation of two separate authorities operating between and within the same traditional areas. While local government structures are responsible for both rural and urban development in their areas of jurisdiction, traditional leadership structures are more bound to rural areas. Decision-making tends to be slowing in rural areas due to the complexity of relations between the institution of traditional leadership and municipalities. Urban areas within the same jurisdiction are usually a responsibility of one local structure i.e. local municipality, decision making is quicker and so is development

(Sikhakhane 2002:10, DLGTA 2002:11). There is an urgent need to address the institutional development problem and working relations between the traditional leadership institution and municipal councillors in order to ensure effective and equal development of communities situated within rural areas.

Historically local governance in South Africa dates back to 1652 when Jan Van Riebeeck arrived in South Africa. Prior to colonial occupation, autonomous chiefs or kings governed most communities. "Historically the institution of traditional leadership has existed and worked hand in hand with former governments in South Africa for decades. In the Union of South Africa, this institution served as part of the management mechanism in rural areas, in the administration system, commonly known as indirect rule (Dlungwana 2004:37)". Others view traditional leadership as being at the heart of rural governance, political stability, successful policy implementation and rural development. Hlengwa (1994:35) in Keulder (1998:3) further states that "traditional leaders also act as a symbol of unity, maintain peace, preserve customs and culture, allocate land to subjects, resolve disputes and faction fights, conduct mediation, attend to applications for business rights, promote the identity of communities and promulgate tribal regulations (Keulder (1998:3))".

The White Paper on Local Government of 1998 also struggles to define an acceptable role for traditional leaders. It points out that the roles of traditional leaders extend beyond local government issues into judicial and land administration. The functions are also spelled out in the Local Government: Municipal Demarcation Act 1998, Act 27 of 1998, and the Local Government: Municipal Structures Act 1998, Act 117 of 1998 and the Local Government: Municipal Systems Acts 2000, Act 32 of 2000). Although there is room for community involvement and traditional leader representation on local government structures, the role of traditional leaders is still vague.

3.6 South African structures of local government

All communities are all affected in some way by decisions that the city or local government makes. Local councils are important for the economic, social, environmental and cultural well being of the communities that they serve. The parliament is responsible for issues relevant to the country as a whole, while local government decides on local issues taking into consideration the needs and priorities of local people. "Local government has its origins in early tribal villages and primitive communities where it was established long before the concept of a nation state evolved (Cloete 1995:1)." It comprises local community management and administration and encompasses the political structures and processes that regulate and promote community activities.

3.6.1 Local government in South Africa

Throughout the world cities include more and less affluent suburbs. In South Africa during the apartheid era in particular, the more and less affluent suburbs of a city had separate local authorities established along racial lines. The main commercial and industrial areas of the city contributed considerably to local taxes. The inclusion of these areas in the white areas ensured that white local authorities had a sustainable revenue base while the black local authorities were denied a share of this legitimate tax source (Cloete 1995:125). This is particularly true even in the current dispensation where local municipalities particularly rural are solely dependant on grant funding for their survival because of lack of revenue base.

"Municipalities are responsible for the preparation of annual plans and budgets in consultation with the communities under their jurisdiction. Other imperatives for them is to report annually on performance in relation to plans, prepare long-term financial strategies including funding, borrowing management and investment policies, adopt accrual accounting practices, valuing of their assets as well as preparing policies and plans concerning other functions, especially resource management, land transport and bio-security (<http://www.lgnz-old.katipo.co.nz>)".

Chapter seven of the 1996 Constitution of the Republic of South Africa is devoted to local government, its powers and its relationship with other spheres of government. One of the main provisions is that "the status of local government is protected in that municipalities have to be established for the whole of South Africa, they have legislative and executive functions and they have a right to govern on their own initiative, the local government affairs of the community (RSA 1996: s151)". South African government is organized in three spheres which have constitutional protection which means that "local government may not be abolished by either the national or provincial governments (De Villiers 1997:3)". The word sphere according to De Villiers 1997:3 is not only symbolic, it is important from both a theoretical and practical point of view. It emphasizes the non-hierarchical structure of the three spheres of government which in turn means that the right of each sphere to conduct its own activities within the framework of the constitution is protected and has to be respected. It is therefore a stated intention of the Constitution of South Africa that the country must be run on a system of co-operative governance (De Villiers 1997:3).

Local government is traditionally regarded as the third sphere of government, but as Cloete (1995:1) argues, "local government should be classified as the first sphere because it is the oldest form of government and affects the populace most directly". It is in fact, the sphere of government that is closest to the people. Basic services are delivered by local councils, and in terms of political representation, communities are represented in government by ward councillors at local government level. It should be noted that one of the developmental duties of municipalities according to section 153 (b) of the Constitution includes "the right to participate in national and provincial development programmes".

Local government is not just about a stable set of institutions with established functions and a fixed structure, there are more complex changes as private provision of certain local services increases. They have an important responsibility of creating an enabling environment for development to take place (Fenwick 1995:2). Local government is both "local" and government since it is a

decentralized representative institution with general and specific powers devolved to it in respect of an identified restricted geographical area within a state (Bekker 1996: 16). The government of South Africa has clear policies in terms of local municipalities and councillors' sensitivity to community views and local problems. There should be partnering between civil society and local government in addressing local issues.

Croeser (1992:14) argues that there are vertical and horizontal disparities with regards to the distribution of financial resources between and within different spheres of government. In arguing for a reasonable re-distribution that will ensure that the poorest areas are able to render at least a minimum standard of services, Croeser (1992:14) asserts that "the central government has access to more revenue than its own reasonable expenditure responsibilities and the opposite happens to the other spheres of government". He views these disparities as necessitating fiscal transfers from the centre. Hence Provincial and local governments get most of their money from the National Treasury. Local government also receives grants and loans from National Treasury and the Department of Provincial and Local Government (DPLG) is responsible for co-ordinating all provinces and municipalities (Croeser 1992:15).

"The work of the council is co-ordinated by a mayor who is elected by council. The mayor is assisted by an executive or mayoral committee, made up of councillors. The mayor together with the executive also oversees the work of the municipal manager and department heads. The work of the municipality is done by the municipal administration that is headed by the municipal manager and other officials. S/he is responsible for employing staff and co-ordinating them to implement all programmes approved by council (Local Government: Municipal Structures Act 1998, Act 117 of 1998)".

As provided for in section 221 of the Constitution, local government is represented in the Fiscal and Financial Commission by two representatives. This enables local government to become an integral part of the allocation of funds

instead of only being on the receiving side. They are also represented in the National Council of the Provinces (NCoP). The South African arrangement of having local governments represented in the NCoP is unique. According to De Villiers (1997:19) "this provision as well as the provisions requiring the national and provincial governments to consult with organized local government when their interests are affected, provides a very good legal framework for local government involvement in national and provincial policy matters".

3.6.1.1 Types of municipalities

Chapter 7 of the 1996 Constitution of South Africa sections (151 to 164) provides for municipal institutions headed by municipal councils consisting of elected members. Sections 151 and 153 of the Constitution provides for the status of municipalities, objects of local government and development duties of municipalities. Section 155 provides for the three categories of municipality with each municipality having legislative and administrative authority in its area the three categories of municipalities are:

Category A:

These are municipalities that have exclusive municipal executive and legislative authority in their areas. They are the metropolitan municipalities and exist in the six biggest cities in South Africa, viz Johannesburg, Tshwane, Cape Town, Durban, Pretoria and Port Elizabeth.

Category B:

Category B municipalities share municipal executive and legislative authorities with a Category C municipality in their areas. They are the local municipalities and are divided into wards with the residents of each ward being represented by a ward councillor. Because of the big number of local municipalities in South Africa, they will not be listed here.

Category C:

These are municipalities that have municipal executive and legislative authorities in their areas that include more than one local municipality. They are the District municipalities; each is made up of a number of local municipalities. There are 48 District municipalities with numbers from DC1 to DC48. The DC stems from the fact that they were initially referred to as District Councils. The district municipality co-ordinates development activities and service delivery in all the local municipalities falling under it. The national legislation also establishes the criteria and procedures for the determination of municipal boundaries by an independent authority, and makes provisions for an appropriate division of powers and functions between municipalities subject to section 229 (Local Government: Municipal Structures Act, Act 117 of 1998).

Metropolitan municipalities are responsible for all local services, development and delivery of services in the metropolitan areas; local municipalities on the other hand, share that responsibility with district municipalities especially in very rural areas. This is mainly because district municipalities have more developmental responsibility in rural areas than in the metropolises (Cloete 1997:25). Municipal councils are elected every five years. The last local government elections took place in March 2007.

3.6.1.2 Municipal councils

Municipal councils consist of elected members. According to section 157 of Act 108 of 1996 Constitution of South Africa, the election of members to a Municipal Council must be in accordance with National legislation and must prescribe a system of proportional representation based on that municipality's segment of common voters roll, and which provides for the election of members from lists of party candidates drawn up in a party's order of preference. It must also prescribe proportional representation as described in paragraph (a) combined with a system of ward representation based on that municipality's segment of the national common voters roll.

The Act further provides for all South African citizens who qualify to vote as eligible to be members of Councils except those that are appointed by or in the service of the state and receive remuneration for that appointment or service or those who have been disqualified from Council membership in terms of national legislation. Members of the National Assembly, National Council of Provinces or provincial legislature are also not eligible to be members of a municipal council.

In terms of section 160 of the 1996 Constitution of South Africa, "a municipal council may make decisions concerning the exercise of all powers and the performance of all functions of the municipality. These functions include the passing of by-laws, approval of budgets, the imposition of rates and other taxes, levies and duties, and raising of loans". The Act also prescribes that the councils must conduct their business in an open manner, and may close its meetings or those of its committees only when it is reasonable to do so having regard to the nature of the business being transacted.

A full council meeting must sit in order to make decisions about all the municipal powers mentioned above. Some minor decisions can be taken by the executive committee, portfolio committees or to officials or other agencies that are contracted to deliver. These should however be delegated by the council. Municipal councils are elected on a five-year term. As provided for in the Local Government: Municipal Structures Act, Act 117 of 1998, "municipalities may also establish metropolitan councils which may in turn set up sub-councils to serve different parts of their municipality. Sub-councils are not elected directly by voters. Existing councillors are allocated to serve on each sub-council (Local Government: Municipal Structures Act, Act 117 of 1998)". They can also set up local as well as district councils. Areas that are like game parks and other low population areas are not part of local councils or wards.

3.6.1.3 Council structures

Sections 42-82 of the Local Government: Municipal Structures Act, Act 117 of 1998 also makes provision for the internal structures and functionaries. These

include a mayor who heads the council, an executive or mayoral committee which meets regularly to co-ordinate the work of council and make recommendations to council, a speaker who chairs council meetings, council meetings where the full council meets to make decisions, and lastly municipal committees where a few councillors meet to discuss specific issues (Local Government: Municipal Structures Act, Act 117 of 1998).

3.6.1.4 Committees of municipal councils

Sections 79 and 80 of the Local Government: Municipal Structures Act, Act 117 of 1998 also provides for the establishment of council committees responsible for specific areas. "Committees make recommendations to a municipal council and save the council from having to deal with all matters in detail. They however do not make final decisions but most decisions need to be approved by a municipal council. The three different types of committees that should be set up are: the portfolio committee that is the most common and tend to have similar names as the different government departments, for example, health committee, planning committee, finance committee; geographically-based committees deal with issues in a specific geographic location and lastly, issue-related committees which are meant to handle specific issues in a participatory manner that ensures involvement of people from different committees. These are usually used in large metropolitan municipalities that also have sub-councils (Local Government: Municipal Structures Act, Act 117 of 1998)"

3.7. Theoretical perspectives on local governance

The following section presents a critical analysis of different theories related to local governance and how these apply in the South African context. Experience in a number of countries has shown that there is a clear connection between a society's institutions, political as well as economic and administrative and its ability to achieve growth and development. The economic history of Western Europe and the United States, and more recently East Asia, bears testimony to the importance of institutional growth and efficiency for economic growth. For

institutional development to be successful, the institution as a whole must be involved and essential portions of the state and society should be in accordance with the institutional development programme and feel that the people of that society own it (Wohlgemuth; Carlsson and Kifle 1998:33). This means that in order to properly encourage appropriate institutional development programmes for traditional authorities, all rural structures and the whole community must be involved. Surrounding functions and systems, which together make an institution, are never ever really “complete” as they are composed of changeable systems, relationships and people in an unstable environment.

Bearing in mind that this study is about governance, one should point out that there is no way that issues of governance can be explored fully without a clear understanding of the state. In order to grasp the structure of power used and how states can be transformed there is a need for theories, concepts and categories. No intellectual investigation can be carried out therefore without theories (Schwarzmantel 1994:41). The review of theories in this section is aimed at understanding the state in a modern democratic society that South Africa ascribes to. Examining different theoretical perspectives should force readers to ask new questions, consider the views of a diverse range of thinkers and it should also provide access to competing explanations on local governance. A comprehensive review is not possible but the focus will be on perspectives with the most developed understanding of modern democratic systems.

South Africa is characterised by competitive elections which take place on a five year term for local, provincial and local governments. The Institution of traditional leadership in terms of the new legislation is also characterised by a combination of elections and nomination of traditional council members who are also expected to serve a five year term (KwaZulu-Natal Traditional Leadership and Governance Act 2005; RSA Traditional Leadership and Governance Framework Act 2003). The state also has competing political parties as well as a representative assembly. These are all inherent to a system of liberal-democracy.

To further explore theoretical perspective on governance, various theories were drawn upon. This section provides an opportunity to consider in more depth four theoretical positions. These are the pluralist and liberal; elitist theory; Marxism and feminist, as well as public choice theories. The main criterion for choosing these is that they seek to explain the power structures of some of the different forms that modern democratic systems have taken. Pluralist democracy advocates for shared power which is controlled and held by the people. Eliticism on the other hand argues that in all systems effective power is held by a single elite group. While pluralism and elitism look at the overt conflict of parties and groups, Marxism and feminism on the other hand are more concerned about the covert context of power by arguing that there is a wider hidden dimension of power in the form of class and gender dynamics. Public choice theory focuses on the effect of market forces in governance (Schwarzmantel 1994:50; Dunleavy 1991:6).

3.7.1 The Pluralist and liberal theories

Pluralist theory is closely related to the liberal theory, both move from the premise of diversity and variety. While the former emphasizes the diversity of interests, the latter sees this variety as a necessary and positive dimension of social life. Pluralism takes its starting point to be a modern society in which there are different interests, popular power is realised through group activity, the working of political parties and pressure groups or interest groups, each of which represents one of the many interests into which a developed society is split. It is also a perspective seeking to analyse existing society and show the reality of power structure, and is also a general theory explaining how democracy can be realised in large and complex societies (Bevir 2004:41).

In large complex societies it is argued that it is unrealistic to continue with classical democratic assumption that the people form a single block, sharing common interests and acting collectively to decide on issues of common concern (Schwarzmantel 1994:50). This is particularly true in the context of traditional institutional transformation in South Africa. While some traditional leaders

embraced the changes brought about by the new legislation, others were reluctant to support it. This was evidenced in KwaZulu-Natal particularly, the first province that implemented new legislation on Traditional Leadership through Ubambiswano project, a departmental project that was aimed at transforming the institution of traditional leadership in line with the new legislation (DLGTA 2005:9). Some traditional leaders were initially not keen to transform their traditional authorities into traditional councils in terms of the new legislation. This in itself confirms the pluralist view that there is diversity and variety and that the issue of people as a whole does not exist (Gaus 2000:33; Dunleavy 1991:6).

The question then is how can unity be reconciled with this diversity, how pluralism can be prevented from ending in fragmentation and desegregation. The problem is how variety can be contained within a consensus, an agreed framework of common rules. There is agreement that this is the role of the state. "Pluralism depends on organised groups having a certain autonomy and independence. However, these independent organisations can also distort democracy (Schwarzmantel 1994:50)". Government legislation and policies are supposed to ensure that while diversity and variety are allowed, democracy is not distorted. According to section 151 (3) of the South African constitution "a municipality has a 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" (RSA 1996). This limited degree of autonomy of the local government as entrenched in the Constitution confirms the control of diversity and variety through legislation and is one of the building blocks of South Africa's decentralised state structure and may still become its fundamental building block.

There is agreement between both the pluralists and the liberals that there should be multiple and competing centres of power, within the state and outside it so that power is fragmented and diffused (Gaus 2000:33, Schwarzmantel 1994:57). This is thought to be desirable because it prevents the concentration of power in the hands of a single person or group. Pluralism therefore views the desirable society as one in which power is dispersed and diffused, in which values of

diversity are realised and celebrated. Pluralists see the state as being responsive to the wide range of interests expressed in civil society. For them a modern-liberal-democratic society is the one where no single dominant ideology or world view prevails (Dunleavy 1991:14).

The liberal theory on the other hand is more concerned about concentration and possible abuse of power. The core doctrine of liberalism is the protection of the individual, and the rights of the individual. The state is seen as responsible for protecting those rights. There is however a danger; the liberal view says the state might become too powerful. To prevent this, it is argued that "the state should be strictly controlled to keep those vested with state power from overstepping the mark (Schwarzmantel 1994:43)". In a liberal view, individuals exist within a private sphere, within which people can do as they wish. The liberal's view of individual rights is also entrenched in the Bill of Rights as contained in chapter 2 sections 9 to 35 of the South African Constitution (RSA 1996:119).

3.7.2 The elitist theory

Eliticism looks at power structures and argues that there is a hierarchy within groups and parties (Dunleavy 1991:14). Elitists argue that there is always an elite group that rules and there are the masses that are ruled by the elite. The elite groups are said to be often minorities which are more cohesive and well organised. Members of these groups also have some features that form a power base and have qualities that the rest of their group members do not have, these could be leadership skills, financial resources and power. It is often not clear who the members of elite group are, how they became members of that particular group and the relationship of the decisions they take to the views of the rest of the community. This theory asserts that there will always be rivalry between the elite groups and the masses, and that minority power is inevitable. The elitist theory could well be applied in the current succession debate in South Africa. The Office of the President was viewed by the supporters of the Deputy President of the ANC, Mr Jacob Zuma as having a view different to that of the masses in terms of succession and the future position of the Deputy President.

The elitist theory can equally be applied to the governance structures of the institution of traditional leadership. In KwaZulu-Natal, for example, the institution comprises Isilo as Head of the monarchy. With Isilo are Abantwana (members of the Royal household), who occupy a special place in the institution of ubukhosi. In all traditional communities, members of Inkosi's family occupy a special elite position in that particular traditional community (Alcock and Hornby 2004:13). This becomes even more evident during traditional ceremonies where all Abantwana are accorded a special place and distinguished from the other guests. One can say that the Royal household is the elite of the Zulu Kingdom and the other amakhosi are next in hierarchy, followed by izinduna and then ordinary members of traditional communities (KwaZulu-Natal Traditional Leadership and Governance Act, Act 5 of 2005).

3.7.3 The Marxist and feminist theories

Marxists and feminists take the power debate a step further and argue that there are deeper hidden dimensions of power in class and gender respectively within groups and parties. Marxism and feminism both highlight "deep structure" but do not have the same agenda. While the latter advocates for gender conflict, the former is more concerned about class conflict. The Marxists see the ruling class as controlling the means of production and the masses are seen as deprived of the opportunities and privileges enjoyed by the ruling class (Thomson (2004:83). This is also particularly reflected in the way municipalities in KwaZulu-Natal and other provinces provide services separately and differently in terms of affordability. One would be tempted to concur with the line of thinking that says the local state promotes class conflict. Similarly, feminists see males as dominating over females in issues of power and governance. The role of the state is seen by Marxists as being that of maintaining a class structure.

Class dynamics are also inherent in the institution of traditional leadership. Explaining the structure of authority and space in the institution of traditional leadership, Alcock and Hornby (2004:13) indicate the authority as moving from

Inkosi to Undunankulu (senior headman) to Izinduna (headmen), Amaphoyisa (traditional constables) to Amagosa (leaders of male warriors) and Amaqhikiza (leaders of the maidens). These occupy positions of leadership and are seen as being in a higher class than the groups they lead. Another example of class dynamics within an institution of traditional leadership is that of Swaziland, for example. Swaziland has retained a monarchy whose ancestors ruled this territory in pre-colonial times.

The feminist theory is also particularly true in KwaZulu-Natal where the numbers of people in mayoral and deputy mayoral position is still skewed along gender lines. Soon after the 2006 local government elections, the number of women mayors sat at 15 (25%) compared to 45 (75%) males. There were only 23 (38%) female deputy mayors compared to 37 (62%) males. These figures are based on the 61 municipalities that had mayors already been appointed during the time of this report. The Amajuba district municipality had not appointed a mayor during the reporting period. The situation was even worse when it comes to municipal manager's positions. Also after the 2006 local government elections there were only seven (11%) female municipal managers, and of the seven, six were in acting positions which actually means that there was only one (2%) fully appointed female municipal manager in KwaZulu-Natal. The same bias exists within the institution of traditional leadership where out of 286 traditional authorities that existed in KwaZulu-Natal after the 2006 local government elections, only 20 (7%) amakhosi were females (DLGTA 2006:1-2).

The above theories are relevant to this study because they depict explicitly the power relations in governance as well as service delivery discrepancies by local governments and traditional leadership institutions. This is because they show that leadership positions are influenced to a large extent by class and gender, and that in local government, service provision is influenced by affordability by different community groups. A practical example would be the manner in which services like road maintenance, electricity supply and refuse removal are

rendered in the predominantly rich communities e.g. suburbs compared to how similar services are rendered for townships and informal settlements.

3.7.4 The public choice theory

For public choice theorists, the optimal mechanism for allocating goods and making decisions is market related (Dunleavy and O'Leary 1987:72-135). This is particularly true in the affluent areas like suburbs versus townships and informal settlements, a comparison referred to in the earlier paragraphs. Affluent residents are regarded by the municipality as a better market because of their ability to pay rates as compared to their township and informal settlement counterparts.

Evidence of public choice theory can be witnessed in the many community halls and taxi ranks that the government builds but are not utilised by communities probably because members of the communities do not see these provisions as their felt needs at that particular time (Clarke 1999:30). Public choice theorists regard existing democratic arrangements as very poor predictors of citizen preferences and demands. These theorists are convinced that the structure of political markets and the arrangements for citizen participation and decision making are extremely crude in contemporary democracies. It is argued that all organizations tend in the long run to abandon collective goals and in their place pursue self-interest goals by those holding official positions. In particular a characteristic goal of bureaucrats is budget maximization through the expansion of their departmental programmes.

Public choice theorists further argue that bureaucrats best serve their own welfare by pushing continuously for budgetary growth which increases their numbers, improves promotion prospects, creates discretionary patronage and generally build up organizational stack and improves job security. In this theory, local government is viewed as too big, too distant, and too politicized, too subject to pressure from vested interests and too complicated for ordinary people to understand. Similar criticisms have been made about traditional leaders. There is

a belief among the critics that certain amakhosi (and their courts) are notorious for their corruption, nepotism and lack of transparency (DLGTA 2001:3).

Public choice theorists therefore advocate contracting out as being attractive because open competition with private contractors forces bureaucrats to reveal more information about the costs of services they provide and makes possible comparisons of cost effectiveness and efficiency (Dunleavy 1991:4-6). This is in line with the Local Government: Municipal Systems Amendment Act which makes provision relating to Public-Private Partnerships in respect of feasibility, procurement, contracting, security and debt. Public choice theorists would assume that the profit orientation of private contractors and the narrower focus of their operations would make the organisations flexible and efficient. Contracting is also seen as challenging the monopoly position of in-house service providers and as a result the restrictive practices of trade unions and professionalism can be challenged (Clarke 1999:33). Traditional leadership on the other hand is not directly involved in contracts; therefore this theory does not seem to apply to them.

Public choice further recommends fragmentation of existing bureaucracies. All bureaucracies are seen as too large, efficiency incentives are lacking and sweeping reforms are required. Local government is desirable but the forms of streamlined systems have significantly eroded citizen control of local officials by creating very large authorities. What is required is a large number of smaller authorities so that the diverse preferences of many different citizens can be satisfactorily provided for. The desegregation of large bureaucracies also creates choices for customers; provide opportunities for comparison and choice in terms of goods and services. Monopoly control should be broken thus leading to an increase in intra-bureaucratic competition. Public choice theorists do support other forms of local government. In the light of their views about the tendency of public bureaucrats to over supply, public theorists would expect to see some cuts in local authority spending and manpower (Dunleavy 1991:6).

The fact that local governments are linked to oversupply is too simplistic. This ideology overlooks the fact that public provision is intended to meet a criterion of need as much as ability to pay and that in any case, state programmes have historically had to be supplemented by the market as a result of their inadequacy as opposed to surplus of provision over needs. Both political systems and the market mechanisms have their incompetences. Markets can create insecurity and instability among both producers and consumers (Dunleavy and O'Leary 1987:72).

Critics however argue that it is not true that bureaucrats always engage in budget maximization; the tendency is rather to staff maximization. Bureaucrats are also not always self-interested and self-serving. They are mission orientated motivated by content of their policies and a desire to serve the public. Self-interested bureaucrats might concentrate on their individual career advancement or workload reduction as opposed to engaging in efforts and competitive struggles required to increase their budgets (Clarke 1999:42).

Public choice theorists are also criticised for holding a simplistic assumption about the degree to which senior officials can direct their departments and underestimate the extent of cross-cutting conflicts with bureaucrats (Dunleavy 1991:7). They are also said to be incorrectly assuming that all bureaucrats and budgets are the same. There is a distinction between core budgets spent on administration and other spending which is directed at service delivery. Senior officials and managers will want to avoid routine and conflict prone subordinates and work in a small, elitist atmosphere as opposed to maximization. Public choice theorists also tend to underplay the problems of coordination and duplication created within a fragmented system. Their emphasis is on consumer choice and exit options but they fail to address issues of income and resource inequality (Dunleavy and O'Leary 1987:74).

3.8 Conclusion

A significant number of the (42.7) South African population live in rural areas and are under traditional leadership governance. Traditional leadership is at the heart of rural governance and should therefore be included at all levels of government i.e. national, provincial and local. During the colonial era the government using policies, tried on many occasions to get rid of traditional leadership by undermining hereditary "chiefs" and appointing commoners in their place to govern traditional communities. Hence, traditional leadership although it is supposed to be hereditary, not all traditional leaders have inherited their leadership positions.

Forced by the circumstances and in an effort to manipulate and control traditional communities, traditional leaders were included in government as civil servants. These experiences of British colonial rule and subsequent apartheid scheme of Bantustans saw the institution of traditional leadership transforming drastically. This manipulation by government turned traditional leaders into the enemies of their people in some areas particularly during the apartheid era. After apartheid, traditional leaders still have to deal with transformation.

Government has tried to include the institution of traditional leadership in the democratic processes. For example, South Africa has since apartheid seen remarkable improvements in the transformation of the institution of traditional leadership in terms of its composition, functions and legal manifestations. In KwaZulu-Natal for example the new structures from traditional councils, local houses and the provincial house were already in place by September 2006. This, according to government, is intended to bring back the dignity of the institution of traditional leadership. Government critics argue that this is continued manipulation by government for its own political and social gains. These arguments are based on the fact that salaries, processes and systems of traditional leadership functioning are still under strict government control.

From a study by Dlungwana (2004:3), “the traditional leadership institution is important for political, social and economic structures. It is also essential for maintaining the socio-political order that is vital for any development to take place particularly in rural areas. Any attempts to create a full democracy in South Africa must use the strengths of traditional councils. Traditional leaders are social leaders and systems rather than actual government institutions (Dlungwana 2004:43)”. Research has revealed that conflict between elected councillors and traditional leaders is common and inevitable. Different pieces of legislation do give clear guidelines for local government functioning, they are however still vague on the role of traditional leadership. The existing tensions between the institution of traditional leadership and municipal councillor also remain unresolved. There is need for a negotiated settlement between the two if service delivery is to take place in rural areas.

3.9 Projection for the next chapter

The following chapter presents a discussion on traditional leadership and governance as experienced by the province of KwaZulu-Natal. The chapter commences by a discussion on the traditional institutional in KwaZulu-Natal and later presents in detail the Traditional Affairs branch of the KwaZulu-Natal’s DLGTA. It also presents some of the programmes and interventions implemented by the DLGTA in support of the institution of traditional leadership in KwaZulu-Natal.

CHAPTER 4

TRADITIONAL LEADERSHIP AND GOVERNANCE: A REVIEW OF THE KWAZULU-NATAL EXPERIENCE.

4.1 Introduction

Traditional leaders in KwaZulu-Natal have been urged to play a leading role in moral regeneration and to stem the tide of moral breakdown which has been blamed for contributing to crime in the country (Natal Mercury 15/11/2006). Addressing delegates at the official opening of the National House of Traditional Leaders, President Thabo Mbeki reiterated that traditional leaders should truly add value to the governance of the country and that traditional leaders who would be part of the local houses would have to work closely with councillors. This means that traditional leaders are expected to have a say in the running of local municipal councils and to work closely with their local municipalities (Mercury 5/05/2006).

This chapter presents the KwaZulu-Natal's experiences of the traditional leadership system. It begins by discussing the management of the traditional leadership institution and later presents in detail the Traditional Affairs branch of the KwaZulu-Natal Department of Local Government and Traditional Affairs. Some of the programmes and interventions implemented by the Department in support of the institution of traditional leadership in KwaZulu-Natal are also presented.

4.2 Traditional institutions and change

Traditions often control, condition, or influence the lives of people, and it is therefore appropriate that, for the tradition to have the expected salutary effect on the lives of the people, it should be revitalized and re-examined from time to time. Institutions in all cultures evolve over time as a result of lessons garnered from experience, or through interactions with other cultures. The present generation will have to convince itself that it is satisfied that the entire tradition it has inherited constitutes a viable cultural framework for its functioning. This conviction does not of course foreclose the possibility of its adding novel features to the inherited tradition.

Traditions change over time either through experience or through contact with an alien tradition; the good aspects of which are incorporated into a pre-existing culture. All major civilizations have had the capacity to question inherited traditions, and to borrow good elements from other cultures. Institutions in all cultures evolve over time as a result of lessons gained from experience, and occasionally through lessons learned as a result of interactions with other cultures.

4.3 Traditional leadership in KwaZulu-Natal

Traditional leadership in KwaZulu-Natal originates from King Shaka's creating a new entity out of several Nguni clans which were independent and autonomous. This resulted in the birth of the Zulu Nation. King Shaka was succeeded by brave kings such as Kings Dingane; Mpande; Cetshwayo; Dinuzulu; Solomon and then King Bhekuzulu who is the father of the present king of KwaZulu-Natal, King Zwelithini Goodwill ka Bhekuzulu, the reigning monarch (Buthelezi 2007:2).

Talking at the international conference on the global perspective on traditional / indigenous leadership held in Durban on 26-27 October 2007, Prince Mangosuthu Buthelezi who is Chairman of the Provincial House of Traditional Leaders said, "before the Constitution of South Africa was finalised, there was a long and hard road that was travelled, traditional leaders wanted to find out the place for the institution of the Zulu monarchy in the country's political dispensation". The institution was eventually recognised in Chapter 12 of the Constitution. Prince Buthelezi argues that the provisions of sections 211 (1), (2) and (3) and 212 (1) and (2) of the Constitution were not done in good faith as there is nothing peremptory (Buthelezi 2007:2-3).

The new legislation on traditional leadership and governance in South Africa generally and in KwaZulu-Natal in particular had the following implications on traditional leadership institutions:

- The removal of administrative and executive functions of traditional authorities and vesting of developmental roles within the context of traditional authorities being re-established as Traditional Councils.

- Existing regional authorities being disestablished and replaced by District Houses of Traditional Leaders which would have an advisory role with respect to developmental issues. There would be consultation between the District municipalities and the District Houses.
- In the case of amakhosi no role, powers and functions were guaranteed; the optional vesting of the role, power and function is within the exclusive discretion of the National government and/or the Provincial government concerned to effect such vesting by means of either National or Provincial legislation.
- In the case of KwaZulu-Natal, no clear distinction was made between the roles and functions of His majesty the King (Isilo) and those of Amakhosi.

The new legislation that deals with issues of traditional leadership and governance in KwaZulu-Natal is the KwaZulu-Natal Traditional Leadership and Governance Act, (Act 5 of 2005). This Act is in line with the National legislation i.e. the Traditional Leadership and Governance Framework Act, (Act 41 of 2003).

The new provincial legislation on traditional leadership provides for Isilo as the Head Monarch. Under him are different categories of amakhosi i.e. iziphakanyiswa (appointed and elected chiefs), amabambabukhosi (regents) and amakhosi (hereditary chiefs). At the level of izigodi are izinduna (headmen) as headed by senior headmen. (KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005).

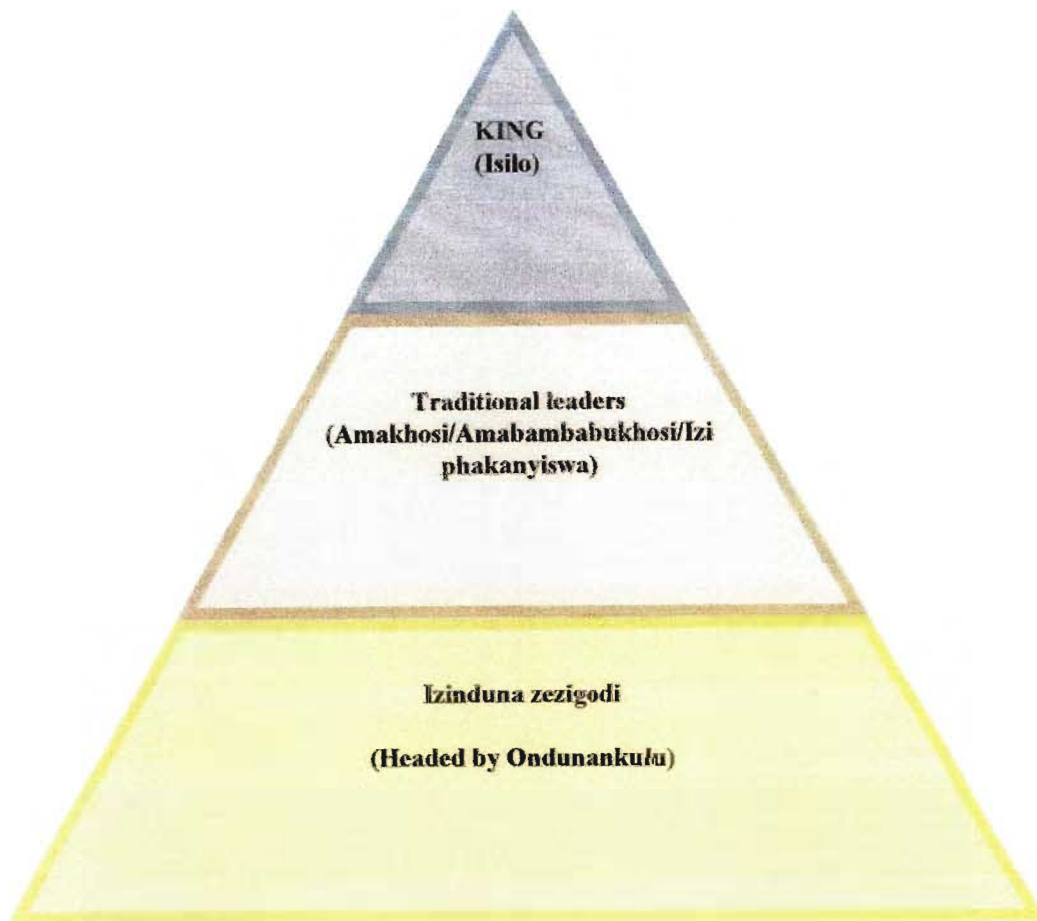


Figure 4.1: The KwaZulu-Natal Traditional leadership structure (KZN 2005)

At the top of the hierarchy, the KwaZulu-Natal traditional leadership's Head is His Majesty the King (Isilo) who reigns over the whole kingdom of KwaZulu-Natal. The current Isilo is His Majesty, King Goodwill Zwelithini Zulu. Under his majesty there were 283 amakhosi spread throughout the province during the year 2007. Amakhosi reign over traditional communities formerly known as tribal / traditional authorities. Within traditional leaders there are amakhosi (those that are in their positions through inheritance), "amabambabukhosi" (those that are acting on behalf of amakhosi who cannot perform their functions because of one reason or another), as well as "iziphakanyiswa" (those traditional leaders who head community authorities and enter their positions not by inheritance but through elections by their

communities) (KwaZulu-Natal Traditional Leadership and Governance Act, Act 5 of 2005).

The rank following that of an inkosi or senior traditional leader is that of induna. Induna is an equivalent of headman according to the new legislation. Amongst his izindunas, Inkosi chooses one who becomes undunankulu (senior headman). Undunankulu is closest to Inkosi and senior to other izindunas in terms of protocol. The traditional communities are made up of izigodi (areas), each with its own induna who manages the isigodi on behalf of the Inkosi. Traditional boundaries separating different izigodi are generally known to the community members (Sikhakhane 2002:6; Commonwealth Local Government Forum 1995:1).

Traditional leadership structures have a number of ranks and portfolios that are created not in terms of legislation but according to customs and community practices. Izinduna, for example, are divided according to the different social groupings that exist in the communities. Within a traditional community there are izinduna zezinsizwa (heads of young men), amaqhikiza (heads of young maidens) and amagoso (responsible for leading in traditional songs). These are respectable portfolios responsible for guiding and grooming different social groupings within the community in terms of acceptable social behaviour and responsibilities. They are also crucial during different cultural ceremonies (imigido) (Alcock and Hornby 2004:13-14).

4.3.1 The transformation process

The essence of the transformation process was to change some elements of the institution of traditional leadership to be in line with the new national and provincial legislations on Traditional Leadership and Governance. In KwaZulu-Natal the transformation process began in 2005 with the first phase which resulted in ninety five (33%) of the total 286 traditional authorities successfully transforming into traditional councils in accordance with the new legislation. The process was accelerated by the enactment of The KwaZulu-Natal Traditional Leadership and Governance Act, Act 5 of 2005 that was passed in December 2005. Arrangements were made in 2006 to transform the remaining Traditional Authorities. The year 2006

witnessed an accelerated program in the transformation of traditional authorities in accordance with KwaZulu Natal Traditional Leadership and Governance Act; Act No. 05 of 2005 read with the deeming provisions of the Traditional Leadership and Governance Framework Act, Act No. 41 of 2003. Various workshops were held throughout the province of KwaZulu Natal to fully prepare the province for the transformation process. The main focus of the workshops was:

- a) The transformation of traditional authorities into Traditional Councils.
- b) The compliance with the legal requirement in respect of the composition of Traditional Councils where a maximum of 18 members are appointed by Inkosi and a maximum of 12 members are elected by the community. An additional requirement is that one third of the Traditional Council members must be women.
- c) The attendant consequences of failure to take advantage of deeming provisions. In this case such failure might lead to a lengthy "application for recognition" process in terms of legislation.
- d) The disestablishment of Regional Authorities.
- e) The establishment of Local Houses and the Provincial House of Traditional Leaders.

The process took place over three phases. The first phase took place from August to September 2005 and resulted in the transformation of ninety five (33.2%) of the total 286 traditional communities. The second phase of the transformation was held in May 2006 and resulted in seventy one (24.8%) of the total traditional authorities being transformed, thus bringing the total number to one hundred and sixty six (58%) newly constituted traditional councils. For the rest (42%), transformation was delayed because of mainly land ownership issues and for a variety of other reasons. Seventy one (25%) of the traditional authorities were to be later transformed into traditional councils during the third phase. By July 2006 two hundred and thirty seven (83%) traditional authorities had been transformed into traditional councils. The forty nine (17%) were still outstanding by July 2006 still because of mainly land ownership issues. These were fourteen from the Umgungundlovu, Umzinyathi, Uthukela and

Amajuba districts (Inland region), 20 from the Ugu and Sisonke districts (Coastal Region) and 15 from Zululand, Umkhanyakude, Uthungulu and Ilembe districts (Northern Region). The transformation of Traditional Authorities to Traditional Councils ushered in a new era for the administration of the institution of traditional leadership in KwaZulu Natal (KZN DLGTA 2006:1).

4.3.2 The Local Houses of Traditional Leadership

Talking at the official opening of the National House of Traditional Leaders, President Thabo Mbeki said that "through the Houses of Traditional Leaders we have an opportunity to improve relations between traditional leaders and our democratically elected institutions so that we can achieve the necessary levels of cooperation that can only benefit our people (Mercury 05/05/06)." On 15th August 2006, eleven Local Houses of Traditional Leaders were formed in KwaZulu-Natal. Each house was aligned to a District Municipality plus eThekweni Metro. There was an overwhelming response and support from Amakhosi at various Local Houses (KZN DLGTA 2006:2).

Standing rules for Local Houses

The legal authority for the standing rules of Local Houses arises from Section 17 of the Traditional Leadership and Governance Framework Act, Act 41 of 2003, read with section 212 (2) (a) of the Constitution. These Rules govern the proceedings of the Local House of Traditional Leaders; and bind all members of the Local House of Traditional Leaders to participate in the business of the Local House and to fulfill their contractual obligations in accordance with the given rules and legislation.

The rules touch on the definition of terms, the interim rules by the chairperson, for example, that the chairperson may give a ruling or frame a rule in respect of any eventuality for which these rules do not provide. The rules also describe the composition of the house, quorum and meetings of the Local House, committees of the Local Houses, qualification and disqualification of members, vacating of office and filling of vacancies. They also describe the procedures for the nomination of members of the Provincial House of Traditional Leaders, powers and functions of the chairperson, order and conduct during sittings and meetings, access to chamber,

appointment of committee members, termination of membership of a committee, committee meeting procedures, subcommittees, standing and portfolio committees, and lastly, motions in the house and discussions by the House / Committee of the House.

4.3.3 The Provincial House of Traditional Leaders

The nominations were conducted as presented in section 33(2) of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act No. 05 of 2005), in the manner and within such periods as laid out in the said Act. The process of establishing a Provincial House of Traditional Leaders in KwaZulu-Natal had some challenges since there were traditional communities that could not participate in the process due to some issues that were beyond their control, particularly issues of unresolved land ownership. Traditional communities that did not have the status of “traditional community” by virtue of their areas not being proclaimed as such in terms of legislation, could not participate in the transformation process until such time that they were proclaimed.

The elections saw Inkosi Mangosuthu Buthelezi re-elected as Chairman of the KwaZulu-Natal Provincial House of Traditional Leaders with Inkosi Mpiyezintombi Mzimela as Deputy Chairman. The executive of the Province consisting of ten (10) members was also elected and three (3) members to represent KwaZulu-Natal at National level were elected. Judge President of KwaZulu-Natal, Justice VEM Tshabalala presided over this Swearing in Ceremony and the Independent Electoral Commission ensured that the proper election procedures were followed (KwaZulu-Natal Provincial Government 2006:5-6).

The Establishment and Inauguration of the Provincial House of Traditional Leaders of KwaZulu-Natal took place at the Durban International Convention Centre (ICC) on the 15th September 2006. The aim of this Ceremony was to restore the dignity of the Institution of Traditional Leadership and ensure that it is legally-recognized and equipped to play its role in the transformation of society into one that is highly

characterized by peace, equality, prosperity and justice for all South Africans (DLGTA2006:1).

4.3.4 DLGTA Challenges pertaining to transformation

The following are some of the challenges that faced the Traditional Affairs branch of the Department of Local Government and Traditional Affairs in the transformation process (DLGTA 2006: 6):

■ Budget constraints

The transformation process created huge expectations that if not properly managed would undermine all the efforts that had been put to achieve this milestone. There were expectations that Traditional Council members should always get reimbursements in transport costs and that more staff needed to be employed to run the Traditional Councils. A proper realignment of the budget and other resources would be embarked on by the Department to address budgetary constraints.

■ Skills Audit

The skills audit impacted negatively on the traditional institution. Training courses had been conducted in an unstructured manner without taking into consideration the level of competency of the trainees. During the research period, the Department of Provincial and Local Government (DPLG) conducted a skills audit so that training courses for Amakhosi would be structured to benefit the recipients in a more valuable and measurable manner. Sector Education and Training Authority (SETA) and the University of Zululand came on board to offer structured training programmes to Amakhosi. The partnership with SETA had been forged at national level. The key identified areas for training programmes areas: Legal imperatives impacting on the institution, administration, finance, conflict management; and land development management (DLGTA 2006: 6).

■ Benefits to Amakhosi

The Province proposed to the national government to have Medical Aid benefits to Amakhosi and the process was at this time (2007) still with the national government

as the implementation had to be a national process. The pilot project on Amakhosi housing was still afoot. The Traditional Affairs branch of DLGTA continued to identify systems and infrastructure requirements for Amakhosi to ensure that the institution operated at its optimal level.

▣ Infrastructural provisions

The new Local Houses needed office accommodation and other resources and the Department was looking into this matter and it was hoped that all houses would have these facilities during the 2007/2008 financial year.

▣ Support structure

The restructuring of the DLGTA was still in process and about to be completed. It was hoped that more resources would be deployed to assist the institution of traditional leadership. There were also expectations that staff would be seconded to the traditional councils and Houses according to the identified needs (DLGTA 2006: 6).

In order to ensure that the Department is better able to support the institution of traditional leadership in line with the new legislation and mandates, DLGTA had to review its operational structure and mandates. The following section examines the mandates as well as how the Traditional Affairs branch of DLGTA is structured.

4.4 The KwaZulu-Natal DLGTA's Traditional Affairs branch

The transformation of the traditional leadership institution had some implications for the Departments of Traditional Affairs nation wide. For example, Provincial governments had to restructure themselves in line with the new mandates, new business plans, capacity building, technical support and focus on new opportunities. Planning and implementation of new internal systems including retraining of staff, new management and financial systems became crucial. Departments had to re-identify their clients, i.e. traditional communities, Isilo (in KwaZulu-Natal), amakhosi, Izinduna, Traditional Councils, Local Houses of Traditional Leaders and the Provincial House of Traditional Leaders. The Departments of Traditional Affairs and

Local Government had to obtain information and maintain an information data base on all programmes and also co-ordinate the traditional authority funds and programmes.

The legislative, functional and policy mandates of the Chief Directorate:

Traditional Affairs Administration of the KwaZulu-Natal DLGTA are found in the following Acts, White Papers and addresses:

4.4.1 National mandates

- Constitution of the Republic of South Africa Act 108 of 1996
- Local Government: Municipal Systems Act 32 of 2000
- Local Government: Municipal Structures Act 117 of 1998
- Development Facilitation Act 67 of 1995
- Upgrading of Land Tenure Rights Act 112 of 1991
- Public Service Act 147 of 1994
- President's State of the Province Address 2006
- Disaster Management Act 57 of 2002
- Remuneration of Public Office Bearers Act No 20 of 1998
- Auditor-General's Act No 12 of 1995
- Municipal Demarcation Act No 27 of 1998
- National White Paper on Traditional Leadership and Governance , 2003
- Traditional Leadership and Governance Framework Act (41 of 2003)
- Communal Land Rights Act (11 of 2004)
- National Archives Act, Act 11 of 1986

- Presidential Coordinating Council Resolutions
- President's speech the occasion of the opening of the National House of Traditional Leaders, 2006
- Public Finance Management Act, Act 1 of 1999 and Regulations made there under
- Property Rates Act, Act 6 of 2004
- Ingonyama Trust Act 3 of 1994 as amended

Other than the National mandates there are also a range of Provincial policies which provide clear and compelling mandates for KwaZulu-Natal Provincial Government to support the institution of traditional leadership and local government with a view to improve local governance and service delivery. The following provincial policies in particular support this imperative:

4.4.2 Provincial mandate

- KwaZulu Natal Traditional Leadership and Governance Act, Act 5 of 2005
- KwaZulu Act on the code of Zulu Law Act 16 of 1985 (to be rationalized)
- KwaZulu-Natal Draft Provincial Growth & Development Strategy (PGDS)
- KwaZulu- Land Affairs Act 11 of 1992 (currently being rationalized)
- KwaZulu-Natal Integrated Rural Development White Paper (IRD)
- KwaZulu-Natal White Paper on Traditional Leadership and Institutions
- KwaZulu-Natal Procurement Act No 3 of 2001
- KwaZulu Natal Traditional Council Financial Management Practice notes in terms of the PFMA
- Premier's State of the Province Address 2006

Over and above the specific line function mandates, there are also generic mandates that prescribe what each manager should do and/or inform him/her how things should be done. These are:

4.4.3 Generic mandates

- Employment Equity Act , Act 55 of 1998
- Occupational Health and Safety Act, Act 40 of 2000
- Skills Development Act, Act 97 of 1998
- Skills Development Levies Act, Act 9 of 1999
- Provincial Security Policy
- Collective Agreements
- Promotion of Access to Information Act, Act 2 of 2000
- Promotion of Administrative Justice Act, Act 3 of 2000
- Protection of Information Act, Act 84 of 1982
- Labour Relations Act, Act 66 of 1995
- Intelligence Services Act, Act 65 of 2002
- State Information Technology Agency (SITA) Act, Act 88 of 1998
- Basic Conditions of Employment Act, Act 75 of 1997
- Intelligence Service Control Act, Act 66 of 2002
- Public Service Regulations
- Control and Access to Public Premises Act, Act 53 of 1985
- Occupational Health and Safety Act, Act 40 of 2000

4.4.4 The Organizational structure of the DLGTA between 2003 and 2006

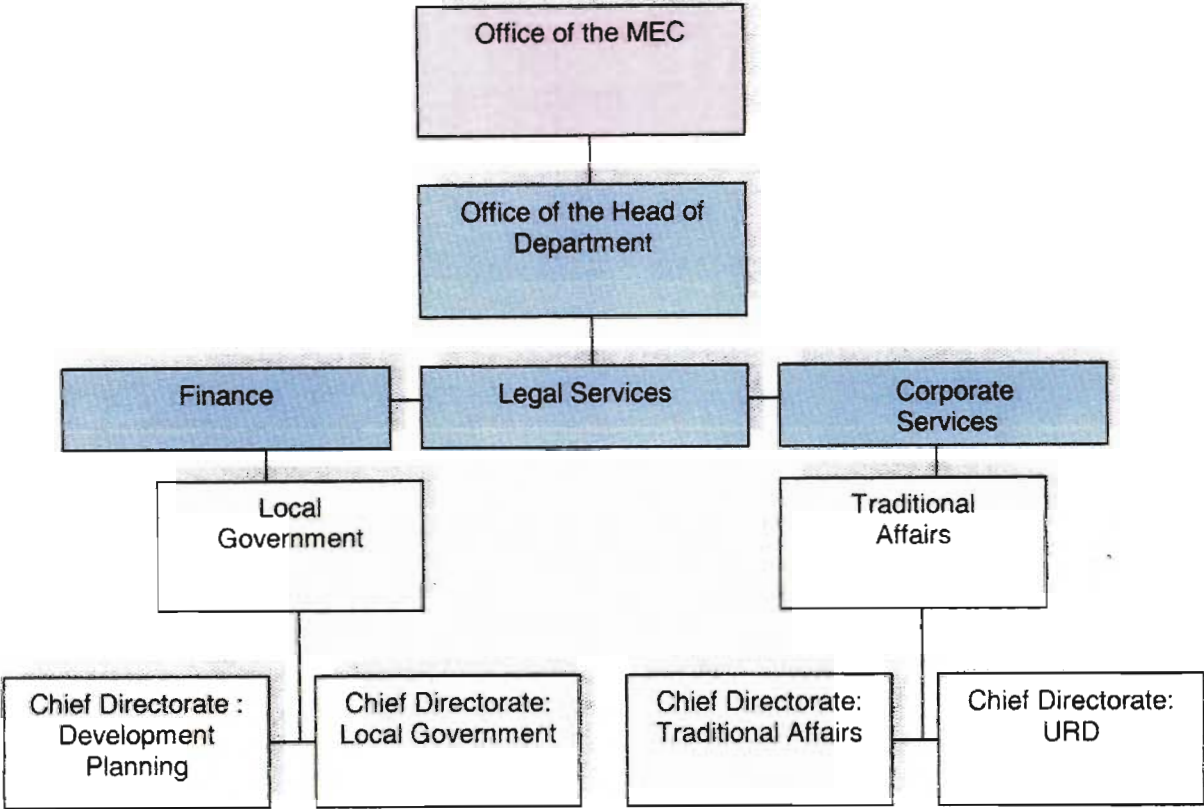


Figure 4.2: 2003-2006 Organizational Structure of DLGTA (DLGTA 2004/5)

The next section presents the organisational structure of the Department of Local Government and Traditional Affairs in KwaZulu-Natal with a view to understanding where the function of traditional leadership support is seated within the department. The department had one Finance, Legal and Corporate Service supporting both Local Government and Traditional Affairs branches. Local government was further divided into Development Planning and Local Government, while Traditional Affairs on the other hand was made up of Traditional Affairs and Urban and Rural Development Chief Directorates.

4.4.5 The Organizational structure of the Traditional Affairs Branch of DLGTA between 2003 and 2006



Figure 4.3: 2003-2006 Organizational Structure of DLGTA: Traditional Affairs (DLGTA 2004/5)

The Traditional Affairs branch was made up of two Chief Directorates (CDs). These were Land Use Management and Traditional Affairs. The Chief Directorates were further divided into the Directorates i.e. Land Use Management, Survey Services and Traditional Legal Services. Each directorate was located geographically in all three regions i.e. Inland (Pietermaritzburg), Coastal (Durban) and Northern region in Ulundi. This structure assumed that all centres were similar and had the same service needs. It also resulted in the duplication of resources even in areas where there was not much need for them. In an attempt to restructure itself in line with the new mandates, the department is proposing a structure that is informed by the key functions of the department as opposed to the regions.

4.4.6 New proposed structure

The purpose of the DLGTA is to manage the refocusing of local government towards accelerated basic service delivery. Its functions include: managing the service delivery operations of the Department, managing service delivery in support of effective local government, managing service delivery in support of effective traditional affairs, managing business support services in support of improving service delivery, providing corporate support services, and lastly, managing the

finances of the Department efficiently and effectively in accordance with the prescripts of the Public Finance Management Act (DLGTA Annual Performance Plan 2006/2007).

The transformation of traditional leadership institutions following the introduction of new legislation has meant that the Department as a whole and Traditional Affairs Branch in particular be reviewed in accordance with the new mandates. The following DLGTA structure as proposed for implementation by the Department for 2007 (DLGTA 2007:1).

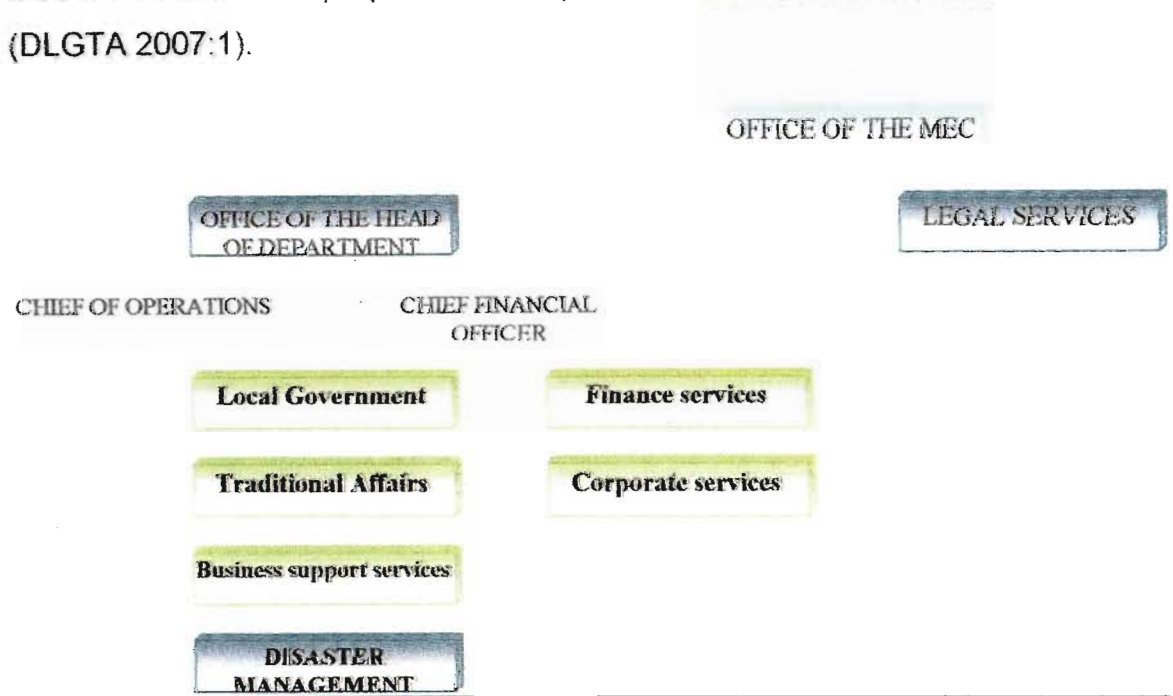


Figure 4.4: New Proposed structure for DLGTA (DLGTA 2007:1)

The 2003-2006 structure differs from the new proposed structure in that in the former, the distribution of resources was mainly based on the geographical location of the department's clients i.e. municipalities and traditional communities. Resources were therefore allocated and distributed according to the Regions. The Inland region comprised Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts with the regional office based in Pietermaritzburg. The Coastal region was made up of Ugu, Ilembe and Sisonke districts and the regional office was situated in Durban. The Northern region was made up of Umkhanyakude, Uthungulu and Zululand districts with the regional office situated at Ulundi. The 2007 structure abolishes the system of regions and begins to allocate resources according to functions and mandates.

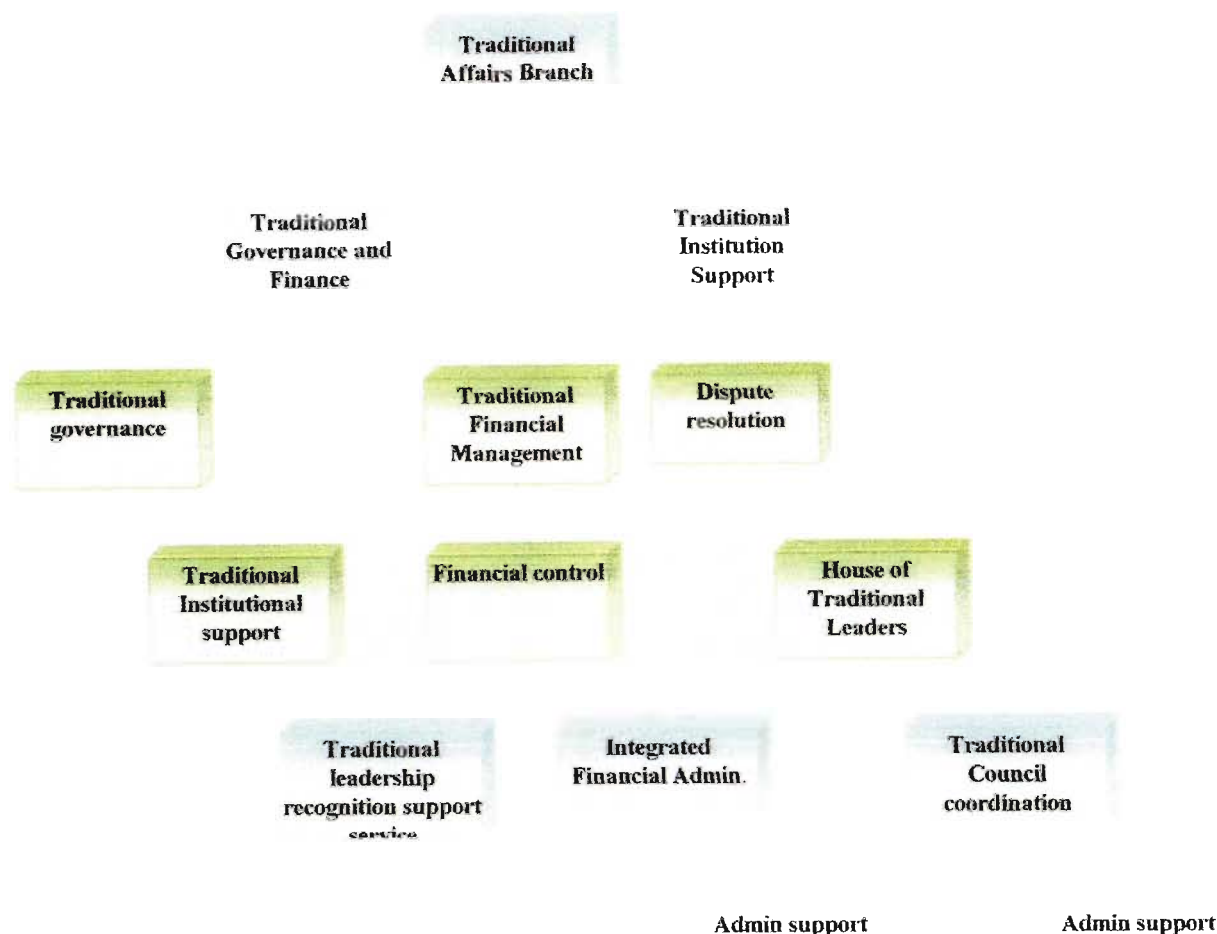


Figure 4.5: New Proposed Structure of DLGTA: Traditional Affairs Branch (DLGTA 2007:12-15).

4.5 DLGTA Traditional Affairs functions and services

Generally the Traditional Affairs branch manages and co-ordinates traditional institutional governance by managing and co-ordinating traditional institutional development, supporting the functioning of the houses of traditional leaders, and ensuring institutional governance compliance. Two components support the Houses of Traditional Leaders, one is responsible for supporting the functioning of houses of traditional leaders by managing the establishment of Traditional Councils (TCs), ensuring recognition of Traditional Leadership, managing the recognition of traditional communities and supporting traditional council governance. The other component is responsible for traditional institutional development. This component

manages activities of the house, executes decisions of the house, keep records for the house, issuing of invitations, keep and distribute minutes, provide logistical, transport and auxiliary support services to the house of traditional leaders. The traditional council support administers the affairs of Traditional Councils, assist, support and guide TCs in the performance of their functions, assist TCs to foster integrative relationships with municipalities to improve service delivery in TC communities, undertake capacity building in TCs and lastly, provide logistical support to traditional councils. Traditional leadership recognition support services on the other hand conduct genealogical research, maintains database of Amakhosi, provide support during recognition and installation of amakhosi, and provide guidance to Amakhosi. Traditional institutional governance ensures institutional governance compliance by conducting investigations, establishing and maintaining strategies of Traditional Institutions, facilitating disputes and claims, administering code of conduct of Traditional Institutions and facilitates gender issues.

The two strategic goals of the KwaZulu-Natal DLGTA Traditional Affairs branch are to align the institution of traditional leadership within local governance, and to build confidence of community in the system of local governance. According to the DLGTA's new proposed structure, the Traditional Affairs branch is divided into two business units, these are the Traditional Institutional Management and Traditional Land Administration. The former is mainly responsible for the functioning of the institution particularly the transformation and compliance with new legislation relating to traditional leadership and governance. The latter is responsible for land matters, particularly ensuring that the institution of traditional leadership adheres to the new legislation on the administration of land in the traditional communities.

4.5.1 Traditional Institutional Administration

The core functions of the traditional institutional administration business unit are to:

- manage the formulation and administration of legislative and policy framework in terms of traditional institutions;

- manage the provision of financial management support to traditional institutions, provide anthropological services;
- provide administrative support to traditional authorities; and
- provide administrative support to the Houses of Traditional Leaders.

The above functions will be discussed further.

Managing the formulation and administration of legislative and policy framework

This function is aimed at building confidence of communities in the system of local governance. It involves the implementation of legislation applicable to the Institution of Traditional Leadership, ensuring development of human capital, providing support mechanisms in governance and service delivery, ensuring participative mechanisms, performance orientated institutions, good governance, clean and accountable governance, as well as continuous liaison between municipal and traditional institutions.

It is also responsible for managing the development and review of legislation, policy framework and implementation strategies. It manages the formulation and amendment of legislation and policies, the drafting of new legislation and subordinate legislation, the correct implementation of and compliance with legislation, the provision of input in respect of national legislation and policies. It also manages departmental intervention in clan conflicts, receive complaints/reports about conflicts/disputes and manage informal conflict resolution processes. It also manages the provision of assistance to the National Commission on Traditional Leadership Disputes and Claims. It is also responsible for the drafting of policy on the process of dealing with the alleged conduct of Amakhosi (DLGTA 2007:12).

To ensure synergistic partnership between government and the institution of traditional leadership, this department (the traditional institutional administration business unit) manages the interface between Traditional Councils, Local Houses, Provincial House, and Municipalities / Provincial or National Departments. In the light of this study, this means that there is a possibility of working relations between the

institution of traditional leadership and the local government. The department also manages the facilitation of compliance with legislation by Traditional Councils and the development and implementation of mechanisms to ensure cooperative governance between TCs, Houses and Municipalities. It also facilitates the submission of the proposal by the TC to the municipalities and the referral of provincial bills or by-laws and co-ordinate inputs from the Local Houses and the Provincial House of Traditional leaders as well as the allocation of functions to Traditional Councils by Provincial and National Departments and municipalities.

Managing the provision of financial management support

The strategic goal here is to ensure clean and accountable governance by managing financial planning of Traditional Councils. This is done by reviewing, recommending and implementing a comprehensive and innovative system of financial planning for the Traditional Councils. Co-ordinating, analyzing and recommending financial planning of each Traditional Council and Local Houses for approval, rendering effective advice and guidance to Traditional Councils on the implementation of the financial planning and providing effective budget monitoring support to all Traditional Councils are additional functions of this unit. It is also expected to maintain and reconcile statistics for the actual revenue and expenditure trend of each TC, consolidate and assess the needs of each TC requiring financial support, review, prepare and analyze internal budget for Traditional Leaders.

Financial management support is also responsible for updating the statistics of revenue and expenditure on a monthly basis and to produce financial plans and statements of individual traditional councils and ensure that they are approved by 30 June. It is also responsible for managing the financial control and support systems of the Traditional Council by developing and implementing innovative revenue collection, banking, recording and to reconcile receipts and payments with bank statements, as well as preparing annual financial statements for the Traditional Council's levies.

Managing the provision of anthropological services

The Department manages the provision of advice and guidance in relation to Ubukhosi succession. This is done by conducting research on the genealogical process of recognition of Amakhosi and Amabamba, as well as regarding the facilitation and mediation in appointments, succession disputes and Ubukhosi claims. The Department has also introduced a draft policy in relation to the term of office of *Amabambabukhosi (those people acting in the place of traditional leader where s/he is unable to perform His traditional leadership role)* and manages the updating of the database of Amakhosi.

The anthropological services is also responsible for managing research on customs and clan history by drafting guidelines in relation to the liaison between the department and the office of the Royal Household. It also provides the historical background regarding the installations and deaths of Amakhosi and liaises with the office of the Royal Household regarding recognitions, installations, retirements, resignations/terminations and deaths.

Managing the provision of administrative support to traditional authorities

The strategic objective here is to provide support mechanisms in governance and service delivery by arranging the process of recognition and installation of Traditional Leaders. The department informs Umndeni (family) about the cabinet resolution, facilitates logistical arrangements for the assumption of duty of Inkosi/ Ibamba/ Isiphakanyiswa, prepares submission to the Department of Justice to confer civil and criminal jurisdiction upon newly recognized Traditional Leaders and manages the logistical arrangements for the process of installation of Inkosi.

In the event of a death of Inkosi, the Department informs the MEC on the death of Inkosi and then facilitates the logistical arrangements for the funeral of Inkosi. It also manages the monitoring of the conduct of Traditional Leaders and Institutions, the investigation of complaints and ensures that appropriate action is taken, the implementation of code of conduct and handles reports on traditional community conflicts.

It is also responsible for managing the provision of administrative support to Traditional Councils by providing a secretarial support service to Traditional Councils and ensuring a sound system of asset recording as well as identifying and reporting resource requirements for Traditional Councils. It also ensures clean and accountable governance, provides the integrated administrative services relating to PTO applications, revenue collection, banking, reporting and monitoring of revenue. Part of this function includes coordinating responses to revenue audit queries and managing the co-ordination of applications for PTOs.

Managing the provision of administrative support to the Houses

The Local Houses administrative support unit provides mechanisms in governance and service delivery by managing the provision of secretariat and administrative support services to the Provincial House. This involves liaison with the Speaker's office (Provincial legislature/municipalities), the Portfolio/sub committees, Provincial Departments and Traditional Leadership regarding legislative matters. It also involves managing the arrangement of meetings/workshops for various committees within the Provincial House, overseeing appointments, resignations, term of office and terminations within the Provincial House, as well as managing formal administrative linkages between the National, Provincial and Local Houses and the Department (DLGTA 2007:13).

In an attempt to promote good governance within the institution of Traditional Leadership, the Department is responsible for drafting guidelines on the principles of corporate governance on the Local Houses, monitoring and continuously reviewing the effectiveness of principles of good governance (transparency, accountability) and managing input into the annual report and other relevant publications.

4.5.2 Traditional Land Administration

There seems to be lot of overlap between the services offered by the Department of Land Affairs and those offered by this section (Traditional Land Administration) of DLGTA. This is a typical result of government departments operating in silos and not liaising with each other on services rendered. The results are duplication of services

and a confused client; the two departments need to strategise around how to pull together their available resources in order to complement each other thus offer effective services of land administration to traditional communities (DLGTA 2007:15).

This unit is mainly responsible for the implementation of legislation applicable to the Institution of Traditional Leadership by aligning the land administration function with the Communal Land Rights Act (CLARA). Newly formed traditional councils are assisted with the implementation of CLARA. The unit also manages and registers land rights in traditional areas, ensures development of institutional human capital. It also assists traditional councils in the implementation of Land Use Management Systems (LUMS) by developing land use management plans for their traditional communities. It also ensures that the institution of traditional leadership participates in inter-governmental structures established at local governance level.

4.5.3 Special programmes and interventions

4.5.3.1 Ubambiswano Programme

In compliance with the provisions of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 2003) as regards the drafting of province-specific legislation, the Department of Local Government and Traditional Affairs initiated a process, which resulted in the drafting of the KwaZulu-Natal Traditional Leadership and Governance Act 2005 (Act 5 of 2005).

DLGTA also drafted a *status quo* report comprising an in-depth empirical survey of a representative group of community members; the Provincial House of Traditional Leaders, Traditional leaders, Statutory institutions such as the Human Rights Commission, the Gender Commission and the Youth Commission, academics, Civil society, such as CBO's and NGO's, the Portfolio Committees on Traditional Affairs and Local Government, Provincial Government departments, and Traditional and Regional Authorities.

The Status Quo report was tabled at a representative Provincial Government Workshop in May 2003. A framework for a proposed Briefing Document to Cabinet on Traditional Leadership in KwaZulu-Natal was finalised. This Briefing Document

was subsequently drafted by a DLGTA Project Management Team and contained the following (DLGTA 2006: 2-3).

- Introduction;
- Constitutional, statutory and institutional context of traditional leadership and institutions;
- Traditional governance;
- Management of traditional institutions;
- Key roles and functions of traditional leadership and institutions, with regards to land, development planning, peace and stability;
- Intergovernmental relations;

DLGTA then commenced the process of preparing the Province for the implementation of new legislation on traditional leadership in 2005. An administrative programme called “Ubambiswano” meaning “working together” was developed to take the process of transforming the institution of traditional leadership forward in the province. There was sufficient mandate in the national framework legislation to begin the transformation and alignment of the department and traditional institutions with new legislation. DTLGA then accordingly developed a provincial programme of action for the transformation and alignment of the department and the traditional institutions with new legislation (KZN Provincial Administration 2006:1)

The programme had the following areas of focus:

- The review of mandate and the re-alignment of the Department in terms of the requirement of emerging legislation.
- Drafting of subordinate legislation in support of the KwaZulu-Natal Traditional Leadership and Governance Act.
- Preparation of the Province for the implementation of emerging legislation.
- The marketing of Ubambiswano Programme.

- The orientation of all Amakhosi on the transformation from old order to new order institutional arrangements.
- The transformation of all TAs to TCs ahead of the deadlines set in the legislation.
- The implementation of the TAC functional model.
- The provision of on going support to TA's towards compliance with legislation.
- To manage the smooth phasing out of Regional Authorities and the phasing in of Local Houses of Traditional Leaders.
- To attend to all issues relating to the requirements of the province to comply with framework legislation within the given timeframes (DLGTA 2006:4).

In preparing the province for the implementation of emerging legislation the following activities took place:

- A guide in isizulu on the framework legislation was prepared.
- Promotional material including pamphlets and banners were developed.
- Establishment proclamations were collated.
- An inventory of assets, liabilities and other legal impediments in respect of Traditional Authorities was compiled.
- Traditional Affairs management received orientation on the transformation process.
- A schedule of orientation sessions for Amakhosi in the regions was prepared.
- Assistance of individual Amakhosi with the implementation of the requirements of the framework legislation on the composition of their councils.
- Regional orientation of Amakhosi on the transformation process.

- The transformation of all Traditional Authorities into Traditional Councils (DLGTA: 2006:6).

4.5.3.2 Ondlunkulu Conference

There is a common assumption that in the past women did not have a say in matters affecting traditional governance. This is a result of the now repealed Black Administration Act 38 of 1927. This discriminated against women as it meant that only male persons were to be appointed to the positions of traditional leaders. KwaZulu-Natal applauded the first appointment of undlunkulu in 1988. This marked the beginning of this transformation process. The appointment of undlunkulu Nzimakwe in the Port Shepstone area was recommended by umndeni. The repealed Amakhosi and Iziphakanyiswa Act 9 of 1990 came after the appointment of undlunkulu Nzimakwe.

As part of the support to the institution of traditional leadership, the Department of Local Government and Traditional Affairs hosted an international conference of ondunkulu on 28 and 29 April 2006 at Elangeni Hotel, Durban. This Conference was the first of its kind and its aim was to build and strengthen relationships among women leaders and identify decisive women roles in the construction of progressive traditional institutions. The participants included ondunkulu (wives of Amakhosi) from within and outside the province, women in leadership positions e.g. mayors, municipal managers, Heads of Departments and senior managers. These were chosen in their capacities as Ondunkulu and female leaders expected to fulfill their roles as mothers of their traditional communities and leaders of their organizations.

In the light of the Constitution of the Republic of South Africa, government is now trying to redress the imbalances of the past by providing for women's participation in Traditional Councils. The KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act 5 of 2005) warrants the formation and recognition of Traditional Councils with at least a one third female representation in each Traditional Council. To many women, this is seen as a breakthrough in Traditional Communities. Historically Ibandla (traditional council) was constituted by men only. It was regarded as taboo for a woman to participate in the proceedings related to matters of

governance. The newly formed Traditional Councils are viewed as enabling women to be part of policy formulation on matters affecting communities in general and women in particular (Molotlegi 2006:1).

Ondlunkulu have a significant role to play in supporting Amakhosi as their spouses. This entails ensuring that the inkosi is presentable at all times, well provided for, arrives on time for meetings and is enabled to perform his/her duties to the utmost. This calls upon undlunkulu to be familiar with the roles and responsibilities of Inkosi. The community is also looking at ondlunkulu as mothers of their traditional communities. Studies have shown that poverty levels in rural areas are high. It is thus crucial for ondlunkulu to realize their role in ensuring that their communities develop both socially and economically? They have to deal with issues of spousal abuse in their communities and should play an advisory role when matters such as these are brought to their attention.

Traditionally, ondlunkulu are supposed to be custodians of customs and values. The significance of ensuring that these customs and values are not distorted let alone lost, can never be overemphasized. It is important that ondlunkulu, through dialogue, engage elders in their communities so as to learn more about their customs and values. Legally sanctioned traditional moral rearmament and renaissance programmes that support rural women's empowerment; such as the educational aspects of "ukukhuliswa"; "ubuqhikiza" and "ukwemuliswa" were also encouraged. This was stated as one of the most crucial role that ondlunkulu could play since by the very virtues of ubundlunkulu, they are custodians of culture (Sithole 2007:9).

Ondlunkulu are also expected to promote traditional institutions, even though they are not part of the Traditional Councils. The establishment of Traditional Councils does not mean that the burden must be left with Inkosi and the council itself. Strategies to work with the council at grassroots level should be developed. Should the Traditional Council malfunction, Inkosi is to be blamed as well as undlunkulu, even though she is not a council member (Molotlegi 2006:3).

There is nothing preventing undlunkulu from convening women's izimbizo in her capacity as the mother of a traditional community, to discuss matters affecting

women in general. Women who happen to be members of Traditional Councils should then communicate matters discussed at these izimbizos to the Council for information and further consideration. Ondlunkulu should be seen to be closer to the people and caring about their well being. Delegates were urged to share the lessons learnt at this and other conferences with their communities especially the women in our respective areas and not to rely solely on government for support. A forum of oNdlunkulu that would be aligned to the Local Houses was proposed with its membership open to all oNdlunkulu (Ndebele 2006:5).

In promotion of self-sufficiency at the Traditional Council level, traditional institutions need to see themselves as equal partners and not victims of circumstance in order to establish partnerships based on integrity, honour and respect. Traditional institutions have a lot to offer both government and business in the way of partnerships. They have significant human resources and need to unlock and unleash their potential. It is up to traditional leaders to provide leadership and to identify opportunities and to negotiate on behalf of their people. There is a need to look at countries that still honour and respect their artisans, where carpenters and plumbers, and artists are respected members of the communities and learn from them. Traditional leaders also need to understand the South African business environment and the legislative framework that government has put in place to encourage business to engage in broad based black economic empowerment (Molotlegi 2006:4).

Deliberating on the Integrated Development Planning (IDP) and traditional /rural women in local government during the Ondlunkulu conference, the Mayor of Umgungundlovu District Municipality, Councillor Bongi Sithole emphasized participation especially by African rural women who are the most disadvantaged. The issue of rising figures of HIV and AIDS was also raised with great concern. Ondlunkulu were also urged to participate in Business and Local Economic Development (LED) programmes by competing for government tenders and also lobby and empower themselves against male dominated businesses as well as the "late comer" effects of competitive market environment. Those who were active in this regard were applauded and encouraged to keep up the good work and be an example in their communities. Ondlunkulu were further encouraged to identify

potential economic activities in traditional council areas (Sithole 2006:2). No impact assessment studies were done to determine the effect that the conference had on ondlunkulu, but informal discussions with some of them at the conference reflected a positive attitude.

4.5.3.3 Conference on Izinduna zezinsizwa, ezezintombi namagoso

Izinduna are headman, while amagoso are leaders of men, the female equivalents of amagoso are called amaqhikiza (Alcock and Hornby 2004:11). In fulfilling the constitutional requirements, as outlined by the provisions of section 212 of the Constitution, the National Parliament passed legislation on Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003). Section 3 of KwaZulu-Natal Traditional Leadership and Governance (Act 5 of 2005) provides for the recognition of izinduna as the custodians of culture and traditions (DLGTA 2007:1).

The DLGTA hosted a conference of izinduna on 26-27 February 2007 in the International Convention Centre Durban. Among the guests invited to this conference were Isilo, King Goodwill Zwelithini Zulu, Premier of KwaZulu-Natal Dr Sbusiso Ndebele, Chairpersons of Local Houses, Executive members of Local Houses, Provincial MECs, District Mayors, National House of Traditional Leaders, Department of Provincial and Local Government, Ondlunkulu and the Nhlapho Commission. Welcoming delegates at the Izinduna conference, Mayor of Ethekewini municipality, Councillor Obed Mlaba said that izinduna were responsible for different customs and practices aimed at discipline (DLGTA 2007:2). Some of the topics covered at the conference were, the role of izinduna zezinsizwa, relevance of culture in promoting cultural tourism, and lastly, indigenous knowledge systems.

MEC of Local Government, Housing and Traditional Affairs, Mr Mike Mabuyakhulu said that the reviving and revitalization of the role of izinduna zezinsizwa nezezintombi and amagoso have a bigger role in the fight against the scourge of HIV/AIDS in the country, reinvention of the moral cultural heritage and customs, maintenance of the social fibre of morality and general social values (DLGTA 2007:5). The role of izinduna zezinsizwa namagoso during national and provincial functions, preservation of heritage, umkhosi wokweshwama, reed ceremony, ingoma,

indigenous games and others cannot be over emphasised. During the inauguration of the African Union in Durban on the 9th of July 2002, izinduna and amagoso played a vital role in organizing regiments/amabutho kaZulu to parades that showcased the richness of Zulu culture, arts and traditions. Other roles of izinduna include the preservation of the values and customs of the communities as well as maintaining peace and harmony in traditional community areas.

4.6 Capacity building programme for amakhosi

The Department of Local Government and Traditional Affairs has had a number of programmes and interventions to assist in building capacities in the traditional leadership institution. The main funding agent for this programme was the Development Bank of Southern Africa (DBSA). The following training programmes were undertaken for amakhosi and traditional secretaries.

4.6.1 Training on development related legislation

Development legislation training was first piloted with a few amakhosi on 25-29 November 2002 at the Lamontagne Hotel, Ballito. Participants to this programme were chairpersons of different regional authorities throughout the province. The programme was later rolled out to the rest of amakhosi in the following year. This rolling out of the training programme occurred between 2003-2004 and involved development legislation where amakhosi throughout the province were workshopped on all legislation pertaining to development.

Other amakhosi from the Umkhanyakude, Zululand, and Uthungulu districts (Northern Region) as well as Ugu, Ilembe, Sisonke districts (Coastal Region) also went through a similar training programme. Sessions were facilitated by the former University of Natal. The following topics were covered by the workshop (DLGTA 2003:3).

- Socio-economic development;
- Constitutional and legislative framework;

- KZN Provincial priorities and the Provincial Growth and Development Strategy;
- Traditional Administrative Justice;
- Customary marriages;
- Inheritance & succession;
- Land and Development, Agenda 21 and the role of Traditional Leadership;
- Functional linkages within the Institutional landscape;
- IDPs & the role of Traditional Authorities; and
- Public Finance Management Act (Processes and Procedures).

4.6.2 Computer training for amakhosi and traditional secretaries

Another Development Bank of Southern Africa (DBSA) funded programme was that of training of Amakhosi and traditional secretaries on computer usage.



Figure 4.6: Amakhosi from Umgungundlovu and Umzinyathi districts attending a computer training course at SITA, Pietermaritzburg (February 2004).

These training sessions took place between January and May 2004. In all 57 amakhosi and 57 secretaries from Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts were trained on basic computer skills. These training programmes included basic computer training and the use of MS word. Traditional secretaries were later taken through Microsoft excel training.

4.6.3 Administration skills training for traditional secretaries

A skills audit had been conducted through focus group discussions and skills development questionnaires with traditional secretaries from Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts in September 2003. One common problem that was identified was lack of office administration skills. As part of the empowerment of traditional secretaries, a training programme of traditional secretaries in office administration was organized.



Figure 4.7: Secretaries attending an office administration course at Mpumuza traditional administration centre (March 2004).

The service provider (Lima Development Foundation) was appointed to conduct this training. Training was conducted between March and April 2004 and was attended by

seventy traditional secretaries. The training was conducted over a period of twelve days i.e. three-day workshops in three different venues. Monitoring and evaluation of the training continued throughout the duration of the training. The training covered topics like office equipment, reception, managing the office environment, diary management, telephone, filing, meetings, business ethics, office management and negotiation skills (DLGTA: URD 2004).

4.6.4 Financial management training for amakhosi

This programme involved the development of financial management practice notes and the piloting of that to the chairpersons of regional authorities by the department. This was followed by the needs assessment of the budget processes to identify existing skills and skills gap. Plans were underway for the programme to be rolled out to all amakhosi in the future.

4.6.5 Training in Public administration

Another capacity building programme was conducted in collaboration with the University of Zululand's Political Science and Public Administration and the Democracy Development Programme (DDP). This capacity building course was presented to thirty-five traditional leaders from 18-21 September 2005. The programme was aimed at empowering the local amakhosi by developing basic skills in public administration. It was also aimed at establishing strong ties with local government structures and provincial government departments in the province. The implementation of this programme followed a vigorous process of needs assessment (DLGTA 2006:6).

The following modules were covered in this programme:

- History of Traditional Leadership;
- Introduction to Conflict Resolution;
- Introduction to the South African Constitution;
- Land administration;

- An introduction to Public Finance;
- Leadership;
- Community Development;
- Introduction to Judicial Function; and
- Introduction to Environmental Management.

4.7 Conclusion

KwaZulu-Natal has had some interesting experiences with regards to the institution of traditional leadership. The period between 2003 and 2006 was a time of tremendous changes in traditional leadership in the whole of South Africa and in KwaZulu-Natal in particular. The introduction of the Traditional Leadership and Governance Framework Act, Act 41 of 2003 and later the KwaZulu-Natal Traditional Leadership and Governance Act, Act No 5 of 2005 meant changes in the institution of traditional leadership in KwaZulu-Natal. It should be noted that the capacity building initiatives referred to above were undertaken prior to the transformation of the institution of traditional leadership. None of the newly appointed traditional councils and houses had undergone any sort of induction or training during the research period, but plans were underway to ensure that training for the newly appointed traditional councils would take place.

This chapter has discussed the transformation process, the formation of local houses and later the Provincial House of Traditional Leaders. It also reviews the challenges that DLGTA faced as a result of the transformation process. The DLGTA's Traditional Affairs branch was also examined by looking at the organisational structures, the special programmes, interventions, conferences as well as the capacity building programme that were introduced in support of the institution of traditional leadership.

4.8 Projection for the next chapter

The next chapter presents an overview of the research methodology and design. The discussion initially describes quantitative and qualitative research and then

goes on to describe the sampling procedure. Tools and methods employed in data collection are also presented.

CHAPTER 5

RESEARCH METHODOLOGY AND DESIGN

5.1 Introduction

In chapter five, KwaZulu-Natal's functioning of Traditional Administration Centres (TACs) in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts, is reviewed. This is also followed by the comparison of a TAC model with other community models and the presentation of a proposed practical TAC model. This chapter presents the research methodology employed within the study. The chapter also highlights an empirical investigation on the functionality of TACs, different community centre models and lastly synergistic partnerships between the institution of traditional leadership and municipal councillors was undertaken with special reference to the current legislation that governs local government and traditional leadership in South Africa generally and in KwaZulu-Natal particularly.

In chapter one, the following key questions were posed:

Can local governance be achieved through a combination of traditional leadership and democratic local government within Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts? National and provincial laws, policies and practices governing local government and traditional leadership will be used as a basis for this discussion.

In order to further explore issues of local governance and traditional leadership within Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts, the following four sub-problems were identified by the researcher:

Sub problem 1:

- What is the historical background of traditional leadership and development in South Africa, and how did the history influence the present? Policy will be used as a basis for this discussion.

Sub problem 2:

- How effective are Traditional Administration Centres in terms of functionality? These will be assessed through a survey of all traditional administration centres in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts in relation to literature recommendations.

Sub problem 3:

- How does the traditional administration centre model compare with other community centre models? This section will assist the researcher to come up with recommendations for a practical TAC model.

Sub problem 4:

- What is the nature of working relations between the institution of traditional leadership and municipal councillors and how can these be enhanced? These will be assessed through focus group discussions and interviews with government officials, traditional councils, municipal councillors and community members.

The above-mentioned questions form an integral part of the research methodology to examine local governance with special reference to the co-operation between the institution of traditional leadership and the democratic local government within Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts.

This chapter aims at describing the various approaches employed and the theoretical basis for conducting empirical research. It also describes the sampling procedures, research design and data collection as well as how the survey of TACs was carried out, and how focus group discussions and questionnaires were administered and the statistical treatment of data collected.

5.2 Research design

Research is a systematic attempt to provide answers to questions. The researcher uncovers facts that formulate a generalisation based on the interpretation of those

facts. Research design can be described as a plan, blueprint or guide for data collection and interpretation-sets of rules that enable the investigator to conceptualise and observe the problem under study (Edward & Talbot 1996:28).

Table 5.1: Research methodology

Population	Sampling <ul style="list-style-type: none">• Random, and• Stratified
Methodology	Quantitative, and Qualitative
Methods	Documents Reports Questionnaires Interviews Focus group discussions
Tools	Spot check reports IT evaluation questionnaire Daily activity reports
Techniques	Likert scales Indexes

According to Bless & Higson-Smith (1995:63) the research design is understood as having two meanings i.e.

- *Planning of any scientific research from the first to the last step; and*
- *Operations to be performed in order to test a specific hypothesis under given conditions.*

The data collection strategy is integral to implementing a research plan. How a researcher contacts potential subjects and obtains data from them may determine the

success of the research project (Taylor 2001:239). This study embraced both quantitative and qualitative techniques in the data collection process. Current data-sets from existing government records were used to inform the research process. Structured focus group discussions with traditional secretaries, traditional councils, government officials and community members were held. The use of historical and documentary research and current data sets on related issues were used, largely dominating the theoretical and conceptual frameworks of the study. The advantages of documentary research are that it provides authenticity and reliability, the content is specific to the research and there are few other alternatives. It is on this basis that primary and secondary data were collected in order to answer the research questions as highlighted in chapter one. It is however difficult to make inferences solely through documentary research (Edwards & Talbot 1996:30).

Part of research design is ensuring reliability and putting some controls in place to make sure that the information given is valid. The first control in this study was that of involving all TACs that existed in the study area to ensure that a true reflection of the functionality of TACs was obtained. Another control was to include all individuals present at meetings in the focus group discussions. This ensured that everybody gave their perspective. Focus group discussions also ensured that there were few individuals in each group so that more in-depth information about roles, working relations and governance and service delivery issues was obtained.

5.3 Quantitative and Qualitative research

The method of research is largely determined by the nature of the phenomenon or by the sphere of investigation. The research methodology in terms of its effectiveness is also largely determined by the extent to which it is objective and relevant to the study. According to Balkaran (2003:133) the methodology must be informed by the following critical questions:

- *Is the methodology going to collect the kind of information that is required?*
- *Is one sure that an accurate picture of the events is being built?*

- *Can one accomplish this, given the people and time involved?*

Method implies a systematic procedure in analysing a phenomenon. Once the research question has been settled and the objectives set, the researcher has to decide on possible approaches that can be used to attain these objectives (Viranna 2004:229; Landman 1988:70). There are a variety of research methods that one can choose from. For this research, methods deemed to be the most suitable and acceptable for this particular type of study were selected.

Flick (1998:40) asserts that:

Qualitative and quantitative research methods are not incompatible opposites which should not be combined. Qualitative research does presuppose a different understanding of research in general, which goes beyond the decision to use a narrative interview or questionnaire, for example. Qualitative research comprises a specific understanding of the relation between issue and method.

This study develops a theoretical framework around rural local governance. Perspectives on traditional leadership and governance as well as synergistic partnerships between the institution of traditional leadership and municipal councils are examined within this framework. The research also assesses the functionality of traditional administration centres as rural governance structures. The possible emergence of gaps on the functioning of TACs, and in the relationships between the local governance structures (traditional and municipal) will serve as a basis for the development of sound recommendations. The methodology of the study may be traced in Figure 5.1 below.

The two methods that were considered are the quantitative and qualitative research methods. Quantitative or empirical analytical research methods relate to data being expressed as numbers, whereas the qualitative research method contains data in terms of words, pictures or objects (Neuman 2000:7).

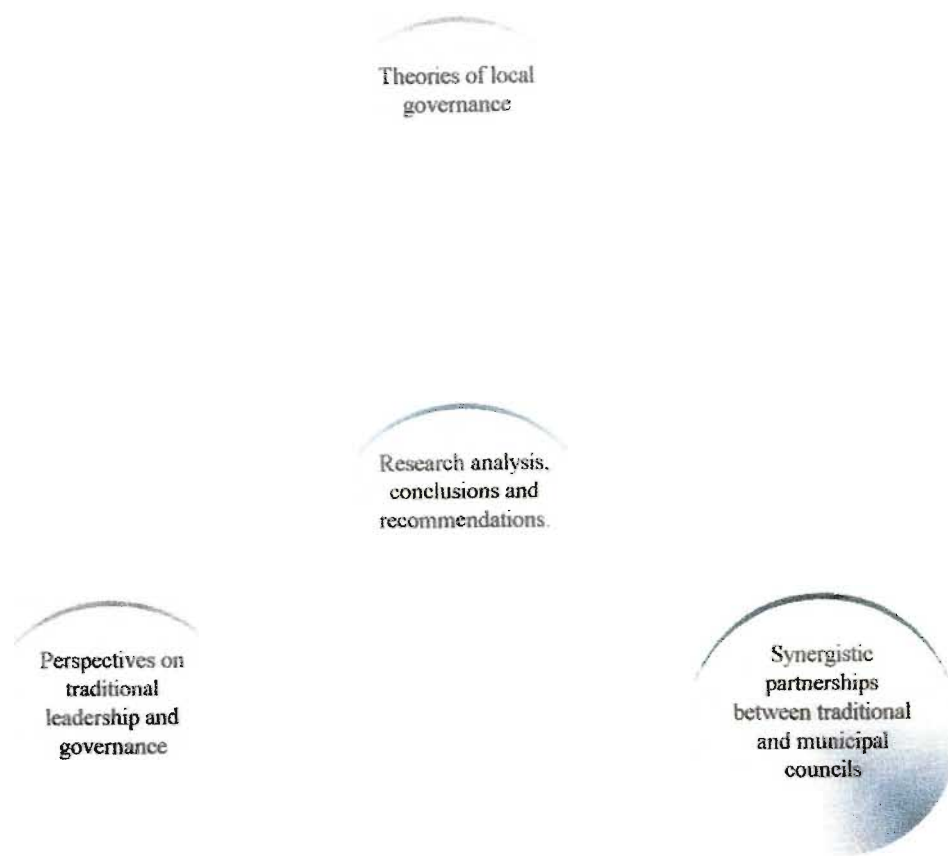


Figure 5.1: Methodological Approach to the Study

The collective use of qualitative and quantitative research is a common approach. (Wisker 2001:138) argues that:

Subjectivity exists in both kinds of research methods, as it does also in what could be termed "pure" scientific research where scientists carry out well managed and well documented experiments. Their choice of experiments and, to some extent, the questions they ask of the data in order to interpret it are cased on essentially subjective research questions, a need to know some things rather than others. This can be determined by different times and places, different needs and abilities, the opportunities, for different kinds of study, and different subjects.

5.3.1 Quantitative research

Quantitative research may be described in general terms as that approach to research in the social sciences, which is more highly formalised. It is more explicitly controlled with a range that is more exactly defined in terms of the methods used and is relatively close to the physical sciences (Viranna 2004:229; Taylor 2001:234). It involves analyses of quantities or measurements within data, and the use of quantitative data especially when it comes to statistical techniques is very important as incorrect use of techniques may leave one at the mercy of statistical propagandists. It is therefore crucial to ensure that quantitative data is never accepted unquestioningly (Johns & Lee Ross 1998: 72). Quantitative research also seeks to quantify human behaviour through numbers and observations. The emphasis is on precise measurement, testing of hypothesis based on a sample of observations and a statistical analysis of the data recorded.

Johns & Lee-Ross (1998:124) argue that the following aspects must be taken into account when engaging in analysing quantitative statistical data:

- *Check the source. The more reputable and authoritative the source of data, the more reliable and trustworthy the data and conclusions;*
- *Check who sponsored the survey. See whether the statistics have been manipulated or only collected to support a predetermined case. Check the reasons why the statistics were collected and what use is intended for them;*
- *Check that conclusions and interpretations reached are fully supported by the data. Check that conclusions are reasonable and not mere conjecture;*
- *Check statistics themselves for error or distortion. See whether the terms used were valid and fair (that a rate or percentage has not been used to exaggerate the picture); and*

- *Check the reliability and validity of the collecting or measuring instrument (register or survey, population or sample, questionnaire design, missing data).*

"The results of research can only become meaningful if the techniques used are appropriate to the research situation (Balkaran 2003: 39)". A distinguishing feature of quantitative techniques is the method used to check if data are valid. This method implies that systematic data collection should assess whether or not the theory fits the behaviour, and if this is not the case then the theory may be discarded or revised. There is a need for proper design of the research instrument and the quantitative research should not be carried out in isolation of the original hypothesis. The objective of research is the actual search for answers relevant to the hypothesis (Johns & Lee-Ross 1998:76). When collecting quantitative data, one is measuring variables and verifying existing theories and hypotheses or questioning them. Quantitative data are informed by the research vehicles and underlying research questions. Quantitative research methods include the use of questionnaires which may be designed in various formats according to the needs of the research area (Leedy 1997:142).

5.3.2 Qualitative research

Qualitative research aims to find out the characteristics of a research sample, in terms of behaviours, perceptions, values and attitudes (Balkaran 2003:135). The qualitative process does not attempt to quantify attitudes and behaviours like quantitative research. This method has the capacity to probe deeply, revealing subtle and complex issues but is time consuming and so a smaller sample size is used. In qualitative research when the hypothesis is tested, the researcher clearly states the hypothesis and they are formulated beforehand. Burns (2000:11) asserts that qualitative research:

...places stress on the validity of multiple meaning structures and holistic analysis, as opposed to the criteria of reliability and statistical compartmentalisation of quantitative research.

Preissle-Goetz, Le Compte and Shaver (1991:59-63) say:

Qualitative research calls into question the existence of correct, absolute solutions to human problems and treats knowledge in tentative, skeptical and relative ways.

In qualitative research fieldworkers and participant observers become actively involved within the research environment in respect of conversations, actions and lives of the people they study. This shows a clear shift from the quantitative approach to data collection (Balkaran 2003: 135). Concepts in quantitative research are in the form of distinct variables and have an unambiguous meaning.

According to Balkaran (2003:136), quantitative researchers must have the ability to maintain a distance between themselves and the phenomena under investigation. The questions are fixed and they generally conform to an existing hypothesis. Qualitative techniques can however take a more flexible approach, adapting their questions to the data as they go along. They thus permit an inductive view of the situation, in which hypothesis arise from data, rather than the other way around. Practical and theoretical knowledge must thereafter be drawn up in order to assist the researcher's interpretation.

According to Johns & Lee Ross (quoted by Barkaran 2003:136), qualitative research must possess the following criteria:

- *Credibility: researchers interpretation must be acceptable to others (other researchers and managers of service organisations);*
- *Transferability: results must be relevant to other organisations and situations;*
- *Dependability: findings must permit forecasting or extrapolation)for example, to support related theories); and*
- *Confirmability: similar groups in similar organisations should be able to duplicate the research findings*

Critics of the qualitative research methods assert that they lack data-based validity. They also suggest that they should be conducted systematically enough to earn validity, like in quantitative research. Critics ignore the area of flexibility and the

ability of qualitative research to meet the needs of organisations. Research projects within service organisations need to be dynamic enough to cope with the changing environmental conditions.

According to Johns & Lee-Ross (1998: 124), qualitative research methods fall into three categories viz:

- *Interviews: verbal responses to questions are gathered from individuals or focus groups of respondents;*
- *Observation: respondents; words and /or actions are recorded without necessarily asking them questions; and*
- *Documents: written materials such as archives, legal statutes, minutes of meetings, letters, memos and communications.*

The above mentioned qualitative data collection techniques have several variations and the overlap of one technique with another may be possible and is to be recommended. The research method that was employed for this study was a combination of both quantitative and qualitative methods. For the assessment of TAC functionality, a quantitative method was used to determine the level of understanding of the intended benefits and practical usage of TACs as community centres. The qualitative research method was also used in order to come up with a practical TAC model. The qualitative method was also used for recommended interventions and structures of local governance. For focus group discussions to determine working relations between traditional leaders and municipal councillors the qualitative method was mainly used.

5.4 The sampling procedure

An important feature of research is choosing the population for the study. The results of a survey are no more trustworthy than the quality of the population or its representation in the sample. Population parameters and sampling procedures are of paramount importance and become critical factors in the success of the study (Leedy 1997:203). A large target population can become extremely costly and time

consuming if one has intentions to cover the entire population. A sample would therefore be an appropriate alternative.

There are a number of different types of sampling methods. There are no simple “rule of thumb” methods that one can use and this is because the sample size and selection method informs the accuracy and reliability that the researcher needs. The character of the population and the researcher’s knowledge of it are equally important. Random and systematic sampling methods are two of the many sampling methods. Stratified sampling is used when one knows in advance that the population in question contains a number of non-overlapping sub-groups (Pratt & Loizos 1992:60-61). Two sampling methods were valuable in this study because they would enable the researcher to list and then randomly choose from a predetermined list of TACs that existed within the four targeted districts versus choosing from all the districts of KZN.

For this particular study, the population is defined as the total number of traditional authorities in the study area. The sample in this study has been chosen as all the features of the total population are present in the same relationship as in the total population (Leedy 1997:24). In investigating the functionality of Traditional Administration Centres (TACs), a sample of TACs was selected from the eighty traditional authorities that exist in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts. Sixty four of the eighty traditional authorities were included in the study. Sixteen were excluded because they did not have traditional administration centres at that time. The sixty four were included mainly for logistical reasons because this was the researcher’s area of work within DLGTA. A sample size of 100 percent was sought, but an estimated 80 percent was achieved.

For focus group discussions aimed at establishing the nature of relationships between traditional and municipal councils, the sampling of traditional councils and government officials from DLGTA to participate in the study was done conveniently (randomly would have been better but impractical). Municipal councillors and community members were included on the basis of their availability at the particular meetings to participate in the study.

Table 5.2: Conceptual framework for research methodology:

Sampling	Census of the TACs that met the criteria; and convenience sampling of officials and councillors
Primary data collection	Quantitative data on the functionality of TACs was collected through various participatory research methods using daily activity reports, IT evaluation reports and spot check reports developed by the researcher.
	Qualitative data on local governance and working relations was collected through focus group discussions with government officials, traditional councils, municipal councillors, as well as community members.
Secondary data collection	Secondary data was collected from pre and post 1994 government legislation, policies, literature and reports by the KwaZulu-Natal Department of Local Government and Traditional Affairs.
Research questions	Questions to assess TAC functionality related to the frequency of TAC usage, departments using the facility, services offered and the status of IT equipment.
	Local governance and relations questions were about roles of traditional and municipal councils, recommended interventions and structures for local governance.
Stakeholders	Key stakeholders were traditional councils, municipal councillors, government officials and ordinary community members in selected traditional areas.

5.5 Primary data acquisition

The study looked at the functionality of TACs situated within the targeted districts. The key stakeholders in this study were the traditional councils as the main subjects of the study because they were the ones that operated within the TACs. Involved were also municipal councillors who gave insight into the relationship between local municipalities and traditional councils. Government officials from the municipalities under study and DLGTA gave insight in terms of policies and working relations between traditional and municipal councils.

5.5.1 The functionality of TACs

Primary data on the functionality of TACs was collected using daily activity reports, IT evaluation reports and spot check reports as presented below. Questions were related to the functioning of existing traditional administration centres and were completed by traditional secretaries and consolidated by field officials of DLGTA.

5.5.2 Framework for assessment of TACs

The Department of Local Government and Traditional Affairs (DLGTA) had invested money building in these centres and providing them with furniture, IT equipment as well as conducting functionality workshops; it therefore made logical sense for the Department to assess the functionality thereof. Functionality in this regard refers to whether or not TACs are accessible throughout the week for communities, whether service providers like government departments, NGOs and community organisations do use the centre for the benefit of the community. The assessment was conducted between July and December 2004. First, a framework for assessment was developed which would be used as a basis for ratings (see table 5.3 below). This described the level of functionality in accordance with different ratings from 1 to 3. Attributes used to describe the minimum levels of functionality were arrived at through a consultation process between the researcher and development facilitation officers working in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba district municipalities. Some of the determinants identified are the number of days the centre is opened to service the community; usage of the centre by the community, government departments and

NGOs and the availability of inkosi and / or secretary to service the community in the administration centre. These determinants would show the degree of accountability and accessibility of the TAC to the community it serves.

All criteria needed to be met to earn a level 1 rating. If all criteria were not met in rating 1, then the TAC would be classified as rating 2, those that did not meet the criteria for rating 2 would be given a 3 rating.

Table 5.3: Framework for assessing the functionality of traditional administration centres

Ratings	Characteristics
Rating 1: Fully functional TAC	<ul style="list-style-type: none"> ➤ The TAC is open 5 days a week for 8 hours a day ➤ The secretary and / or Inkosi are available in the centre for 5 days (8 hours/ day) ➤ The community is using the centre for meetings, trainings and workshops. ➤ The ward committee/s uses the centre for committee and community meetings. ➤ At least two Government Departments are using the centre ➤ NGOs and local councillors also use the centre ➤ Equipment, furniture and I.T are in good condition and are being used (where available)
Rating 2: Partially functional TAC	<ul style="list-style-type: none"> ➤ The TAC is opened at least 3 days a week for 8 hours a day. ➤ The secretary or Inkosi are available in the centre for 3 days (8 hours/a day). ➤ The community, NGOs and councillors are using the centre for community meetings, trainings and workshops. ➤ At least one government Department is using the centre to meet with the community. ➤ Equipment, furniture and I.T are in good working condition and are being used (where available).

Rating 3: Dysfunctional TAC	<ul style="list-style-type: none"> ➤ The TAC is used mainly for dispute resolution ➤ Inkosi and/or secretary are available for fewer than three days in a week. ➤ No Government departments nor NGOs make use of the centre ➤ Not much community activity ➤ Equipment, furniture and I.T are not in good working condition and are not being used (where available).
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The ratings are based on the assumption that TACs are supposed to be accessible to the communities that they serve by bringing government services closer to the people. If the centre is not open during the week, has no government departments and NGOs using it, the inkosi and His/Her secretary are not available at the centre to attend to community needs, there is no working IT, that TAC clearly does not fulfil its intended purpose.

5.6 Tools and techniques

Leedy (1997:5) describes research as a systematic examination to discover new information to expand or verify existing knowledge in an attempt to resolve a problem. He also describes methodology as an operational framework within which the facts are placed so that their meaning may be seen more clearly. One of these methods is the descriptive survey method, also referred to as the normative survey method. This method is appropriate for data that are derived from observational situations and which may lie buried deep within the minds, attitudes, feelings, opinions or reactions of people. There is also the analytical survey method which analyses quantitative statistical data that is concerned with problems of estimation and with testing statistically based hypothesis. Lastly, there is the experimental method used for data derived from an experimental control situation in which two separate groups namely, a control and experimental group are involved (Leedy 1997:173,191,217 & 232).

The assessment tools were developed by the researcher, piloted with three traditional administration centres and then adapted and thereafter used to collect data. Testing of research tools was done in order to identify and rectify problems and weaknesses related to the questions asked prior to the actual collection of the data.

Testing of assessment tools was done on a few (three) TACs to test whether there were any items that the respondents may have difficulty understanding. The following tools were used for data collection.

5.6.1 Traditional administration centre spot check

These were designed by the researcher for use by field officers to monitor the functioning of the TACs. The reports generated from the TAC spot checks recorded the following:

- Date and time of visit;
- Whether the TAC was opened during the officer's visit;
- Whether the secretary and Inkosi were present;
- Conditions of the exterior (outside) building;
- Whether the premises were clean; and
- Whether there were any government departments and / or NGOs using the centre (See appendix E).

5.6.2 IT Evaluation report

This report was intended mainly to assess the status of available technology like computers, printers, photocopiers and fax machines. It was also aimed at ensuring that faults are reported to ensure efficient service provision by the centre.

5.6.3 Daily Activity Report

The daily activity reports were completed on a daily basis to give a record of the centre's activities for the whole month. The reports were completed by the centre's secretary with the help of the field officer and submitted at the end of the month to the DLGTA district office for recording. It covered the following:

- Government Department, NGO and/or any other organizations that used the centre on any particular day;

- The purpose for which the centre was used;
- Number of people present; and
- Opening and closing times.



Figure 5.2: Secretary of Mpumuza T/A at Umgungundlovu showing off IT equipment inside Mpumuza Traditional Administration Centre.

The centres were not only provided with information technology, but the amakhosi and secretaries were given training in the use of IT equipment (see figure 5.2). All secretaries were further trained in general office administration. Computer training was provided by SITA between January and May 2004 while office administration was outsourced to LIMA Rural Development Facilitation in March 2004. Lima is a Zulu word meaning “cultivate”. Secretaries trained were those that already had IT in their centres. In total forty secretaries and fifty seven amakhosi received computer training to service 57 centres.

5.7 Working relations between traditional and municipal councils

Another aspect of local governance that was studied is that of synergistic partnerships between traditional and municipal councils. This was done through focus group discussions with government officials from the municipalities under study

as well as those working closely with both traditional and municipal councils from DLGTA.

Primary data on local governance and working relations between traditional and municipal councils were collected through focus group discussions with government officials that worked closely with both traditional and municipal councils, traditional councils, municipal councillors and community members. Research questions were developed by the researcher based on the research problem and sub problems. Because of the difficulty of getting municipal councillors for focus group discussions, questionnaires were used to solicit information from them. Similar questions to the focus group discussion points were however used for this group of respondents.

5.7.1 Focus groups

Traditionally the focus group technique has gained a high profile as a method for guiding political campaign advertising and government's image-management. (Rosaline, Barbour and Kitzinger 1999:1). Focus groups are group discussions exploring a set of specific set of issues. The group is focussed in that it involves some kind of collective activity such as debating a set of questions, viewing a video or examining a single health promotion message. Focus groups are distinguished from the broader category of group interviews by the explicit use of group interaction to generate data. In focus group discussions participants are encouraged to talk to one another as opposed to responding to questions individually.

According to Rosaline, Barbour and Kitzinger (1999:4), focus groups are ideal for exploring people's experiences, opinions, wishes and concerns. The method is particularly useful for allowing participants to generate their own questions, frames and concepts and to pursue their own priorities on their own terms, in their own vocabulary. The method also enables researchers to examine people's different perspectives as they operate within a social network (Rosaline, Barbour and Kitzinger 1999:4-5). Focus groups are better for exploring how points of view are constructed and expressed and better suited to the study of attitudes and experiences around specific topics. They are invaluable for examining how

knowledge, ideas, story-telling, self presentation and linguistic exchanges operate within a given cultural context.

For this study the sizes of focus groups were made smaller (five to six persons) because "bigger groups often limit each participant's opportunity to share experiences (De Vos 1998:317)". Grouping subjects on the basis of shared experiences is often productive; hence the sampling of individuals was structured rather than random because the researcher needed to obtain the views of each particular group. The groups of government officials participated separately from those of traditional councils and community members. The researcher had to choose venues that would be easily accessible to the subjects; hence TACs and DLGTA offices were ideal venues. Government officials from DLGTA participated on two separate occasions with Traditional Affairs staff and Urban & Rural Development (URD). Data from these two groups was collected when they gathered for their separate staff meetings.

Community members and traditional councils were divided into groups of six with three individuals representing either the council or the community. These were conducted in the traditional administration centres because they attended the same community meetings. The discussions were held during normal traditional council and community meetings. For each session, the group facilitator approached the group with a basic outline of key questions. Flip charts were provided for participants to make notes on key points. Discussions took between 20 to 30 minutes for each group. During the focus group discussions notes were taken by the assistant moderator to record a summary of the meeting, in some instances discussions were also tape recorded. The researcher or a trained moderator facilitated the discussions that took place between all the members in a group to elicit information on presented discussion points.

Combining the focus group technique with other qualitative methods like open-ended interviews can be fruitful. The same individual is likely to answer questions differently, depending on whether they are accessed individually or through a researcher-convened group. Focus groups were used to get more insight into the

roles of both traditional and municipal councils as well as to establish the nature of working relations between traditional and municipal councillors. These would also provide insight into how synergistic partnerships should be established between municipalities and the institution of traditional leadership.

Focus groups comprised members of traditional councils, municipal councils, community members as well as government officials. One traditional council from each district were randomly selected. Government officials and community members were included on the basis of their availability at traditional council meetings. Municipal councillors included were either attending traditional council meetings or available in their municipalities to participate in the study. The focus group discussion points included questions on whether or not people thought traditional councils had a role to play in a democratic society, their understanding of the roles of both traditional and municipal councils, and whether or not they thought traditional and municipal councils should work hand in hand. It further asked for suggestions on how partnerships should be forged between municipal and traditional councils and lastly what they thought would make local governance work better in rural areas (see appendix D for focus group discussion points).

Focus group discussions with municipal councillors were arranged through the municipal managers and senior officials of the municipalities telephonically. Focus group discussion points were then submitted to the municipal managers and senior officials for previewing before they agreed to participate in the study. This was for Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts. Only fifteen municipal councillors agreed to participate in the study because it was not easy to get municipal councillors to participate. Some councillors who were at traditional council meetings in Uthukela district for example refused to participate stating that they needed to be advised by their council on whether or not to participate in the study although a few (3) of them agreed to participate. In some cases in Umzinyathi and Umgungundlovu districts in particular, councillors were approached individually and requested to fill questionnaires containing the same set of questions that were used for focus group discussions.

Focus group discussions with traditional councils and community members were arranged through the inkosi or his/her secretary using telephonic communication followed by personal visits by the researcher or her representative. In some traditional councils, focus group discussion points had to be previewed or discussed with inkosi before researchers were allowed to proceed with the study. The traditional council groups studied ranged from 20 individuals per group to as many as 30 individuals due to the maximum size of TACs which is 30. Bigger groups were divided into two or three smaller groups to ensure maximum participation.

It was assumed that the general election in 2005 and local government elections in 2006 would not interfere or change the functioning of Traditional Administration Centres. To cater for any political changes that could come as a result of elections, data collecting was deferred. The DLGTA was also undergoing transformation. To address this problem, data from DLGTA staff and municipalities in respect of the roles of traditional and municipal councils were collected after the elections.

5.7.2 Questionnaires

In general, questionnaires are more appropriate for obtaining quantitative information and explaining how many people hold a certain predefined opinion (Rosaline, Barbour, Kitzinger 1999:5). The questionnaire is the common place instrument for observing data beyond the physical reach of the observer. Although the questionnaire is a totally impersonal probe, it does succeed if their success is planned (Leedy 1997:91). Through questionnaires, the researcher endeavours to elicit factual information on policies and practices. The questionnaires used in this survey consisted of structured questions and were used for government officials from municipalities and DLGTA in order to assess their understanding of the responsibilities and expectations of both the traditional and municipal councils. The reason for the inclusion of this group was that they worked closely with both the traditional and municipal councillors. It was assumed therefore that since they were a neutral group, they would provide objective and well informed responses. The questions asked were similar to those used for focus group discussions and related to the roles and relations between traditional and municipal councillors as well

synergistic partnerships between municipalities and the institution of traditional leadership on local governance issues.

For those government officials who could only be accessed individually, questionnaires were used. The purpose of the study was explained to them and they agreed to participate. Some completed the questionnaires at once while others requested that they be given time to complete the questionnaires in their spare time. In total 25 government (DLGTA) officials took part in this study.

Errors may be found when collected data is analysed. Errors may arise from vague definitions and faulty hypothesis. This may lead to inadequate or inaccurate collection of information. Inadequate design and planning of the research may also happen if not all possible variables are identified or some important factors are overlooked (Brynard, Hannekom 1997:41-42). Data collected was coded and checked for accuracy. Tables were compiled to compare different sets of information. Because of the non-parametric and qualitative nature of much of the data, some of the analysis was qualitative. In the analysis, data items that were identified as being of great concern to the subjects were identified by averaging the ranking for each item in each of the areas of concern.

5.8 Secondary data acquisition

Secondary data was collected from different items of legislation, policies, reports, and other literature. All data was later coded and where necessary tables and graphs were compiled to compare different sub-sets of information. Statistics were used to assess the validity of information. Correlation between dependant and independent variables was analysed to establish the functionality of TACs as well as issues of local governance and relations between traditional and municipal councils. Analysis and interpretation of data was also used to determine what factors are critical in influencing variations in functions, structures and outcomes between the stakeholders. One question would be asked more than once to ensure accuracy. When subjects gave contradicting responses, a question would be clarified and the group would deliberate on it until everybody understood. Inaccurate data was therefore excluded. The report is divided into three sections dealing with the

functionality of TACs, Community Centre models, and lastly synergistic partnerships between traditional councils and municipal councillors in the study area.

Data collected was coded and checked for accuracy. Tables were compiled to compare different sets of information. Because of the non-parametric and qualitative nature of much of the data, some of the analysis was qualitative. In the analysis, data items that were identified as being of great concern to the subjects were identified by averaging the ranking for each item in each of the areas of concern (see interpretation of codes in appendix D).

5.9 Reliability and validity of the data

Validity and reliability are important in evaluating the research findings. The two terms mean the avoidance or otherwise of errors in the research. It is crucial to prevent as much as possible errors because accuracy is an important notion in reliability and validity. Errors that occur anywhere during a research project will compromise the outcome of the study and also limit the usability of the data (Sarpong 2004:85). It is easy for errors to occur in a research of this nature. Individuals may be constrained by situational factors to provide answers to questions only of the ideal and desirable but inaccurate way.

Respondents may introduce distortions simply out of desire to be as helpful as possible (Guba 1981 in Sarpong 2004:84). To avoid this from happening, many opportunities were provided to cross check responses through recapitulating on points that had already been discussed and clarifying questions where necessary. For example, during focus group discussions, a question was asked on "whether or not service delivery in KZN required collaboration between traditional councils and municipalities". Some subjects initially responded by saying no, but on reviewing and further probing they said yes. When asked why they had initially said no, the response was that they thought collaboration meant that traditional councils be abolished and merged with municipal councils. The feeling was that the two should exist independently of each other but work together in areas of service delivery.

The reliability of the data in research can be enhanced through proper documentation of the methods of data collection and through reliable data recording (Guba 1981:214). The reliability of qualitative information in this research may be questioned as there are no statistical checks and figures. However, to try and minimise errors, focus group discussions in this research were consolidated and captured on computer and stored for cross checking by the researcher.

Another important aspect of reliability and validity is the concept of measurement. Often associated with numeric or quantitative research, measurement errors in research can occur as a result of the social desirability in which research subjects respond with what they believe is the preferred social response whether or not it is true. These can also occur as a result of acquiescent response set in which research subjects consistently agree or disagree with the questions (Sarpong 2004:85).

5.10 Conclusion

This chapter gives a detailed account of the research design and methodology as applied in the study. The research methodology of the study comprised a detailed procedure embracing the objectives and theoretical approach of the study. The essence of the approach encompassed the theory on local governance, the functionality of traditional administration centre, and synergistic partnerships between traditional and municipal councils. An account of quantitative and qualitative approach was given. Empirical research was conducted in the institution of traditional leadership in Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts. Research design and the sampling procedure were well documented and implemented.

The same process was followed for the assessment of the functionality of TACs. Data on the functionality of TACs was collected through the IT Evaluation, TAC spot check and daily activity reports. Data on the synergistic partnerships between the traditional and municipal councils were collected through focus group discussions and questionnaires. These were chosen on the basis of their suitability for the kind of study undertaken.

In order to examine peoples' understanding of the roles between traditional and municipal councils, and to obtain suggestions on improving service delivery, working relations and governance in KwaZulu-Natal, data from focus group discussions was tabled and responses counted and compared to determine the highest and lowest number of responses. This would help in the interpretation of data and drawing of conclusions.

5.11 Projection for the next chapter

The following chapter presents a discussion on traditional administration centres as experienced by the province of KwaZulu-Natal. The chapter commences with a discussion on the current status of TACs in KwaZulu-Natal in terms of functionality /usage within the traditional authority areas. A community centre model is then explored in terms of what community centres are, how they are conceived and issues that planners should consider before deciding to build a community centre. Three models of community centres i.e. Multi Purpose Community Centres (MPCCs), Community Production Centres (CPCs) and Rural Service Centres (RSCs) are examined and compared to the TAC model.

CHAPTER 6

TRADITIONAL ADMINISTRATION CENTRES: A KWAZULU-NATAL EXPERIENCE.¹

6.1 Introduction

Community centres have existed over a number of years to deal with a variety of community issues. The name often reflects the purpose for which the centre was built, its location or some significant event or person of that particular community. The Lord Khanyile precinct in the Ivory Park, Johannesburg, for example, is named after a local youth who was assassinated in the late 1990's and houses a library, community hall, pay point and youth centre (Thale 2002:1). The centres may vary from cultural, trade or business, education, entertainment, training, empowerment, administration centres and many more. All centres have one thing in common, that is information provision. Generally, a community centre is a place where members of a community can find information about subjects of interest to them, take part in learning activities, discuss and share knowledge, information and concerns with extension and other community workers, planners and administrators. This is also where people find materials to help them retain their literacy and numeracy skills and also meet to organise and work together on community projects, use equipment to produce their own informational materials and enjoy culture and leisure activities (Giggey 1988: 11-17).

It is also a place of organising activities in which community members can share ideas, information and concerns with government and non-government agency workers. It should provide interesting reading material in local languages and at appropriate literacy levels. Community centres should also provide simple duplicating equipment and supplies, and train people to use them. Depending on the nature of

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the centre, it may also provide equipment and supplies for leisure activities such as film/slide shows, dances, etc (Giggey 1988:15).

As a potential route towards facilitating relations between local government and traditional leadership; and in search of ways to bring the two together, this chapter will review the concept of Traditional Administration Centres (TACs). These were developed by the Department of Local Government and Traditional Affairs (DLGTA). The functionality of TACs in the study area will be investigated in order to determine whether or not TACs are used to their full potential. The chapter goes on to explore different community centre models and compare these to the TAC model in order to come with recommendations for a practical traditional administration centre model.

6.2 Traditional administration centres (TACs)

Traditional Administration Centres are situated in traditional authority areas and are meant to provide an administrative facility for the traditional councils hence the name Traditional Administration Centres. They are the seats of traditional authorities which provide a sense of place and a point of interface for the rural community and the different role-players in development including different spheres of government (Sikhakhane 2002:2). From the institutional, legal and policy context, the role of traditional authorities is not clearly defined. On the other hand, it is also evident that the traditional leaders are already playing a significant role in many aspects of life particularly in KwaZulu-Natal (Sikhakhane 2002:4, Goodenough 2001:164).

If traditional administration centres can bring different government departments as well as the local government and traditional councils under one roof to deliver government services to the local people, they would be effective. A combination of well equipped centres with information technology and motivated personnel i.e. secretaries, is more likely to result in effectively functioning TACs. Employees are a key resource to improve public sector productivity and service. Apart from dedicated employees, information technology especially computers contribute positively to productivity and yield excess returns relative to non-computer users (Klages and Loffler 2002:11)

The TAC concept is in line with the idea of rural service centres which was conceptualized in the White Paper on Integrated Development Strategy (IDS) and aims at bringing government services closer to the people. This is in keeping with the National Government's Multipurpose Community Centre (MPCC) programme. TACs were designed within the parameters of intra and intergovernmental relations as well as functional linkages between traditional councils and municipalities (Sikhakhane 2002:6). This means that the centres are intended to eradicate the silo approach to development by different government departments, municipalities and traditional councils operating within the same traditional communities. TACs are supposed to eventually act as extensions or satellite offices to existing and future MPCCs.

Traditional authority areas are made up of "Izigodi" (Goodenough 2002:5). The "collective demarcation of Izigodi" constitutes a given traditional authority area. The boundaries of each isigodi are known to the residents and can be physical boundaries like rivers or mountain ranges. Boundaries can also indicate the beginning of another (adjacent) traditional authority area (Sikhakhane 2002:4). The spatial context of traditional authorities often cuts across municipal wards. It should be noted that one of the factors taken into account by the Demarcation Board in the determination of municipal boundaries was traditional community boundaries. The spatial reality however is that municipal wards fall within traditional authority areas (DLGTA 2001:6). One can therefore argue that traditional authority areas are bigger than local municipalities. The various government departments as well as Non-Governmental Organizations are mandated by government and expected by communities to deliver services in traditional authority areas.

In the KwaZulu-Natal context, there are development committees working in areas including those where there are active ward committees. Development committees are elected by communities to take care of particular needs, for example, a water committee would be set up where there is a water project (Sikhakhane 2002:6). Such committees can be chaired by any elected member of the community and there are no limitations in the numbers of committee members. These committees are not legislated. Ward committees on the other hand are provided for in the Local Government: Municipal Systems Act 2000, (Act 32 of 2000). They are one of the

specialised structures to enhance participatory democracy in local government. They also ensure that there is more effective communication between the municipal council and the community and also assist the ward councillor with consultation and feedback to and from the community. Ward committees consist of a councillor representing the ward as elected in the local government elections and is the chairman of the committee comprising ten members (Local Government: Municipal Structures Act 2000, Act 32 of 2000). All these structures are also working within the spatial framework of traditional authorities. Privately owned land belonging to amongst others, churches and commercial farmers are further examples of entities within the traditional council's spatial context.

6.3 The functionality of traditional administration centres

Traditional administration centres provide a sense of place and a point of interface for the traditional authority and the different role-players in development including the different spheres of government. As a result of this interface, there has been an increase in the activities of traditional councils and different government departments and NGOs in traditional authority areas. For example, the traditional administration centres have brought government to the people as illustrated in figure 6.1 below where the KwaZulu-Natal government visited the Mpumzuza Traditional community as part of its attempt to bring government closer to the people. According to Sikhakhane (2002:4), there is a correlation between development milestones in the form of basic services in a given traditional community and planning, management and general leadership activities executed at traditional administration centres.



Figure 6.1: KwaZulu-Natal Premier Sbu Ndebele and MEC Mike Mabuyakhulu with Inkosi Zondi and Izinduna outside the Mpumuza traditional administration centre during the KwaZulu-Natal Premier's imbizo to bring government to the people on 9 October 2004.

Old traditional courts were used mainly for dispute / conflict resolution, land administration, Permission to Occupy (PTOs), allocation of land, confirmation of marriages, and maintenance of public order and solemnisation of customary marriages through indigenous law (DTLGA 2001:7). In such situations there would often be a backlog in service delivery (Sikhakhane 2002:46). The traditional courts were supported by the KwaZulu-Natal provincial government that was responsible for administrative support and the collection of fees accrued by the tribal authorities from the services rendered. Before the introduction of the traditional administration centre concept, generally most traditional courts were used by the Inkosi, his /her staff, various committees, the public for court hearings and meetings and from time to time by various government departments for example the Department of Health for mobile clinics and for pension payouts (DTLGA 2001:12).

Some of the criticisms by the people against tribal courts were that they were undemocratic because they were dominated by men and excluded women and other members of the community. Such criticisms can be expected where traditional leaders, which were historically icons of local tradition and identity, have become a subject of contestation and transformation, especially within postcolonial states

where inherited political systems are being rethought and reinvented. Traditional leaders are also regarded as transitional characters representing the displacement of old, traditional ways by newer, modern ones (Oomen 2002:2, White and Lindstrom 1997:1).

A new functionality model was then developed by DLGTA to transform the old tribal courts into TACs. The transformation of single purpose tribal court focusing only on conflict resolution into multi-purpose traditional administrative centres incorporating a tribal court and other facilities is a huge step in bringing essential services closer to communities. The model places traditional administration centres at the core of rural development (Sikhakhane 2002:1). It emphasizes development, service delivery, social and institutional transformation as the main functions of administration centres. There was a conscious effort to stress that the functions mentioned earlier did not replace the traditional functions like conflict resolution but are an addition to them. Co-operative governance between different government departments and other role players is also recommended as highlighted below (Traditional Leadership and Governance Framework Act 2003).

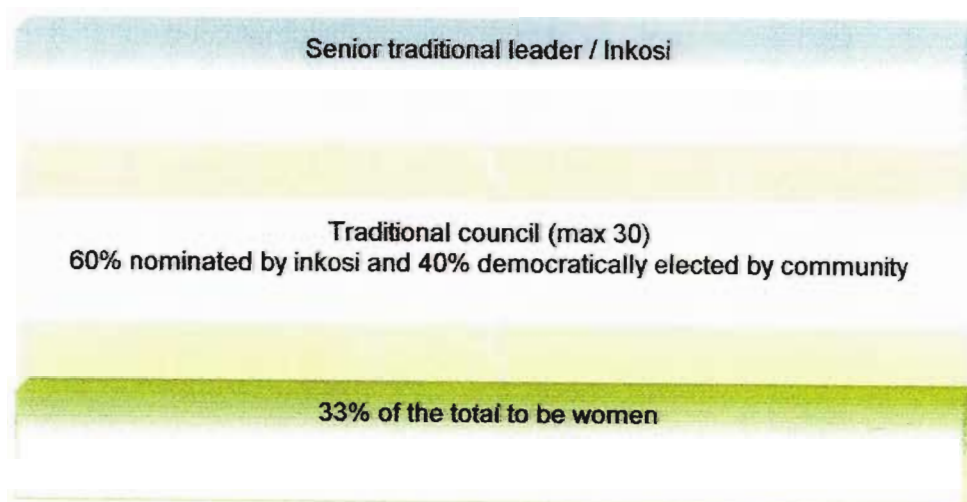


Figure 6.2: Recommended traditional council structure (KwaZulu-Natal 2005; RSA 2003)

According to the Traditional Leadership and Governance Framework Act 41 of 2003, a traditional council may have not more than 30 members. Forty percent of the members must be democratically elected while 60 percent may be nominated by the inkosi. Of the total, one third (33%) should be women (see figure 6.2 above). The

members are to serve in the council for five years and then new elections will take place.

Outside the traditional council as provided for by legislation, the institution of traditional leadership is also characterised by the existence of traditional councillors who are drawn from the ranks of headmen and sub-headmen (izinduna in their different ranks) and prominent members of the community who are acknowledged for their skills and leadership qualities (Dlungwana 2004: 9). These are equally prestigious positions with traditional communities.

Traditional councils were previously involved in development on an ad hoc basis. It should be noted that *inter alia* schools, roads, bridges, were constructed in the traditional authority areas long before the municipal councils came into being. However, development and service delivery was not inherent in the function of traditional leadership. The functions of traditional councils according to current legislation are customary and limited to the facilitatory, enabling, supportive and consultative roles in the development of their communities (Traditional Leadership and Governance Framework Act 2003, Act 41 of 2003). Provisions made are for limited involvement in planning through integrated development plans and traditional / customary roles (Local Government: Municipal Structures Act 1998, Act 117 of 1998).

In order to ensure that traditional councils understand the intentions of DLGTA regarding TACs, functionality workshops were conducted in some areas where these structures had been built. Twenty one workshops were held between March and August 2004. More were scheduled to take place during the year 2005 (DLGTA 2004:3). The objectives of the workshops were primarily to unpack the functionality model in order to ensure maximal functioning of the centres and to explain asset management principles and procedures in order to ensure efficient and responsible usage and maintenance of traditional administration centre assets. They were also meant to ensure that traditional councils became democratic and fully representative of their communities i.e. women, youth and disabled form part of the council. The initial three workshops were facilitated by the researcher together with the

Development Facilitation Officers (DFOs) responsible for those particular traditional authority areas. These initial workshops were meant to ensure that the DFOs acquire the necessary skills on how to conduct workshops. The rest (18) were facilitated by the DFOs once the researcher was satisfied that they had acquired the necessary facilitation skills.

Generally 95 – 100 percent of traditional council members, one or two representatives from different government departments and NGOs attended the workshops. The Department of Agriculture was represented in all the workshops, followed by the Departments of Health and Welfare. The municipal councillors that attended were only those that held positions in the traditional councils as well. The lack of attendance by other councillors may be attributed to the ongoing rivalry that existed between the traditional leadership and municipal councils in certain areas. The expected output was an annual work plan which included programmes and activities by different role-players for each traditional administration centre.



Figure 6.3: Functionality workshop proceedings inside the Amantungwa traditional administration centre in Utrecht on 5 March 2004.

6.4 Community Centre models

In order to achieve the objectives of community centres as stated earlier in this chapter, there is a need for proper buildings, adequate finances, appropriate staff, and a committed management group e.g. committee / council. The crucial aspect is

the involvement of community to ensure that a centre is well looked after (Giggey 1988:17).

6.4.1 Getting started

When planning a community centre there are a few crucial points to consider which relate mainly to the needs of the users. Firstly, it is important to determine who the users will be, the kind of information that is to be disseminated or made available from the centre, how that information will be provided, what staff is required, type of equipment required and lastly, what other services other than information will be offered (Raddon and Dix 1989:79). A community centre cannot operate in isolation; programmes have to relate to the wider development plans of a local municipality.

According to Raddon and Dix (1989:79-80), the following should also be considered before building a community centre in order to decide on an appropriate structure and size:

- Local administration/leadership. Is there a local government office? Is there a traditional system of administration? How are decisions made about the community? Where decisions are made, how and by whom are they carried out? This information will determine the usage of the centre and issues of sustainability i.e. operation and maintenance.
- Physical boundaries. What are the physical boundaries of the community the centre will serve? Will the centre serve only the village in which it is situated or will it also serve nearby villages?
- Population of the community. What is the total number of people living in the community? How many youth, elders, etc are there?
- Occupations. What do most men and women do for a living? How many children go to school? What do teenagers do? How much money do people earn?

- Education. How many people have been to formal schooling. How many years of schooling have they had? This information will help in planning the reading level of materials in the centre.
- Adult education programmes and extension services. What adult education programmes are being held or have recently been held in the village? Who and how many have attended the programmes? Are there any special programmes for women? What other extension services are there?
- Learning resources. What learning materials already exist in the village? (E.g. at local schools, churches, etc). How are these used and how often?
- Community knowledge and skills. What knowledge and skills are there within the community? Who from the community can help teach special skills?
- Interest groups. Are there any? What value can these add to the centre?
- Transportation and communication. Is there a road to the village? What is the nearest railway station? How often do buses or trains come to the village?
- Seasonal patterns. Do community activities depend on a weather pattern?
- Religion. What religions are practiced in the community? Do any of these have special rules that have to be considered, such as holy festivals and days, rules for women, etc?
- Institutions/social facilities. Is there a market place or a meeting place (who can use these and when)?

Community centres are supposed to provide certain benefits to the communities for which they are established. The following section discusses some of the common benefits that residents would expect from their community centres.

6.4.2 Benefits of community centres

Community centres are beneficial in that they provide information and activities which will help the community members acquire the skills, knowledge and confidence to

participate more fully in community affairs. They provide information and activities about health and agricultural techniques, businesses, etc to assist communities to improve their economic situations. They provide a forum through which governments and other agency workers can be informed about concerns, problems and reactions of community members to their plans and programmes. They also provide support to extension programmes and help extension workers to co-ordinate their work in the community. They strengthen a community's involvement in local and national culture and serve as a focal point for community activities and enhance a sense of belonging among community members (Giggey 1988: viii).

Three community centre models are dealt with in this section. These are the Multi Purpose Community Centres (MPCCs), Community Production Centres (CPCs) and Rural Service Centres (RSCs). These will be later compared to the Traditional Administration Centre (TAC) model in order to come up with further recommendations for a practical TAC model.

6.4.3 Multi-Purpose Community Centres (MPCCs)

Writing in MPCC discussion document Berlin (1998:1) describes MPCCs as one of the best ways to aid the empowerment of previously disadvantaged urban, peri-urban and rural communities in the Information Society of today and for the foreseeable future. He further states that MPCCs are the nodal points for access to elements of the social enrichment and upliftment process for communities long denied access such as goods and services. As early as 1996, the Cabinet approved the Comtask Report which mandated the national Government's Communication and Information System (GCIS) to provide development communication and information to the public to ensure that they become active participants in changing their lives for the better. MPCCs are supported by government through a Cabinet mandate (Cabinet Memorandum 15 of 1999, dated 18 November 1999) and recommendation 65 of the Comtask report, which stipulates: "It is proposed that the GCIS promotes and accelerates the development of Multipurpose Information Service Centres".

In South Africa, Multipurpose Community Centres (MPCCs) have been identified as the primary vehicle for the implementation of development communication and

information programmes as they can serve as a base from which a wide range of services and products can reach communities (GCIS 2001:1). The MPCC approach is seen as a response to the particular historical, social and economic factors, which characterized freedom of access to information and citizen participation in our past political system. This includes socio-economic problems such as high levels of poverty, high unemployment, low standards of living, remote settlement patterns, and poor access to basic services, lack of access to technology, lack of information, poor health services, lack of education and skills, lack of infrastructure, and others (Thale 2002:2).

An MPCC is a one-stop, integrated community development centre, where there is community participation and people's needs are addressed by providing relevant services. An MPCC's aim is to empower the poor and disadvantaged by means of access to information, services and resources from both governmental and non-governmental sources, which can be used for their own development. It provides access to integrated, cost effective and responsive government information services, provide access to and use of technology, enhance the quality of life of the people in the community, enhance the decentralization of government and government services, promote proper management and control of government and other stakeholder resources. MPCCs are defined as those centres that have at least six government departments offering services to people who live close by. MPCCs should also have access to technology in the form of Information Technology Centre (ITC) such as a Telecentre or other forms (GCIS 2001:1).

Government departments from national, provincial and local levels offer information and services at MPCCs but services differ from centre to centre based on community needs. Government services like identity documents, pensions, health information, unemployment office, government information office, passports, and library; training on the use of computers, the internet and other online services, other kinds of services and information like community banking, craft shops, women's clubs, food production programmes are some of the services one is likely to get in an MPCC. MPCCs are also points of two-way communication between government and citizens, where people can share their views on government programmes, policies and

activities where citizens can make their needs for services known to government. Proximity does not necessarily mean that this automatically takes place. There is a need for appropriate procedures and community structures to ensure that the MPCCs do benefit the target communities.

Community events such as music concerts, meetings, voting and training take place in the MPCCs. These are also places where government representatives and elected members of parliament can hold forums for discussions with communities. They are also places where communities can hold forums to share information and lessons on successful development efforts. This encourages good governance in the sense that issues like voting and other governance issues that really matter to the community are addressed at a local level rather than at provincial and national government levels. It also reflects on the potential that MPCCs could offer to communities (GCIS 2005:2).

According to Maphisa Nqakula (2007:1), the government intends to have opened MPCCs in each of the municipalities including metros. These are the second generation MPCCs, the first generation targeted district municipalities throughout the country (GCIS 2001:2). The province of KwaZulu-Natal has ten district municipalities and one metro. By the end of 2005 the province already had nine MPCCs and was in the process of completing the remaining 2. Of the nine completed, two were from the study areas i.e. Uthukela and Umzinyathi districts, while the two remaining were for Umgungundlovu and Amajuba districts (Cabinet memorandum 19 of November 1999 plans for 60 MPCCs).

A nodal point approach such as establishing an evenly distributed network of bigger centres can support smaller centres at local authority and community level. The relationship between MPCCs and TACs is that while there may not be enough MPCCs to service all communities particularly in the traditional communities, TACs can be used for the same purposes either as extensions or satellites thereof. MPCCs are supposed to be funded through collaborative arrangements where each government department that offers its services via an MPCC, funds this through their individual line-function budgets. The costs involved in launching MPCCs and the

associated community events, have been carried largely through partnerships between the community, the Government Communication Information Systems (GCIS) and the representative Premiers' offices. Department of Public Works funded the refurbishment of existing MPCCs and, in some cases, the construction of new premises for MPCCs. Income raised through payment of rentals and services for the use of facilities at the MPCC contribute to the funding of the day-to-day MPCC operations (DLGTA 2006:5).

The TACs on the other hand are solely funded by the Department of Local Government and Traditional Affairs and maintained by it. Government services have been identified as the central component of an MPCC. Certain government services have then been identified as anchor services of MPCCs. These are the most basic level of social and administrative services enabling the empowerment of citizens.

Table 6.1: MPCC six core services (GCIS 2006)

1.	Government Social and Administrative Services
•	Personal documents
•	Grants
•	Housing applications
2.	Office Services
•	Phone, fax, scan, copy, print
•	Desk top publishing
•	Postal services
3.	Education and skills development services
•	ABET and FET
•	Other training programmes
4.	Information and Communication Activities
•	Government Information and site guidance regarding services
•	Community information and awareness

5.	Business Services and Community Opportunities
•	SMMEs
•	Other private sector services (e.g. retail, ATMs)
6.	Local Economic Development Services
•	Small business advise, support and development.

As shown in table 6.1 above MPCC's basic structures offer a minimum basic requirement of four essential components i.e. *Information and Service centre* which is a cornerstone component of the MPCC and involves the provision of government services and information technology. Secondly there has to be the *information and communication technology centre* on the other hand to offer communities access to information and communication technologies, including public telephones, internet access, computers and photocopying facilities. The third component is a *learning centre* which works well where MPCCs are adjoining a community hall or larger boardroom. It is the point where learning activities and transactional activities can take place. Education and training programmes are most likely to take place here, including Adult Basic Education (ABET). Lastly there should be a *Community Economic Development Centre* which seeks to add value to economic development initiatives in communities through services such as tender advice, linking community initiatives to wider national and regional economic programmes, small business development (SBD) advice, business planning, municipal services, and more (GCIS 2006:27).

There is difficulty in maintaining consistency in the provision of services by departments once the MPCC has been established. There is also a challenge of encouraging departments operating in MPCCs to re-allocate resources towards such centres. In some cases, officials do not have computers, furniture and vehicles. They cannot operate effectively because of the lack of basic resources. Another problem is that of handling non-governmental funds: financial administrative procedures and systems for handling non-government funding are lacking (DLGTA 2005:6).

Basic MPCC structures can be further developed so that all and not only those people living in the immediate vicinity of the MPCC, according to demarcation of that district, will have access. The central hub will need sufficient bandwidth to satisfy the connectivity needs of satellite centres. An advanced MPCC is the one that is self-sustaining, fully independent and offers a range of advanced services to both government and private sector service providers. Such a centre has a high demand for multi-media, high speed, high bandwidth applications, as well as the ability to send large amounts of information to remote rural areas where terrestrial telecommunication lines are sufficient (GCIS 2006:3, GCIS 2005:11).

In terms of how functions and services can be provided within MPCCs, there are a few options. These can be provided in one-roof, service centre type or separate buildings that are close to each other in the same vicinity or yard. One roofed pattern MPCCs house a number of offices in one building. It usually has a public area such as a waiting room and in some cases other facilities e.g. community hall, gymnasium, toilet and kitchen facility, at least one room with some community computer facility such as a tele-centre. This is a one-building facility often surrounded by a fence and security gates to control access. The TAC follows this particular model. In some instances MPCCs can have a number of service providers housed in separate buildings in a locality. The challenge here is to have proper directional and information signage so that visitors to the centre are able to understand where to access specific facilities.

In terms of administration and management, the government adds value to an MPCC that is administered and managed by an existing NGO or Community Based Organization (CBO). These are usually non-profit agencies, trusts or section 21 companies. The community structure has a management committee as well as a board or other oversight institution. A centre manager is employed by the board and is responsible for daily management and operations. Usually agencies joining the centre usually become tenants paying rent to and abiding by the management rules of the centre. Some form of representation on the management needs to be afforded to those who will relocate to offer services through the centre. In the KwaZulu-Natal context, the construction of MPCCs is the responsibility of the Department of Public

Works working together with Government Communication Information Systems (GCIS) and DLGTA, but the administration and management of the centre once it has been constructed becomes the responsibility of a local municipality which also appoints the centre manager.

6.4.4 Community Production Centres

This is a Department of Public Works initiative to create community owned productive assets. In her address during a Parliamentary briefing on the 16th August 2002, the late Minister Stella Sigcau stated that the first Community Production Centre (CPC) project was inaugurated by President Thabo Mbheki at Lumbasa near Lusikisiki on 25 November 2000. She further said that CPCs are "the seed for rural economic regeneration and a case study for the agricultural self sufficiency of rural communities throughout the African continent (Department of Public Works 2002:3)". The programme links to the government's goal of sustainable local economies, the mobilization of voluntary efforts, and the principles of community mobilization, self-help and self-reliance. This programme is aimed at poverty alleviation and the promotion of emerging farmers and SMME support in rural areas more related to agricultural projects like irrigation schemes, state farming, contract farming. It also involves building capacity through the establishment of community trusts to contribute to development in specific rural areas particularly in irrigation schemes and other similar projects. The programme is about improving infrastructure by building new irrigation schemes or upgrading of existing ones.

The challenge with this model is that in reviving collapsed agricultural schemes, high level technology is used. There is poor management by outsiders and minimal decision making or autonomy on the part of farmers and the community and there is ongoing subsidisation. The use of sophisticated and inappropriate technologies that local communities are not able to operate and maintain promotes state dependence. Another challenge is that while the CPCs are aimed at community ownership, control and management of assets is in the hands of the state and maintained by it. Decision making is also not in the hands of beneficiaries but lies with outside agents who have no direct accountability to them. The financing of the programme is done

through the Project Implementing Agent (PIA) which is the Independent Development Trust (IDT). They are also responsible for the coordination and installation of infrastructure, social facilitation to oversee tendering for contractors, hiring of labour and facilitating relationships between contractors and beneficiaries as well as intergovernmental coordination. This creates little empowerment at the project level.

The model however has a potential to create linked local production systems and markets, stimulate local economic activity, develop a financial vehicle for state investment and partnerships with rural communities. Different departments and agencies should coordinate their activities in terms of support, loan finance and resolving land rights and claims. What is also required for this model to work better is that appropriate management systems should be developed and that assets should be transferred to the community based structures.

Talking at the official launch of the Lambasi CPC at Lusikisiki, late Minister Stella Sigcau said that "the CPCs constitute a vehicle for community ownership and ensures vibrant economic nodes (Sigcau 2000:2)". The Minister also stated that there is a need for a national policy framework giving such structural arrangements legal standing. Land ownership transfer from customary or collective tenure to individual ownership has however been difficult to implement in many parts of South Africa. (Association for Rural Advancement (AFRA) 2004:1). It is therefore recommended that the benefits of individual land tenure be balanced with communal tenure so that land remains in legal ownership of the state but existing use is recognised, protected and given the status of property rights while not being reduced to exclusive private ownership. Democratically constituted local land users' structures that incorporate local level traditional authorities and local governments should be formed. Ownership issues between land owners and water users also need to be addressed. There should also be cooperation between government departments. For example, Department of Water Affairs (DWAF) can provide the bulk supply, the provincial Department of Agriculture can provide fencing, and the community trust can fund buildings and roads. For this programme to succeed, effective partnerships

and co-ordination of the respective policies and strategies by different government departments, private sector and communities should be encouraged (Sigcau 2000:4).

6.4.5 Rural Service Centres (RSCs)

The RSC concept in South Africa was informed by pilot programmes in Malawi and Zimbabwe in the 1980s. The concept was also used as one element of the spatial development strategies in North East and North West and in Maputaland (VARA 1988). In the mid 1990s when KwaZulu-Natal was developing its Integrated Rural Development Strategy (IRDS), the need arose for a coherent spatial framework to support the development of small towns and emerging centres as a means of improving the delivery of services to the rural areas of KwaZulu-Natal (McIntosh, Xaba and Associates 2001:1). These centres are seen as practical ways towards enhancing service delivery, both infrastructural and social, to rural communities deprived of such facilities in the past. It is the aim of every sphere of government to uplift rural communities through just and equitable provision of modern infrastructural and social services at conveniently situated and reasonably accessible nodes or hubs in rural areas.

The RSC is also a Department of Public Work's concept that arose in response to the need to address and alleviate the widespread rural poverty and equitable distribution of services in the province. The KwaZulu-Natal Provincial Growth and Development Strategy (PGDS) and the Integrated Rural Development (IRD) White paper (1998) promoted the development of small towns as a means to improving the delivery of services to the rural areas. The RSC was a focal point where a comprehensive range of services could be rendered, coordinated and distributed to peripheral rural settlements. The RSC would be at the lower end of the settlement hierarchy. During the 1990s, emphasis shifted from the physical form and location of RSC to the management of coordinated service delivery systems around well located centres in rural areas and to pilot projects. One important element of the rural service centre is the appointment of a co-ordinator who would drive rural service delivery programme, local economic development and ensure documentation and dissemination of lessons learnt (McIntosh, Xaba and Associates 2001:1). Each RSC

is a pool of human and physical resources from which rural people can draw to promote their development. In KwaZulu-Natal attempts to develop RSCs in kwaNgwanase and Mbazwane ran into difficulties around questions of town-like development in land under traditional authority jurisdiction.

6.5 A comparison of the TAC, MPCC, RSCs and CPCs

As reflected in table 6.2 below, all community centres are built to perform similar functions, i.e. that of addressing issues of governance and service delivery by bringing government services closer to the people. Issues of sustainability seem to be a problem in all types of community centres. Reports have revealed that in the TACs for example, some had an electricity and water supply cut due to non-payment (DLGTA 2004:6). About twenty six TACs had photocopying machines and computers reportedly not working because the traditional councils did not have money to purchase inks and toners. High incidences of theft were also reported, probably because community members did not have a sense of ownership of the TAC and its assets.

Table 6.2: A comparison of TAC and other community centre models

	TAC	MPCC	RSC	CPC
Main focus	Administration facility for traditional council. Provide access to government services	Promote communication and access to information. Bring together different government departments.	Develop small towns to improve service delivery in rural communities surrounding them. To provide infrastructural and social services	Improve agricultural production Support emerging farmers and SMMEs in rural areas.
Administration and Management	Provincial government (DLGTA)	Local municipality	Community	Community Trust

Legal ownership of the structure	<p>Owned and maintained by DLGTA</p> <p>Issues of legal ownership unresolved because</p> <p>Land in the traditional communities is owned by Ingonyama Trust and there is currently no lease agreement for occupation by the TAC.</p>	Local municipality because in most cases it owns that particular piece of land. But cases like Bhamshela where an MPCC is on privately owned land, ownership becomes an issue that needs to be addressed.	Local municipality and /or Ingonyama Trust.	Community trust
Structure and functions	One roof structure housing a number of offices and offering multiple services.	A combination of one roof, service centre type or separate buildings close to each other in the same yard. Offering information services, ICT, learning & community economic development centre.	A combination of one roof or separate buildings close to each other in the same yard offering a variety of community services.	Infrastructure to improve agricultural production and services.
Source of funding	Provincial government (DLGTA).	Department of Public Works, Municipality through MIG funding, DLGTA, GCIS.	Department of Public Works	Departments of Public Works, Water Affairs and Agriculture & Environmental Affairs.

In the case of CPCs where community trusts owned the project and its assets, there was still a problem of operation and maintenance of the highly technical irrigation schemes. MPCCs struggled with collecting rentals from different government departments, definitely a gap in the system (DLGTA 2006:4). Rural service centres that were taken over by local municipalities continued to provide community services,

while many, for example at Hlanganani, were left unused because no one took responsibility for their operation and maintenance as well as ownership of the buildings.

6.6 Conclusion

Traditional Administration Centres are a milestone in the history of traditional institutions. One would assume that KZN decided to take the route of TACs versus the other community centre models, in order to avoid confusion resulting from the overlap of boundaries. One TAC would service a particular traditional community in the same way as the tribal court did. The other models are such that one centre is expected to service a number of surrounding communities. The TACs have elevated the status of amakhosi; and brought back some of the dignity that was lost as a result of colonial and apartheid policies.

TACs are supposed to give the community a sense of place, pride and identity. At least the basic services like public telephones and postal services should be made available to the community. A practical TAC needs appropriate building, finances to ensure continued operation and maintenance, appropriate staff, and a management group e.g. committee / council. People are an important resource to make the centres work; appropriate staff does not only mean academically qualified personnel but also people who understand the local culture and traditions. There is no way that any TAC can function without a proper fundraising plan. Without a healthy financial management system, electricity, water and telephone disconnections will be common phenomena in these centres.

6.7 Projection for the next chapter

The next chapter presents an overview and discussion of the data analysis and interpretation of results. It begins by looking at the functionality of TACs, and then presents a recommended practical TAC model. Focus group results are also presented as part of the enquiry into the synergistic partnerships between traditional councils and municipalities.

CHAPTER 7

ANALYSIS AND INTERPRETATION OF DATA

7.1 Introduction

The objective with the empirical survey of the TACs was to test attitudinal responses to aspects such as democratic local governance and the place of traditional leadership in the new dispensation, functionality of traditional administration centres and lastly, synergistic partnerships between traditional leadership and municipal councillors. This chapter presents the analysis of the data collected from the respondents and the interpretation thereof in relation to the entire population. The data collected from the focus groups and questionnaires were analysed in order to determine whether traditional administration centres can play a meaningful role in local governance and to establish ways of developing synergistic partnerships between traditional councils and the municipal councillors.

The level of functionality of the traditional administration centres was critically reviewed within the Umgungundlovu, Uthukela, Umzinyathi and Amajuba districts in KwaZulu-Natal. The functionality review was based on the functioning of traditional administration centres situated in these districts over a six month period from July-December 2004. The focus here was on whether the dynamic role that TACs play in ensuring that development for traditional communities is possible.

The data obtained from the focus group discussion and other research tools were computed using the software Statistical Package for Social Sciences. The presentation and analysis of the results will incorporate a balance of descriptive and inferential statistics from data obtained through focus group decisions and TAC daily functionality reports

7.2 The functionality of traditional administration centres

Traditional administration centres are an operational arm of traditional authorities. These centres are seen as the seat of the traditional authorities (see figure 7.1 below). The names of these centres in most cases are descriptive of the tribes that

they serve. They are an important institutional development milestone for traditional authorities. In their absence, the inkosi and his/her council attend to community and development issues at the Inkosi's residence. There are limitations here associated with the protocol for communities wishing to approach the inkosi's residential area (Sikhakhane 2002:2; DLGTA 2001:6). There are also functional limitations such as inadequate space for many people wanting to meet the Inkosi at the same time. The Inkosi's residence may also not have all the necessary equipment and furniture necessary to ensure effective meetings and consultations.



Figure 7.1: Abambo traditional administration centre at Estcourt in Uthukela District (September 2003).

Once constructed, traditional administration centres are equipped with office furniture and Information Technology (IT) equipment. At social and political levels this is aimed at "improving the negative image of certain amakhosi (and their courts) that are notorious for their corruption, nepotism and lack of transparency (DLGTA 2001:3)". The IT is supposed to, among other things, play an important role in ensuring that customary law cases are typed and documented. At present there are no customary law reports because customary cases are not reported in written form. The law reports that exist are from about the 1950s and are outdated (DLGTA 2001:5). The legal implications of recording customary law, would be a creation of a current body of customary law; thus ensuring that legal practitioners, students,

judges and researchers have a readily accessible body of information relating to current customary law (DLGTA: 2001:3).

Of the eighty traditional authorities listed in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts, sixteen do not have traditional administration centres. This is mainly due to the unresolved land ownership issues in eleven of them. The remaining three are said to fall outside the boundaries of the targeted municipalities, one does not have any traditional council (inkosi, izinduna, etc) as a result of past violence in the area, and one traditional court was destroyed by fire.

7.3 TAC functionality ratings

The functionality of traditional administration centres was assessed on the basis of their monthly functionality reports that were generated by the secretaries and verified by the DLGTA officials. The secretaries were expected to record all activities that took place as well as all organizations and departments that used the centre on a daily basis. These daily reports would then be collated by the departmental officials who would then compile a monthly functionality report and give ratings according to a given assessment framework (see table 7.1 below).

Table 7.1: Ratings of traditional administration centres functionality between July and December 2004

JULY (n' 59)	AUGUST (n'60)
Rating 1: 6 (10%)	Rating 1: 6 (10%)
Rating 2: 24 (41%)	Rating 2: 25 (42%)
Rating 3: 29 (49%)	Rating 3: 29 (48%)
Usage by government departments, NGOs and others (n ' 121)	Usage by government departments, NGOs and others (n ' 142)
Department of Health : 26 (21.4%)	Department of Welfare : 31 (21.8%)
Department of Welfare : 25 (20.6%)	Department of Health : 27 (19.0%)
Department of Agriculture : 15 (12.3%)	Department of Agriculture : 17 (11.9%)
Development committees : 14 (11.5%)	NGOs : 13 (9.1%)
NGOs : 10 (8.2%)	Development committees : 11 (7.7%)
Ward committees : 7 (5.7%)	Department of Transport : 8 (5.6%)
Department of Transport : 6 (4.9%)	Municipalities : 7 (4.9%)
Municipalities : 4 (3.3%)	Ward committees : 6 (4.2%)
Others : 14 (11.5%)	Others : 22 (15.4%)

<p style="text-align: center;">SEPTEMBER (n'58)</p> <p>Rating 1: 7 (12%)</p> <p>Rating 2: 31 (53%)</p> <p>Rating 3: 20 (34%)</p> <p>Usage by government departments, NGOs and others (n ' 160)</p> <p>Department of Welfare : 38 (23.75%)</p> <p>Department of Health : 30 (18.75%)</p> <p>Department of Agriculture : 16 (10.0%)</p> <p>NGOs : 20 (12.5%)</p> <p>Development committees : 21 (13.1%)</p> <p>Department of Transport : 8 (5.0%)</p> <p>Municipalities : 8 (5.0%)</p> <p>Ward committees : 0 (%)</p> <p>Others : 19 (11.72%)</p>	<p style="text-align: center;">OCTOBER (n'49)</p> <p>Rating 1: 6 (12%)</p> <p>Rating 2: 29 (59%)</p> <p>Rating 3: 14 (29%)</p> <p>Usage by government departments, NGOs and others (n ' 119)</p> <p>Department of Welfare : 25 (21.0%)</p> <p>Department of Health : 15 (12.6%)</p> <p>Department of Agriculture : 15 (12.6%)</p> <p>NGOs : 7 (5.8%)</p> <p>Development committees : 12 (10.1%)</p> <p>Department of Transport : 9 (7.6%)</p> <p>Municipalities : 7 (5.9%)</p> <p>Ward committees : 6 (5.0%)</p> <p>Others : 23 (19.3%)</p>
<p style="text-align: center;">NOVEMBER (n ' 50)</p> <p>Rating 1: 5 (10%)</p> <p>Rating 2: 28 (56%)</p> <p>Rating 3: 17 (34%)</p> <p>Usage by government departments, NGOs and others (n ' 144)</p> <p>Department of Welfare : 22 (15.2%)</p> <p>Department of Health : 20 (13.8%)</p> <p>Department of Agriculture : 14 (9.7%)</p> <p>NGOs : 17 (11.8%)</p> <p>Development committees : 14 (9.7%)</p> <p>Department of Transport : 4 (2.8%)</p> <p>Municipalities : 9 (6.3%)</p> <p>Ward committees : 0 (%)</p> <p>Others : 44 (30.5%)</p>	<p style="text-align: center;">DECEMBER (n ' 54)</p> <p>Rating 1: 6 (11%)</p> <p>Rating 2: 24 (44%)</p> <p>Rating 3: 24 (44%)</p> <p>Usage by government departments, NGOs and others (n '111)</p> <p>Department of Welfare : 18 (16.2%)</p> <p>Department of Health : 21 (18.9 %)</p> <p>Department of Agriculture : 13 (11.7 %)</p> <p>NGOs : 14 (12.6%</p> <p>Development committees : 6 (5.4%)</p> <p>Department of Transport : 3 (2.7 %)</p> <p>Municipalities : 9 (8.1%)</p> <p>Ward committees : 1 (0.9%)</p> <p>Others : 26 (23.4%)</p>

Overall usage of the 64 traditional administration centres improved from fifty nine (92%) in July to sixty (94%) in August. This was because one centre that had not been used in July due to Shembe celebrations, was opened again in August. In September the usage declined to fifty eight (91%) and October saw a further decline of about 15% putting the usage levels to 49 (76%). This is because some centres did not submit the monthly functionality reports that were expected from them. In November only fifty (78%) functionality reports were received compared to the fifty four (84%) received for December. The above figures reflect the number of TAC functionality reports received during the said months. On average only 11% of the centres were fully functional i.e. rated 1 (refer to table 7.2 below).

Table 7.2: TACs that rated in the top category from July to December 2004

	July	August	September	October	November	December
Number	6 (10%)	6 (10%)	7 (12%)	6 (12%)	5 (10%)	6 (11%)
TACs	8, 16, 37, 58, 64	8, 12, 16, 18, 37, 64	8, 16, 18, 31, 58, 64, 65	8, 12, 16, 31, 58, 64	8, 16, 37, 58, 64	8, 12, 16, 33, 58, 64

The numbers in the second row of table 7.2 refer to TACs depicted in Appendix A. The table should therefore be read in conjunction with appendix A. In terms of ratings, there was generally little change in the functionality of traditional administration centres over the first two months. There were however some improvements from the third month. The change in the third month was probably as a result of the functionality workshops that were conducted on what the TACs are meant to do for the communities. These were held during the months of July and August. Five percent of the administration centres that were rated 3 during the first two months improved to ratings of 2. Ratings 3 also decreased from 48% in August to 34% in September, an improvement of 14%. Traditional administration centres 8, 16, 58 and 64 maintained their high levels of functionality over the six month period while 31 and 37 kept changing their ratings. There were some improvements in the functionality of eight TACs viz. 12, 18, 20, 22, 33, 61, 65 and 74 over the six month period i.e. they either improved from rating 3 to 2 or from 2 to 1.

The functionality workshops that were conducted by DLGTA in some of the traditional administration centres have played an important role in bringing the traditional leadership and elected municipal councillors together. Municipal offices are often situated away from the rural communities which they are supposed to serve as opposed to traditional courts and administration centres which are situated right where rural communities are. Elected councillors reside within their communities and it makes sense to locate them closer to their communities. At the Amangwe traditional administration centre (20) in Bergville for example, a satellite office of the Mbabazane municipality has been established on the premises of the centre. This enables the community to access both the municipality and the traditional institution easily. The Baso traditional administration centre (3) in Umsinga is another example where an elected municipal councillor has been allocated office space inside the centre to service the local community. In other centres, municipal councillors operate from the traditional administration centres on certain days of the week. The community is aware of the specific days when the councillor is available. These are amongst others, AbaNtungwa-Kholwa (8), Mchunu (9), Mbhense (10), Sigweje (12), Amantungwa (64) and Hlahlindlela (65). Out of the 23 TACs that had received functionality workshops, eight (35%) have now attracted municipal councillors and ward committees to operate from them.

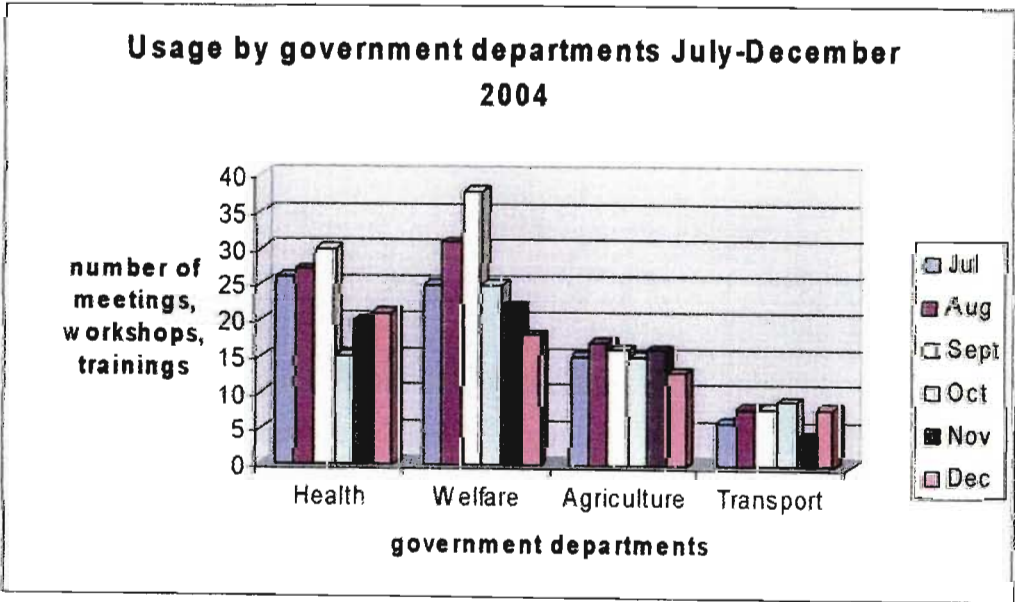


Figure 7.2: Level of TAC usage by government departments from July to December 2004.

Some changes were also noted with regard to government departments and other role players using the centres during the first three months of assessment (see figures 7.2 and 7.3).

There was a 3 to 8% increase in the usage of traditional administration centres by the departments of Health and Welfare during the months of August and September followed by a decline in October, November and December. The departments of Agriculture and Transport showed similar patterns of usage of 16 to 17% throughout the six month period. The rise or decrease in figures was mainly due to the fact that not all reports were submitted for analysis. There was a peak usage by the government departments, particularly Welfare, during the month of September following the functionality workshops that were held in August. One can assume that these patterns reflect that with some government intervention, public institutions are more likely to respond better to community needs.

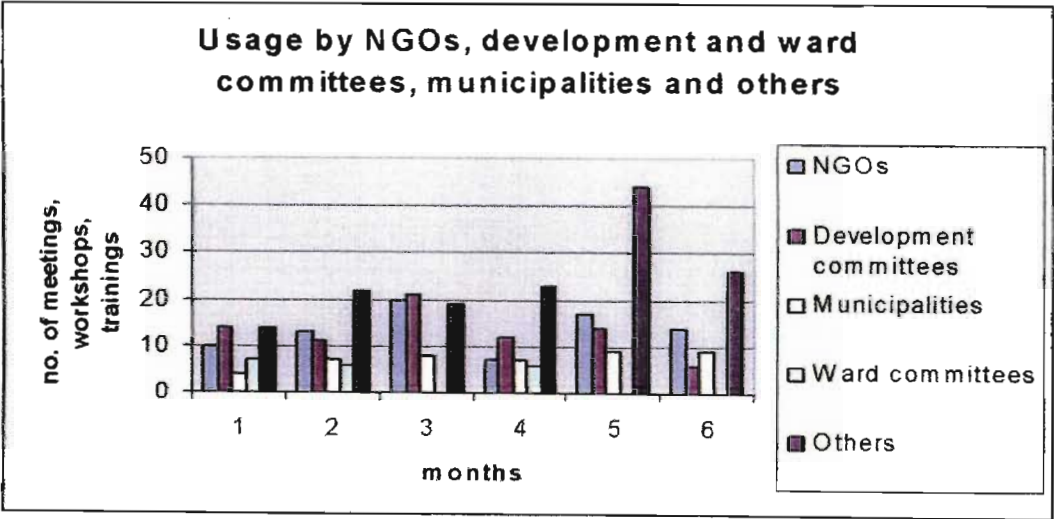


Figure 7.3: Level of TAC usage by NGOs, development and ward committees and others (including usage by youth organisations, churches and schools during July to December 2004.

A 5% increase in usage by NGOs, 5% municipalities' involvement and 13% increase in usage by other role-players. This could be attributed to the fact that a number of traditional administration centre functionality workshops had been conducted

between the months of June and July, thus impacting on the functionality during the month of August and later. In most of the centres rated in the top group, were those that DLGTA had greatly invested in by either renovating the structure or building a new one and providing IT equipment and furniture.

About 50 percent of all the centres were rated 3. Most of these had inkosi paying more attention to other interests than working in the centre. For example, centres like 39, 42, 44, 47 and 51 were reported to be dysfunctional because the amakhosi did not spend much time in the traditional administration centres. Another common problem reported was that of traditional authorities without amakhosi; where a new inkosi had not been officially installed after the passing away of the predecessor. For example the Nxamalala (38) TAC was dysfunctional for a very long time until the inkosi was installed in December. In some cases, for example at Abambo (24), the Secretary found a new job and left the centre dysfunctional. In others, traditional councils were dissolved for one reason or another. In other centres, although the amakhosi were poor performers, they rated better i.e. 2 due to the commitment and hard work of their secretaries. In an isolated case the inkosi of Mabaso traditional authority (14) in Ladysmith was reported to be using the centre as his place of residence; this placed the community in a difficult position since they could not gain access to the centre at all times.

Traditional secretaries were found to play an important role in the functioning of the traditional administration centres. Where the secretary was not available, the centre became dysfunctional. Problems were also reported where the secretary was related to the inkosi. For example at Sizamile (73) the secretary was the inkosi's wife. She was reportedly often not available in the administration centre due to her traditional role and other commitments as undlunkulu (inkosi's wife). There were also protocol challenges because community members were not as free to approach her as they would an ordinary person.

Some of the government departments that used the traditional administration centres were mainly the departments of Welfare (26%), Health (23%) and Agriculture (14%). This is probably an indication that there is more health, social, and poverty related

issues affecting rural people in the areas where these centres are situated. Other departments like Correctional Services, Environmental Affairs and Education also made use of some of the centres. Apart from the meetings of traditional councils as well as general community administration functions of the secretaries, there was also the visibility of development committees and NGOs like LIMA and Thembelihle (ABET). Other users included the Department of Local Government and Traditional Affairs (DLGTA), Turn Table Trust, Umgeni Water, Eskom, South African Police Services, consultants, churches, private doctors, paralegals, youth clubs, taxi associations and traditional healers. These NGOs used TACs mostly for meetings and training sessions.

There is a serious operation and maintenance problem of the TACs. Some centres are struggling to pay for electricity, telephones, stationery, cleaning materials amongst others. A number of telephones have been disconnected due to non-payment. This could be because traditional councils see the TACs as government structures and not theirs. There seems to be lot of dependency on government for the operation and maintenance of these structures.

7.4 Recommendations for a practical TAC model

The implementation of new sources of governing authorities in a public system is rather fragile because of dependence on existing institutions. The attempts to modify the dynamics of governance in a given system must be concerned as a political exercise and not just as a technical problem consisting of the rational adjustment of policy instruments (Contandriopoulos 2004:653). Research has shown that for TACs to be functional, issues of management, legal framework, synergistic partnerships between traditional councils and municipalities, ownership and control of the centres should be addressed.

The main question that comes to mind is whether or not it is possible to have a one size fits all TAC model. Based on research on the functionality of TACs and a comparison of different community centre models, this research suggests some basic tenets of a practical TAC model. There are a number of questions that need to be

answered before a TAC should be constructed. These relate mainly to usage (see figure 7.4 below).

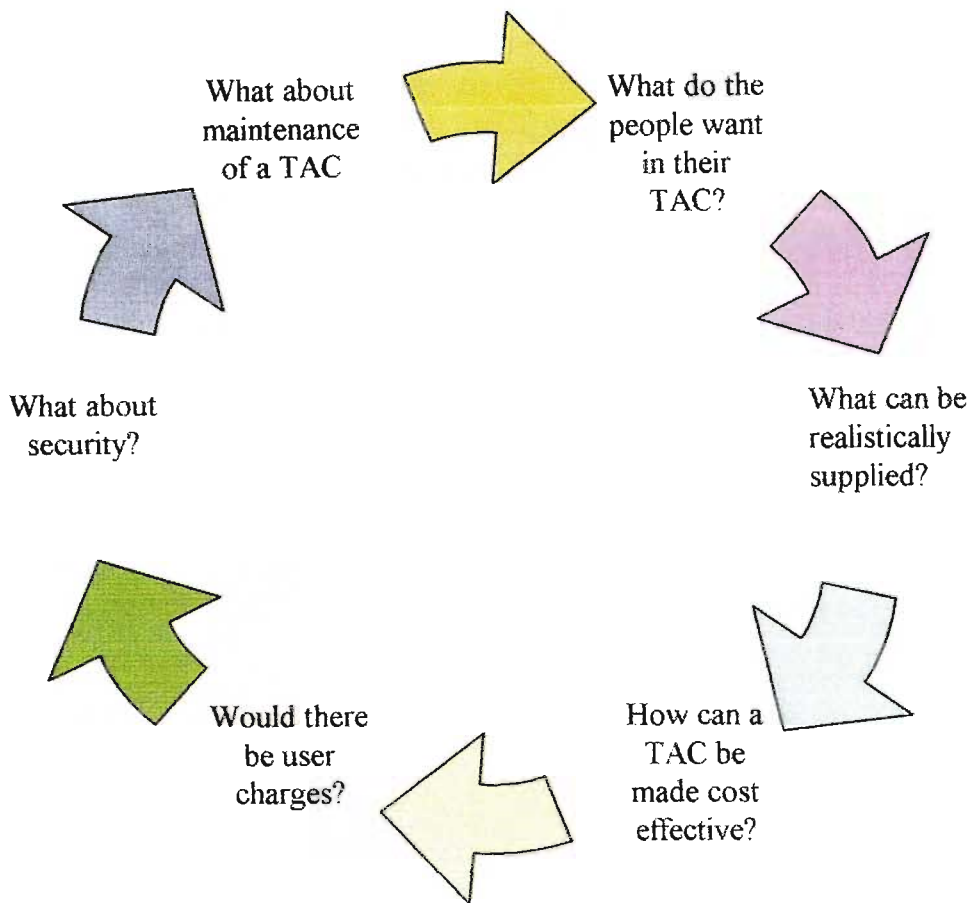


Figure 7.4: Points to consider when planning a TAC

Practitioners must determine what the people of that community want in their TAC. The inkosi and his/her council should have a far better idea of what they want. The next question to answer is what can realistically be supplied to a TAC? This will be determined by necessity, affordability and space. Serious decisions on things that are really needed and those that would be nice to have must be made at this point. The aim should be to create a living and working environment that will bring people together to access services and share experiences. Society does not work in a void; it necessitates a system of venues (Osborn 2005:10). This means that in order for the human beings to be productive, they need a conducive environment to work in.

The traditional administration centre should then give the community a sense of place.

Another important question that is often ignored by practitioners is that of cost effectiveness. TACs could be started with grant funding for facilities and capital equipment, but would have to rely heavily on services provided on a voluntary basis for the community by members of the community, different government departments and non governmental organisations. This research has shown that theft is a major problem in some TACs, the issue of security cannot therefore be over-emphasized. A proper maintenance plan is also a pre-requisite. In the current scenario, DLGTA is responsible for the maintenance of TACs; the question to be asked is for how long will the department carry on with this? What happened to the capacitating of communities to take charge of their own development? This surely encourages dependence on the government and sends a silent message that implies that communities are not able to take care of their own assets.

In terms of the actual building, all centres should take into consideration the fact that it is meant to have people come in for different reasons. Information gathered from this research shows the need for an administrative area that is inviting, interacting with the exterior and able to accommodate the expected number of visitors. There should also be space for people and events. Depending on the size of a centre, one big hall can be used as both a training centre and a meeting place for the traditional council and community. TACs like other community centres are meant to provide information on services that are offered, it is thus important to have an information / resource centre where community members can get access to policies and other reading materials on services offered by different government departments. These should be translated into local languages to ensure that people understand the contents, and be staffed by someone who could answer questions.

Another element of TACs is the promotion of local culture, hence the need for an arts and culture display and trading centre. This will promote local art and also afford local artists an opportunity to take advantage of visitors, sell their products locally and generate income for themselves and the centre. Rural areas generally have a

problem of telecommunication and postage services. It is on that basis that fax / telephone / photocopying and postal services where users pay are recommended. Lastly the model recommends shared offices to be used for different administrative purposes. The number of offices would depend on the size of a TAC (See figure 7.5 below).

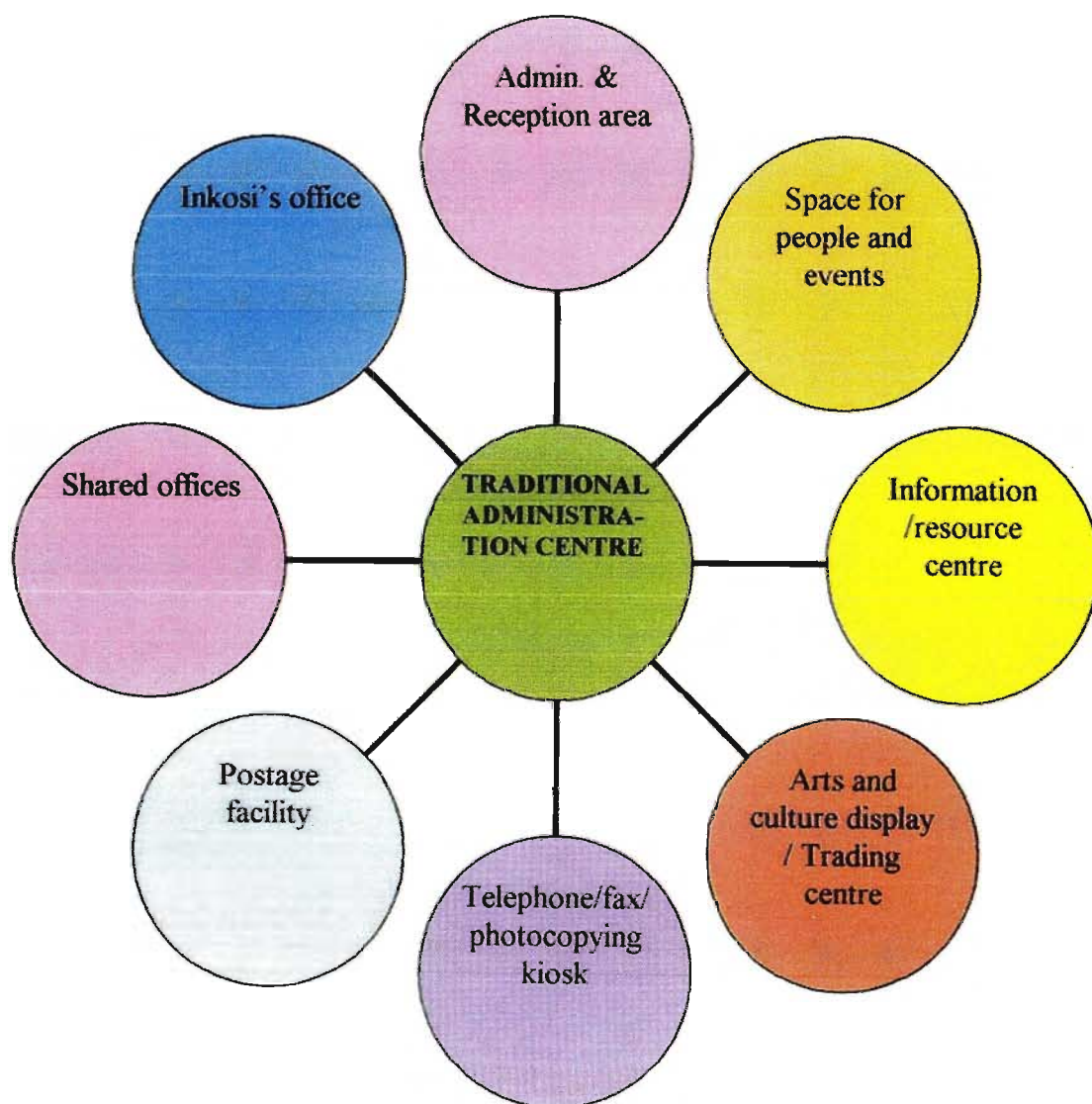


Figure 7.5: A Recommended Practical TAC model

Other than Inkosi who is the Head of the centre, generally all TACs had one full time employee (secretary) who ran all the affairs of the centre. They also had another person who cleaned the inside. In terms of staffing, it is recommended that a *centre manager* be employed for TACs in order to provide management services relating to

analysing the needs of the establishment and those of the users, making decision on the use of space, planning the level and extent of services, including information services, current awareness and stock provision, presentation of policies and plans, evaluation exercises and research. The centre manager would also play a participative role in the activities of the centre by being involved in drawing up of yearly and monthly plans, liaison with staff of other centres, municipality and government departments. He/she should also play a supportive role at a technical level to ensure that all tasks which are unimportant in themselves, but which support any system are efficiently and regularly carried out. If these are not carried out by the TAC staff, then the centre manager must determine their priorities and decide when they should be done (Raddon and Dix 1989:4-7).

Administrative personnel

This person should be responsible for the day to day operations of the centre. This includes making bookings for the use of the centre by different users, record keeping and managing the diary of Inkosi to make sure that he attends to his engagements

Traditional council

The Traditional Council is supposed to be a management body and should work closely with the centre manager. They have not really done this to date.

Housekeepers

At least two persons should be available for general cleaning and upkeep of the centre, one to be responsible for the interior and one for the exterior. This is because even though some centres were clean on the inside, they had unacceptably long grass on the outside, an indication that one person could not clean all the offices inside and manage to keep the yard clean as well.

The current TAC model seems to promote dependency on government. This is because finances i.e. paying bills and banking are still administered by DLGTA. The operation and maintenance of the centre is currently a responsibility of the same department. TACs still fail to provide some of the basic necessities of any rural

community i.e. the communication system. Some of the basic services that rural communities lack are communication services like public telephones and postal services. Providing these at TACs will make them to be more useful to the people that they are intended for.

Table 7.3: A comparison of current TACs and the proposed model

Current situation	Recommendation
Management structure <ul style="list-style-type: none"> • Secretary • Traditional Council 	Management structure <ul style="list-style-type: none"> • Centre manager • Traditional Council
Staffing <ul style="list-style-type: none"> • Secretary • Housekeepers 	Staffing <ul style="list-style-type: none"> • Admin personnel • Housekeepers
Legal framework <ul style="list-style-type: none"> • Unclear 	Legal framework <ul style="list-style-type: none"> • Policy on TACs
Ownership and control <ul style="list-style-type: none"> • Provincial government 	Ownership and control <ul style="list-style-type: none"> • Community trust / Traditional council
Services <ul style="list-style-type: none"> • Administration services (faxes, photocopying) • Conflict resolution • Customary matters • Welfare, Health and Home Affairs 	Services <ul style="list-style-type: none"> • Social services (Welfare, Health, Home Affairs) • Communications (Fax, telephone, internet access, postal services) • Business support (business information, advice, financing) • Skills development (ABET, NGOs, FETs, etc)

7.5 Synergistic partnerships in local governance

Focus groups can generate large amounts of very rich and dynamic data and adequate time must be allowed for analysis. The process of analysing focus group data involves the same process as does any other qualitative data although the researcher needs to reference the group context. This means starting from an analysis of groups rather than individuals. The researcher should try to distinguish between opinions expressed in spite of, or in opposition to, the group and the consensus expressed or constructed by a group (Rosaline, Barbour, Kitzinger 1999:16).

Data analysis involves drawing together and comparing discussions of similar themes and examining how these relate to the variation between individuals and between groups. This section presents the analysis of data collected through focus group discussions. Focus groups were meant to elicit information on the potential for synergistic partnerships between traditional councils and municipal councillors.

7.5.1 Focus groups

Focus groups comprised government officials from municipalities and DLGTA, members of traditional councils, municipal councillors as well as community members. Government officials from DLGTA were drawn from two branches that work closely with both the traditional councils and municipalities. These were Traditional Affairs branch, specifically the finance section and Urban and Rural Development (URD) branches. These were chosen because it was assumed that they would give objective views based on their understanding of the functions of both councils.

The aim was to include councillors from all four districts, but only those from Umgungundlovu (Umsunduze municipality) and Uthukela (Umnambithi municipality) were willing to participate in the study. Municipal councillors from the other two districts (Umzinyathi and Amajuba) were not available to participate. Community members were included on the basis of their availability at community / traditional council meetings and were invited to participate in focus group discussions.

In total 252 people participated in this part of the study. These were 25 government officials, 156 traditional council members, 15 municipal councillors and 56 community members. They were asked to rate the importance of various roles of traditional and municipal councils and their perspectives on how traditional councils and municipalities can improve their working relations.

7.6 Roles of Traditional Councils in Local Government

All (100%) subjects agreed that there is indeed a role for traditional councils in a democratic society. As reflected in table 7.1, responses on the roles of traditional councils as suggested from literature (KwaZulu-Natal Traditional Leadership and Governance Act no 5 of 2005, Traditional Leadership and Governance Framework Act, Act 41 of 2003) were rated from 1 to 6 with six being the most important role and one as the least. The roles suggested included conflict resolution which is commonly known in traditional communities as "ukuthetha amacala". Often community members lay charges against those that have wronged them in a particular way. The traditional "court" run by a traditional council and chaired by inkosi would then call both the complainant and the plaintiff and conduct a hearing. After hearing both sides of the story, the traditional council then makes judgement and punishes the guilty party often by giving him/her a fine. The traditional secretary keeps records of all the "cases"; these include details of the parties involved, the charge, the defence of the accused, the judgement and the date of judgement. The verdict is often given in the spirit of peace keeping among community members (Goodenough 2002:119).

The role of land allocation referred to the process of allocating land in areas under traditional and municipal control for residence, business and farming purposes. The role pertaining to development issues referred to all matters related to the development of the community from institutional arrangements, mobilisation of resources, project identification, prioritisation and implementation of development projects. Development planning meant contributing to drawing up of municipal Integrated Development Plans (IDPs) which are policy documents that guide the development process at local government levels. Delivery of services referred to the

provision of basic services like water, electricity, refuse removal, houses amongst others.

The roles of traditional councils seemed to be understood differently by different groups. For example, government officials gave land allocation and conflict resolution the highest average ratings of 5.16 and 4.92 respectively as roles for TCs, while traditional councils themselves rated development issues as their most important role with an average rating of 5.12. Conflict resolution and land allocation has always been the main focus of traditional authorities and this study confirmed that (DLGTA 2001). Municipal councillors and community members both rated conflict resolution higher with 6.0 and 5.80 ratings respectively. Figure 7.4 shows that generally, land allocation and conflict resolution were equally rated as the most important roles of traditional councils by the four groups with ratings of between 6.0 and 4.37.

The next important role of traditional councils was that of development issues with the ratings of 5.12 to 3.96. The less important roles were considered to be development planning, delivery of services and making of bylaws. Traditional council members themselves thought they had a role to play in the delivery of services as well as in development planning, while all councillors rated delivery of services and making of bylaws as the least important of traditional council roles. Other roles of traditional councils suggested by government officials included community awareness and outreach as well as upholding culture, tradition and indigenous law. The fact that community members rated conflict resolution higher at 5.80 as the most important role of traditional councils showed that the institution of traditional leadership is viewed as peace keepers by their traditional communities. Interestingly government officials viewed land allocation as the most important role of traditional councils, probably because of the role of inkosi in the process of issuing Permission to Occupy (PTO) certificates. Before land is allocated to an individual or family, the application goes through inkosi and his/her council who may or may not recommend land allocation.

Table 7.4: Roles of Traditional Councils in Local Governance (n = 252)

Focus groups	Responses relating to roles of TCs							Sum of Ratings	Average rating
Government officials (n = 25)	Responses	Priority ratings (1-6)*							
		6	5	4	3	2	1		
	Conflict resolution	16	3	0	2	2	2	123	4.92
	Land allocation	4	18	3	1	0	0	129	5.16
	Development issues	2	17	3	3	0	0	118	4.72
	Devnt planning	3	0	3	19	0	0	70	2.80
	Delivery of services	0	3	3	3	4	13	57	2.28
	Making of bylaws other	0	0	0	0	2	23	23	0.92
	Other Community awareness and outreach, uphold culture tradition and indigenous law.								
Traditional Councils (n= 156)	Responses	Priority ratings (1-6)*							
		6	5	4	3	2	1		
	Conflict resolution	53	71	2	0	0	0	681	4.37
	Land allocation	33	86	37	0	0	0	776	4.97
	Development issues	66	68	12	10	0	0	799	5.12
	Devnt planning	0	0	0	44	65	46	408	2.61
	Delivery of services	81	12	0	0	0	0	546	3.50
	Making of bylaws Other	0	0	0	0	2	16	16	0.10
Municipal Councillors (n = 15)	Responses	Priority ratings (1-6)*							
		6	5	4	3	2	1		
	Conflict resolution	11	4	1	0	0	0	90	6.0
	Land allocation	12	3	0	0	0	0	87	5.8
	Development issues	10	2	3	0	0	0	82	5.4
	Development planning	3	3	9	0	0	0	69	4.6
	Delivery of services	0	0	0	0	0	15	15	1.0
	Making of bylaws Other	0	0	0	0	1	1	18	1.2
Community members (n = 56)	Responses	Priority ratings (1-6)*							
		6	5	4	3	2	1		
	Conflict resolution	45	11	0	0	0	0	325	5.80
	Land allocation	10	46	0	0	0	0	290	5.17
	Development issues	11	0	39	0	0	0	222	3.96
	Development planning	0	0	0	53	0	0	159	2.83
	Delivery of services	0	0	0	0	48	0	96	1.71
	Making of bylaws Other	0	0	0	0	0	0	0	0.0

*6 highest rating, 1 lowest rating

7.7 Roles of Municipal Councils

With regard to the roles of municipal councils, the most important role according to all the subjects was service delivery with the ratings of 6.0 to 5.94. This was followed closely by the making of bylaws with ratings of 5.88 to 4.86. Development planning was rated 4.13 to 3.84, Development issues got an average rating of 3.04 (see table 7.5)

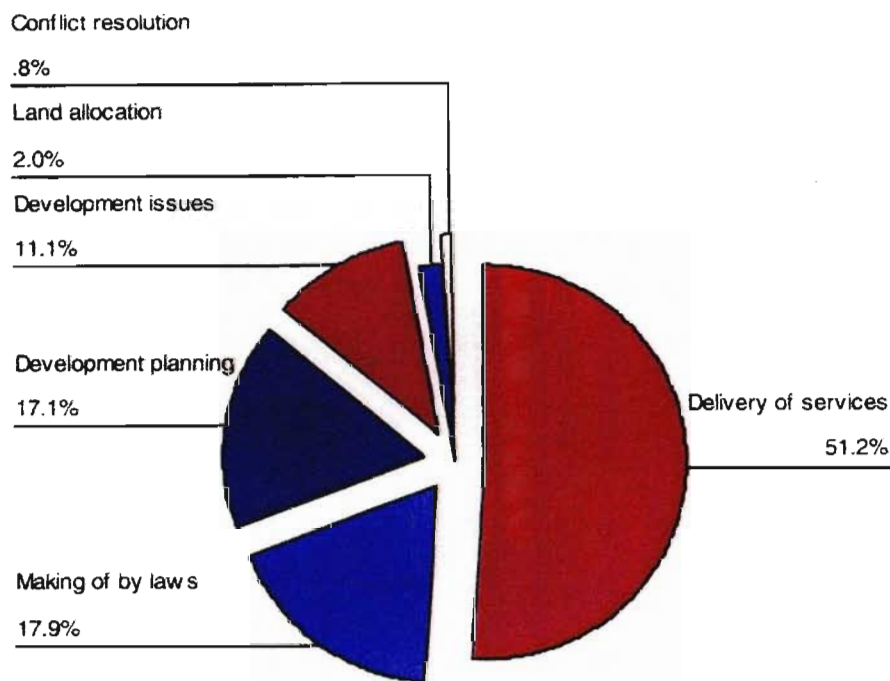


Figure 7.6: General ratings on the roles of municipal councils

Figure 7.6 above shows the roles of municipal councils as rated by all four groups studied. It shows that the majority (51.2%) of respondents rated delivery of services as the most important role of municipal councils; this was followed closely by making of bylaws with a 17.9% and development planning with 17.1%. The role of development issues was rated as the fourth important role of municipal councils by 11.1% of the respondents. The roles of conflict resolution land allocation were rated as the lowest with 8% and 2% respectively; which means that they were viewed as the least important roles of municipal councils.

Table 7.5: Roles of Municipal Councils in Local Governance (n = 252)

Focus groups	Responses relating to roles of MCs						Sum of Ratings	Average ratings
Government officials (n = 25)	Responses	Priority ratings (1-6)						
		6	5	4	3	2	1	
	Conflict resolution	0	0	0	0	0	4	29
	Land allocation	21						46
	Development issues	0	0	0	0	0	21	78
	Devnt planning	4						96
	Delivery of services	0	0	3	22	0	0	150
	Making of bylaws	0	0	21	4	0	0	147
Traditional Councils (n= 156)	Responses	Priority ratings (1-6)						
		6	5	4	3	2	1	
	Conflict resolution	0	0	0	38	39	79	271
	Land allocation	0	0	0	37	42	77	272
	Development issues	0	0	0	141	15	0	453
	Development planning	0	0	133	23	0	0	601
	Delivery of services	152	3	1	0	0	0	931
	Making of bylaws	6	150	0	0	0	0	786
Municipal Councillors (n = 15)	Responses	Priority ratings (1-6)						
		6	5	4	3	2	1	
	Conflict resolution	0	0	0	0	1	14	16
	Land allocation	0	0	0	0	9	6	24
	Development issues	0	0	4	8	3	0	46
	Development planning	0	2	13	0	0	0	62
	Delivery of services	15	0	0	0	0	0	90
	Making of bylaws	0	13	2	0	0	0	73
Community members (n = 56)	Responses	Priority ratings (1-6)						
		6	5	4	3	2	1	
	Conflict resolution	0	0	0	0	4	52	60
	Land allocation	0	0	0	0	52	4	108
	Development issues	0	0	5	51	0	0	173
	Devnt planning	0	0	49	7	0	0	217
	Delivery of services	53	3	0	0	0	0	333
	Making of bylaws	4	51	0	0	0	0	279

*6 highest rating, 1 lowest rating

7.8 Suggested relationships between TCs and Local Government

A question was also asked on whether or not collaboration between traditional and municipal councils was required for service delivery in KwaZulu-Natal. There was also an outright agreement that such collaboration was indeed desirable. For the question on how working relations could be developed between municipal and traditional councils multiple answers were permitted. While some subjects chose one response, others chose multiple responses from those given by the researcher based on literature. The responses were not rated but subjects were allowed to choose any number of responses from the list given. The majority (52%) of government officials suggested special programmes as a way of improving working relations between municipal and traditional councils, while 42 percent suggested informal forums. During discussions with government officials, they indicated that legislation by national and provincial governments have so far failed to improve working relations between the two and maybe informal arrangements and special programmes would work better. There was a general agreement that legislation without people's commitment is not enough to bring traditional and municipal councils together.

Many (74%) traditional council members also indicated that informal joint forums could make a difference. A large number (66%) however also suggested that working relations should be formalised through legislation, and a small number (19%) suggested special programmes. All municipal councillors agreed that working relations should be formalised through legislation and a small number (33%) also indicated that special programmes could help improve working relations between the two groups. The majority of community members also thought that working relations should be formalised through legislation and some (46%) decided on informal forums and 29 percent thought special programmes could make a difference (see table 7.6 below).

Table 7.6: Suggestions for improving relations between Traditional and Municipal councils (n = 252)

Focus groups	Rated relations	Frequency*	Percentage
Government official (n = 25)	Informal joint forums	11	44
	Formalised through legislation	25	10
	Special programmes	13	52
	Non collaboration	0	0
	Other	0	0
Traditional Councils (n = 156)	Informal joint forums	116	74
	Formalised through legislation	103	66
	Special programmes	29	19
	Non collaboration	0	0
	Other	0	0
Municipal Councils (n = 15)	Informal joint forums	0	0
	Formalised through legislation	15	100
	Special programmes	5	33
	Non collaboration	0	0
	Other	0	0
Community members (n = 56)	Informal joint forums	26	46
	Formalised through legislation	34	61
	Special programmes	12	21
	Non collaboration	0	0
	Other	0	0

* Multiple responses accepted

The most popular route recommended was that of legislation. There was a general feeling that without specific legislation that provides for the building and improvement of relations between traditional and municipal councils, it will not be possible to get the two to work together. While National and Provincial legislation provides for relations between government and National and Provincial Houses of

Traditional Leaders respectively, there is a gap in terms of relations between TCs and municipalities at local level.

Subjects were also asked to give their recommended interventions that they thought would make local governance work in rural KwaZulu-Natal (See Table 7.7). A list of five responses was provided by the researcher and subjects were asked to rate these from 1 to 5, five being the most important intervention and one being the least important. All groups agreed that direct intervention by National and Provincial governments was desired (42 to 76 range). Government officials gave inter-agency agreements the next highest rating of 88 after a direct government intervention to which they gave a 95 rating. This was followed by the increased allocation of the equitable share which got a 54 rating. Alignment of municipal and traditional boundaries as well as investing in technical skills was both rated poorly by government officials.

There was also a strong recommendation by traditional council members who rated the alignment of traditional and municipal ward boundaries highly, probably an indication of the importance of land ownership within the institution of traditional leadership. The third next highly rated intervention with 196 ratings by traditional councils was that of inter-agency agreements allowing traditional councils to perform specific functions on behalf of government departments. This was followed by an increased equitable share allocation according to population size and service backlogs which also got a 196 rating while investing in technical skills development was rated the lowest by traditional councils.

Municipal councillors also rated agency agreements higher. Increasing the equitable share allocation and investing in technical skills development were given the same rating of 36 by this group. Community members also rated inter-agency agreements higher with 116 rating. Alignment of boundaries and increasing equitable share allocation were given 63 and 62 ratings respectively, while investing in technical skills development was rated the lowest with a 50 rating (see table 7.7 below).

Generally all groupings agreed that there should be direct intervention by National and Provincial governments if local governance is to be made to work in rural KwaZulu-Natal. The issue of boundaries was raised strongly by the traditional councils while the other groups did not give it as high a rating. Increasing equitable share was rated third and fourth by most groupings.

Table 7.7: Highly recommended interventions for local governance in rural KwaZulu-Natal (N = 252)

Recommendations	Group	Ratings			
		Priority rating	Freq	%	Average ratings
Direct intervention by National and Provincial governments.	Government officials (n=25)	5	19	76	3.8
		4	2	8	0.32
		3	4	16	0.48
		2	0	0	0
		1	0	0	0
					4.6
	Traditional councils (n=156)	5	65	42	2.08
		4	21	13	0.54
		3	70	45	1.35
		2	0	0	0.
		1	0	0	0
					3.97
	Municipal councillors (n=15)	5	15	100	5.0
		4	0	0	0
		3	0	0	0
		2	0	0	0
		1	0	0	0
					5.0
	Community members (n=56)	5	27	48	2.41

		4	29	52	2.07
		3	0	0	0
		2	0	0	0
		1	0	0	0
					4.48
Agency agreements allowing traditional councils to perform specific functions on behalf of government departments	Government officials (n=25)	5	0	0	0
		4	22	88	88
		3	3	12	9
		2	0	0	0
		1	0	0	0
	Traditional Councils (n=156)	5	0	0	0
		4	70	45	280
		3	48	31	144
		2	38	24	76
		1	0	0	0
	Municipal councils (n=15)	5	0	0	0
		4	13	87	52
		3	2	13	6
		2	0	0	0
		1	0	0	0
	Community members (n=56)	5	11	20	55
		4	29	52	116
		3	16	29	48
		2	0	0	0
		1	0	0	0

*5=highest rating; 1=lowest rating.

The following shows interventions that were generally rated as less important for local governance. The less recommended interventions were those given the ratings 3 or below by the majority of the subjects (see table 7.8 below).

Table 7.8: Less recommended interventions for local governance in rural KwaZulu-Natal (N = 252)

Recommendations	Group	Ratings			
		Priorit y rating	Freq	%	Average ratings
Alignment of traditional and municipal boundaries	Government officials (n=25)	5	0	0	0
		4	0	0	0
		3	0	0	0
		2	6	24	12
		1	19	76	19
	Municipal councillors (n=15)	5	0	0	0
		4	0	0	0
		3	2	13	6
		2	13	87	26
		1	0	0	0
	Community members (n=56)	5	0	0	0
		4	0	0	0
		3	21	38	63
		2	19	34	38
		1	16	29	16
	Government officials (n=25)	5	0	0	0
		4	4	16	16
		3	18	72	54
		2	3	12	6
		1	0	0	0
	Traditional councils (n=156)	5	0	0	0
		4	0	0	0

		3	0	0	0
		2	98	63	196
		1	58	37	58
	Municipal councils (n=15)	5	0	0	0
		4	0	0	0
		3	12	80	36
		2	2	13	4
		1	1	7	1
	Community members (n=56)	5	0	0	0
		4	0	0	0
		3	0	0	0
		2	31	55	62
		1	25	45	25
	Government officials (n=25)	5	0	0	0
		4	0	0	0
		3	3	12	9
		2	18	72	36
		1	4	16	4
	Municipal councils (n=15)	5	0	0	0
		4	0	0	0
		3	2	13	6
		2	1	7	2
		1	12	80	12
	Community members (n=56)	5	0	0	0
		4	0	0	0
		3	0	0	0
		2	25	45	50
		1	31	55	31

*5=highest rating; 1=lowest rating.

Figure 7.7 below shows the ratings as given by all the respondents. The majority (40.9%) recommended direct intervention by National and Provincial governments as the most important intervention that could make local governance work. This was followed closely by (29%) recommending agency agreements allowing traditional councils to perform specific functions on behalf of government departments. The least recommended interventions were, alignment of traditional and municipal boundaries, increasing equitable share allocation according to population size and service delivery backlog and investment in technical skills with 13.9%, 11.1% and 5.2% respectively.

Subjects were asked to recommend structures that they thought would help to make local governance work in rural KwaZulu-Natal. No possible answers were given and the subjects were expected to think of the recommended structures themselves. Not all subjects gave suggestions on this. There was a general feeling during the discussions that there is a need for local forums comprising traditional and municipal councils to meet and discuss issues of local development (see table 7.9 below).

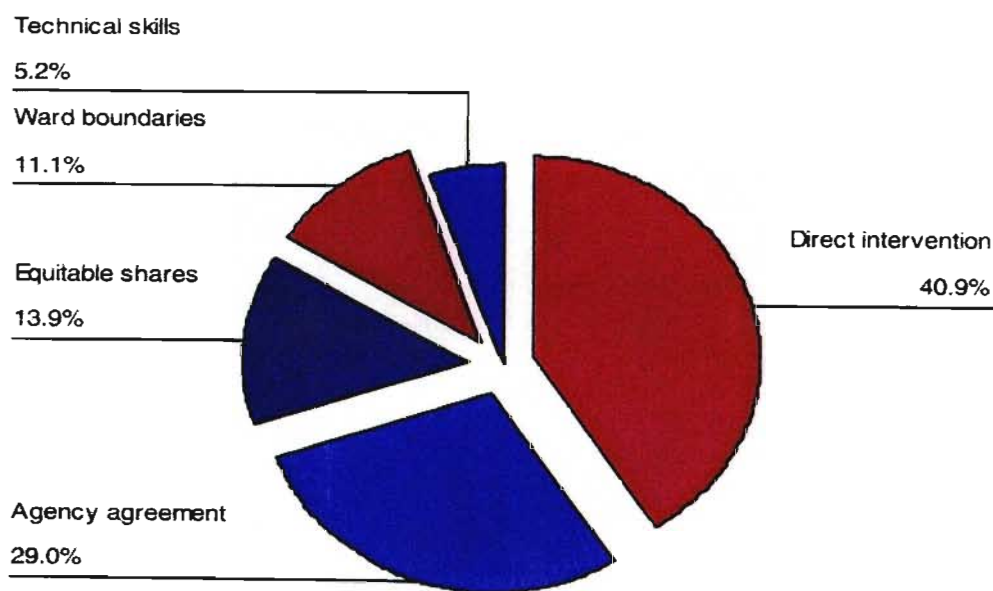


Figure 7.7: Recommended interventions for improving local governance in rural KwaZulu-Natal.

Table 7.9: Recommended local governance structures (N = 252)

Recommended structures	Frequency	Percentage	Not suggested
Joint traditional and municipal forums	93	37	69
Ward committees	79	31	73
Forums of traditional leadership, municipal councils and provincial government representatives	61	24	191
Youth forums	40	16	222
Women leadership structures	21	8	231
Implementation forums for service delivery with traditional and municipal representatives	9	4	248

It was also agreed that both municipal and traditional councils have a role to play in development issues and therefore service agreements between the two and between them and different government departments would go a long way in ensuring that local governance operates well. Although no record of gender ratios was kept, it was noted that women felt that women leadership structures should be given a place in local governance, while the younger participants lobbied for the involvement of youth forums in local governance. There was also a general feeling among the municipal officials in particular that terminology was an issue. Municipal councillors and traditional councillors are both referred to as “councillors”; there was a concern that this causes confusion and needs to be addressed by creating a new name that distinguishes between the two.

7.9 Conclusion

Research has shown that it was felt that traditional councils still have a place in a democratic South Africa. It has also shown that there is generally a clear

understanding of the roles of traditional and municipal councils by different social groupings in the study.

7.9.1 The functionality of TACs

Generally, the functionality of the centre is not entirely dependant on its resource level. It was largely dependant on the secretary and or inkosi. Both the secretary and inkosi have a number of responsibilities in the running of a centre; it is therefore not possible for them to effectively manage the centre in addition to their duties. In order to improve the current TAC model of the DLGTA, this study recommends that for TACs to be fully functional, each should have a centre manager who will be accountable to the traditional council and advise the council on all matters pertaining to the functioning of the TAC. This person should be responsible for marketing the centre, coordinating the services offered in the centre, preparing and managing the schedule of activities, managing the physical structure and assets as well as act as a liaison between the community and the service providers at the TAC. The centre manager should with the help of DLGTA, develop a vigorous monitoring and evaluation system of centre management. Skills training for traditional leaders and their councils can also go a long way in ensuring the functionality of the centres.

Informal discussions with officials from DLGTA indicated that there was no policy on TACs. It is important that the department should develop a policy document that guides the establishment and functioning of TACs. This could help to some extent in addressing the issue of centres that are not used for intended purposes, for example, simply because the current inkosi is not happy about the location of such a centre.

Research has also shown that in cases where the community owns assets, for example in the Community Production Centres (CPCs) incidents of theft were not a major problem. This could be attributed to the fact that communities felt the need to protect what they perceived to be theirs. The issue of ownership of TACs and their contents therefore need to be reviewed by the responsible provincial department. Establishing a community trust or registering a TAC as an entity or

giving legal ownership to the traditional council should be looked into. The issue of land tenure cannot be ignored since there are implications for the structure built on that piece of land if there is no lease agreement in place. There was evidence from informal conversations with officials that there were no lease agreements in place for the existing TACs.

While currently many TACs do offer social services through the departments that operate from the centres on certain days, research has shown that community centres should attempt to connect communities to the bigger world in order to access more information. There should also be NGOs and FET colleges providing education and skills development as well as support for businesses. The inclusion of these organisations should assist in skills development, job creation and economic upliftment.

While a few TACs proved to be the hubs of local activities and development in their areas, research has shown that generally TACs were not used to their full potential for varying reasons. Firstly, the financial systems and controls for the funds generated by traditional councils need to be reviewed so that problems such as lack of toners for photocopiers, unpaid water, electricity and telephone accounts should be addressed timeously. Funds generated by the traditional council through customary levies are deposited into a trust account that is administered by DLGTA. During the study period trust accounts belonging to the traditional councils were not operating because the budget estimates were not approved by DLGTA. These delays in approving budget estimates were reportedly putting a lot of strain in the functioning of TACs. Some secretaries were reportedly unable to purchase simple necessities like stationery due to the same problem.

There is also some confusion regarding the collection of levies by traditional councils. While the old order legislation provided for the traditional authorities to collect customary levies, the new legislation opposes that. The challenge however is that the new legislation does not provide for alternative ways of fundraising by the traditional councils. In the absence of alternatives, the traditional councils were therefore continuing with collecting levies even though the old order legislation had been repealed by the new one.

There is a need to enhance the information management system in the TACs. The IT equipment in the centres was inadequate; each centre had one computer, a printer and one photocopying machine for use by the secretary. This in its own did not capacitate ordinary community members to learn to use such equipment. Things like access to internet and/or E-mail did not exist at all in any TAC. The situation was worse where there was no electricity supply, for example in many of the centres in the Hlanganani area of the Umgungundlovu district. If the aim is to bring government services closer to the people, surely the same people or at least the employees in the centre should be allowed access to information from the government web sites. Commitment by inkosi and the secretary can go a long way in ensuring that a TAC is better utilised to benefit the community.

There seemed to be too much dependence on provincial government for the upkeep and operation of the centres; this in its own poses as a threat to the sustainability of the centres. The trust accounts were administered by the DLGTA; and traditional councils had to send requisitions to the department in order to purchase any materials. This suggests many questions in terms of capacitating the traditional authorities. It seems that TACs will never grow into self sustaining community centres if the provincial government does not come up with a framework policy that talks to the concept of TACs and give specifications on operation and maintenance as well as ownership issues. TACs should complement the MPCC programme by rendering services where MPCCs are not present. In that case, the question of electricity supply, network connections and availability and accessibility of IT becomes vital if these are to service communities effectively.

7.9.2 Relationships between TCs and municipalities

The modern institutions can use the roots of traditional leadership to build on modern systems. This can be done by using traditional leadership as a reference for a democratic system of governance. In order to achieve this, it is important to ensure that people begin to change their attitudes and understand that the two systems can coexist. Traditional councils under the leadership of inkosi are viewed as peace keepers; hence conflict resolution is viewed as their most important role.

For example when deadlock was reached between the Administrators and the traditional community at Mtunzini in connection with their cattle, the Administration called King Solomon in to help. It is reported that the king went himself and settled the dispute which had been going on for a year in five minutes (Beinart and Dubow 1995:100). Research has also confirmed that conflict resolution is indeed one of the major roles of traditional councils. Traditional councils are also still seen as having an important role to play in land allocation. There is a general agreement that the municipalities' main role is service delivery and making of by laws.

Legislation alone is inadequate to promote good working relations between traditional and municipal councils. Continued feuds affect delivery of services, therefore it is recommended that informal forums with members of traditional and municipal councils would go a long way in fostering good working relations between the two councils. Agency agreements allowing traditional councils to perform certain functions on behalf of municipalities and provincial government could also go a long way in promoting good working relations. Provincial and national governments should intervene by introducing different programmes aimed at bringing together traditional and municipal councils. Some members even suggested joint workshops and seminars for traditional and municipal councils.

Research and development on appropriate structures that can be encouraged to promote forums of communication and networking between traditional leaders should be considered in order to ensure that they have platforms for information sharing at different levels from local, district, provincial, national and even international level. These should be apolitical structures aimed at promoting the development agenda particularly in rural communities.

7.10 Projection for the next chapter

Given the qualitative and quantitative analysis for chapter five, chapter six presents the conclusions and recommendations. The chapter also outlines a summary of the preceding chapters followed by the researcher's recommendations for future research imperatives.

CHAPTER 8

CONCLUSIONS AND RECOMMENDATIONS

8.1 Introduction

This study has devoted considerable attention to investigating the local governance question in KwaZulu-Natal. In the preceding chapters of the study, a theoretical basis for the study was developed. This comprised a study of the institution of traditional leadership within the context of local governance. The study required a review of the historical perspectives of traditional leadership, legislation relating to traditional institutions and governance, the functionality of traditional administration centres and synergistic partnerships between traditional and municipal councils. The previous chapter investigated the findings of the research data and presented the analysis and interpretation thereof. This final chapter provides the summary and synthesis, recommendations, notes for further research and conclusions. The initial part of the chapter tries to summarise the entire study. Based on the literature reviewed in chapter two and the empirical findings of chapter seven, recommendations for a practical TAC model as well as interventions for synergistic partnerships between traditional councils and municipalities are made as part of the study.

The conclusions and recommendations are drawn to the attention of policy makers at national, provincial and local government level with the hope that they will provide practical guidance in reviewing relations with traditional leadership. Although this research makes particular reference to the KwaZulu-Natal experience, its analysis, conclusions and recommendations may have relevance elsewhere.

This chapter is structured as follows:

- Summary and synthesis;
- Recommendations for policy and practice;
- Notes for further research; and
- Conclusions.

8.2 Summary and synthesis

The presentation of the summary and synthesis are informed by a holistic and integrated approach that incorporates all the objectives of the study. A brief summary of the different chapters presented in the study ensues:

8.2.1 Chapter one

The chapter has encapsulated an overview of the study. It provides the background to the study. It also encompasses the context of the study which is based on the fact that DLGTA exists to promote sound local governance and is trying to forge a synergistic partnership between traditional leaders and municipalities. The assumption is that without proper cooperation between the traditional leaders and municipal councillors, development in rural areas is likely to be hampered. The key question being addressed is whether or not local governance can be achieved through a combination of traditional leadership and democratic local government. One of the main objectives of this study is indeed to establish whether or not traditional leadership is thought to have a place in a democratic South Africa. The research also provides interventions recommended for addressing the issue of working relations between traditional leadership and municipal councillors. The study also investigates the DLGTA's traditional administration centre (TAC) model in order to examine whether or not TACs as structures of governance are capable of bringing government services to the people. Based on a research and literature review, the study comes up with recommendations for a practical TAC model.

8.2.2 Chapter two

Here an African experience of Traditional leadership and Governance was presented. It outlined the traditional leadership structures and gave a historic perspective of traditional leadership. It also looked at traditional leadership and its role in land allocation, as well as the social and cultural changes that took place within traditional communities. In reviewing the African experiences, the chapter presented case studies of Sierra Leone, Botswana, Ghana and Uganda. This

chapter contends that traditional leadership is characteristic of Africa and will always transform in line with the governments and new developments.

8.2.3 Chapter three

Here a discussion on the theory of local governance was generated by reviewing traditional leadership and development in South Africa and examining the historical perspective of traditional leadership from colonial, apartheid and post apartheid eras. Presenting a historical perspective of traditional leadership would help in examining how this institution fits into the local governance agenda. Traditional leadership has historically been regarded as the main ruling system closest to and accepted by people at grassroots level.

Traditional leaders have existed and worked hand in hand with governments for decades. They worked with local governments as administrators reporting to the local magistrates and were paid by the government as civil servants. This has continued till this day with visible attempts by government to include traditional leadership in the context of democratic government. The processes, systems and budgets of traditional councils are controlled by government, something which the critics view as an attempt by government to manipulate the institution of traditional leadership.

The chapter also looked at the origins of traditional leadership that were discussed in terms of heredity and /or appointments. The institution of traditional leadership in South Africa has undergone significant changes since the democratic constitution which recognises the institution. Many pieces of legislation have since followed paving the way for this institution. This chapter also presented different pieces of legislation governing the institution of traditional leadership and governance, and further explored theories on local governance as they apply to the system of local governance and traditional leadership. The theories were reviewed in order to understand the state in modern democratic society. The chapter concludes that traditional leadership is at the heart of local governance and should be included at all levels of government.

8.2.4 Chapter four

This chapter discussed KwaZulu-Natal's experience of traditional leadership as an institution. It looked at the structural arrangements of the institution and the Local and Provincial Houses of Traditional Leaders. The chapter also examined the transformation process and the KZN Department of Local Government and Traditional Affairs' challenges that were brought about by the transformation of the traditional leadership institution. It also gave an account of the different functions and services that were offered by the department as well as some of the special programmes and interventions. The chapter concluded that comparatively speaking the province of KwaZulu-Natal has made remarkable progress in attempting to support and bring back the dignity of traditional leaders.

8.2.5 Chapter five

In this chapter the research methodology and design employed to gather the primary data for the study is described. The chapter starts with the aim, research problem and objectives of the study. The research methodologies focussed on data collection techniques. The study makes use of both qualitative and quantitative research. The qualitative research collected data on synergistic partnerships between traditional and municipal councils using focus group discussions. The quantitative research collected data on the functionality of TACs using questionnaires, daily activity reports, IT evaluation questionnaires and spot check reports.

The chapter further explains how the research sample was derived. Once the research methodology and target population were identified, the researcher focussed on the means of measuring the data collected. This entailed a discussion on validity and reliability.

8.2.6 Chapter six

This chapter reviews the concept of traditional administration centres as experienced by the province of KwaZulu-Natal. Traditional administration centres are community centres meant to provide an administration facility for traditional

councils and also improve local governance in traditional communities. This chapter also investigates whether or not TACs are used to their full potential. The community centre concept is further explored and later three models, i.e. the multipurpose community centre, community production centres and rural service centres, are examined and compared to the TAC model in order to come up with recommendations for a practical TAC model.

8.2.7 Chapter seven

Here an analysis and interpretation of the primary data collected. The Statistical Package for Social Sciences (SPSS) was used for the analysis and interpretation of data. This chapter consists of a section on the TAC functionality ratings and one on the synergistic partnerships between traditional and municipal councils.

The TAC functionality ratings were arrived at based on the daily activity reports that recorded all activities that took place in each targeted TAC on a monthly basis. The chapter also presented a practical TAC model that considers a community centre to be a provider of information, culture, communication and skills. Personnel recommendations are also presented.

Qualitative data on the synergistic partnerships between traditional and municipal councils is also presented. Different groups were interviewed on their understanding of roles of municipal and traditional councils. Scores were also given on interventions recommended to improve working relations.

8.3 Discussion of results

There were a multitude of traditional institutions with legitimacy and authority among the different ethnic communities in any given nation; it is apparently not efficient nor desirable, to have one uniform, blanket administrative approach in all regions.

8.3.1 The participation of traditional leaders in municipal councils

- *Using the roots of traditional leadership to build on modern institutions*

Traditional leaders have, built into their status, enormous power, which comes with African tradition; enormous power which they have not yet mobilized, whose positive, potentially creative impact on society has not yet been effected or realized. Through their pro-active public positions and measures over a number of the gigantic problems of our society, and of Africa, in general, they shall increase their standing and visibility in the public life; and this shall vastly increase the pressure to bring about a proper integration of African traditional authority within the modern African state (Vilakazi 2003:4).

This research has shown that Traditional Leaders are capable of working well with the democratically elected municipal councilors. This became evident in those areas where municipal councilors even had offices in the TACs and took part in the Traditional Council meetings. Generally most rural people in particular are familiar and comfortable with traditional institutions' practices and methods. Experiences and history are foundations on which solid modern institutions can be built. Everything starts from somewhere; for example, modern political ideas of democracy in developed countries originated from methods and processes of their traditional institutions.

- *A change in people's thinking*

This research has also shown that the introduction of elections in the traditional councils brought a change in people's thinking and attitudes about the institution of traditional leadership as an undemocratic institution that it was perceived to be. The movement towards democracy demands that people change their ways of thinking. The change should encompass a gradual refinement of the fundamental ways of thinking and institutions of the people. The post-colonial leaders simply adopted colonial institutions as they were without examining the traditional institutions' methods and practices that were alternative approaches to governance.

- *Traditional leadership as a reference for a democratic system of governance*

According to Vilakazi (2003:12), the traditional leadership systems can be used as a reference point for the transition to a democratic system of governance. It should be borne in mind that people relate to these traditional leadership systems socially, emotionally and politically. They are rich in history and have the wisdom of the people. The proper approach would therefore be to use ideas from the western political systems, modify some indigenous political and social systems in partnership with indigenous traditional leaders, and come up with a system that is acceptable to the local communities.

- *Government's attempts to include traditional leaders in municipal councils*

There is no doubt that attempts by government to include traditional leaders in municipal councils is an ideal one. Legislation provides for this inclusion and gives clear guidelines in terms of representation of traditional leaders in municipal councils (Local Government: Municipal Systems Act 1998, Act 117 of 1998). This provision can be open to different interpretations. For example, it could be interpreted as meaning 20 percent of the total municipal council, which would then increase or reduce the number of traditional leaders sitting in council depending on the size of the traditional council,. It could also mean 20 percent of the total number of traditional leaders in a particular local house, in which case the number would decrease to a maximum of two traditional leaders per district considering the fact that Local Houses are made up of not more than 10 traditional leaders. In KwaZulu-Natal, the 20 percent has been interpreted as meaning 20 percent of the traditional council, and this seem to work well for traditional leaders because in most districts the 20 percent allows for all amakhosi to sit in their municipal councils. One is tempted to say that the challenge with regard to the inclusion of traditional leaders in municipal councils is not necessarily due to lack of direction from government, but more about personalities and individuals from different political parties. This research has proved that because while in some municipalities there is good working relations between traditional leaders and municipal councillors, others find it difficult to work together not because of policies but as a result of personalities.

8.3.2 Building capacities in traditional councils

- *Skills training for traditional leaders:* Traditional leaders should together with other key local decision makers like elected councillors be provided with the necessary skills and training to allow them to play a meaningful role in national development. Appropriate training and induction should be provided to assist in relevant capacity building. This research has shown that the Department of Local Government and Traditional Affairs has put a lot of resources into skills training for amakhosi and their secretaries in order to improve their performance. The same can also be said of the conferences of Izinduna and ondlunkulu as important knowledge sharing sessions for these various traditional leaders.
- *Skills training for traditional councils:* This research also revealed that the Department of Local Government and Traditional Affairs is aware of the importance of developing and implementing capacity building programmes for the newly appointed traditional councils in order to ensure that they perform their duties well. Plans were reportedly in place to roll out the training programme that would include the following:
 - *Administration:* For example skills like writing, minute taking and record keeping & filing as well as the use of communication devices like telephones and fax machines. This is important if proper records of events are to be kept and documented for future references.
 - *Conflict resolution:* Traditional council members are expected to assist Inkosi during “ukuthethwa kwamacala” where inkosi mediates between feuding family and community members in order to maintain peace in their communities. One of the most commonly dealt with conflicts is succession disputes. It is therefore crucial that traditional council members are familiar with the history of the traditional leadership family, customs and values relating to that in order to assist the department in resolving succession disputes.
 - *Land Issues:* One of the main sources of conflict in traditional communities is land disputes. It is therefore necessary that traditional council members be familiarized with legislation pertaining to land administration in order to be able to resolve land disputes appropriately.

- *Legislation:* Research has shown that traditional councils are not clear about their roles and those of municipal councils; hence it is crucial that workshops be held with both traditional councils and municipal councils to ensure that synergistic partnerships are developed between the two.
- *Financial management:* Some traditional councils still collect levies from their constituencies. It is thus crucial that they be empowered to handle community funds in line with government legislation.
- *Leadership skills:* They need leadership skills in order to be able to play their role as leaders in their traditional communities.
- *Research and development:* Traditional leaders, as an organ of State and civil society, must have their own research structure within which ideas and programmes can be developed relating to the leadership role of traditional leaders in the state and in civil society. These researchers must develop position papers and conceptions of programmes of action that should be advocated and championed by traditional leaders (Vilakazi 2003:6).
- *Communication:* Traditional Leaders must also create a structure that would communicate and market programmes of traditional leadership institutions. This structure should consist of experts in communication, public relations, and marketing, who shall communicate the institution of Traditional Leadership and the position papers on Amakhosi on a whole range of issues, e.g. education, youth development, etc (Vilakazi 2003:8).

8.3.3 Traditional administration centres

Bearing in mind that DLGTA has a responsibility to support local government and traditional leadership. This research shows that there have been remarkable improvements of the traditional leadership institution from the introduction of the TACs which have improved the status of amakhosi remarkably, to the formation of traditional councils, local and provincial houses of traditional leaders. In general the traditional administration centre concept is a positive intervention on the part of the provincial government. There is no doubt that these structures can play an important role in ensuring that rural communities are better able to access government services. It is also evident that some traditional administration centres like Mbomvu, Nxamalala and others which are currently not used by the amakhosi

for intended purposes will continue to remain unused for a long time. It is therefore recommended that:

- **Usage:** This study recommends that if prevailing problems cannot be resolved, traditional administration centres that are not used for intended purposes should be handed over to the local municipalities for other community usage.
- **Link to MPCCs:** The study further recommends that the traditional administration centres be linked to the multipurpose community centres (MPCCs) either as extensions or satellites thereof. While this will ensure that the government's intention to provide one stop shops to government services is realized, it will also address the issue of working in isolation by government departments and spheres, thus avoiding the duplication of similar services being rendered for the same communities.
- **Ownership:** Sustainability is a major issue probably because ownership is not in the hands of the community that is using the structure and its contents. TACs are currently owned by the DLGTA. This not only encourages dependence on government for the upkeep of these structures, but it also disempowers the traditional community, and sends a hidden message that says "traditional communities are not capable of managing their own assets". This study recommends that the DLGTA should consider working on a plan that will ensure that, while continued support is provided to the TACs, the community is empowered to manage the centre and that the legal ownership is eventually handed over to a community trust, a traditional council or a local municipality, whichever the local community is comfortable with.
- **Synergistic partnerships:** With regards to partnerships, this study suggests an urgent need to address the working relations between traditional leaders and municipal councillors. It further recommends that the National and Provincial governments and other organisations like the South African Local Government Association (SALGA) must develop appropriate programmes aimed at educating both parties as well as the community at large on legislation and different roles and responsibilities. There is also a need to develop training programmes and workshops for the newly appointed traditional councils in particular in terms of the understanding of local government legislation as well as

legislation on traditional leadership and governance. These should also include customary law and the Bill of Rights. This will help the members to understand their roles as well the roles of different spheres of government. Training programmes for municipal councillors should include legislation on traditional leadership so that there will be a common understanding between the institution of traditional leadership and the municipal councils.

Vilakazi (2003:12) suggests that in addition to izimbizo that are periodically called by government, traditional leaders should also convene the same. He asserts that these should be used as sites and gatherings where public officials, from the President, to Cabinet Ministers, to Members of Parliament, to Premiers and their Cabinet, to Mayors and Councillors, can appear, face the people, explain government policies, answer people's questions, and listen to people's opinions. Apart from being a powerful vehicle for sustaining and strengthening constitutional democracy, the izimbizo convened by traditional leaders would add considerably to the standing and prestige of traditional leaders in a modern democracy.

At a local level municipalities and traditional councils should establish local forums with representatives from both councils to try and forge relations of mutual respect to ensure that service delivery is not constrained by disagreements between the two. There is also a need for bylaws to be reviewed and codified in order to ensure that they conform with local traditions, customs and development objectives of the local communities.

- **Functionality:** Research has shown that a combination of well equipped centres with information technology and motivated personnel i.e. inkosi, secretaries, and the whole traditional council, is more likely to result in effectively functioning traditional administration centres.

- ***Relationships between TCs and Local Government***

This research revealed that there was an outright agreement on the need for collaboration between traditional and municipal councils in order for service delivery to improve in KwaZulu-Natal. There were also suggestions of special programmes to be developed by the province as a way of improving working

relations between municipal and traditional councils, informal forums were another recommendation. This study also shows that government officials feel that legislation by national and provincial governments have so far failed to improve working relations between the two and suggests informal arrangements and special programmes based on the understanding of local dynamics as a better solution. There was a general agreement that legislation without people's commitment is not enough to bring traditional and municipal councils together.

8.4 Notes for further research

8.4.1 Democracy and traditional leadership

Many scholars have written about the democratic elements of traditional African society particularly in African countries, having similar studies looking at South Africa would enrich this body of knowledge.

8.4.2 Input from municipal councillors

One of the limitations of this study is that not enough response was obtained from the municipal councillors. The traditional councils were also newly appointed and had not received any sort of training. Further research with more input from municipal councillors might give a different view.

8.4.3 Grant allocation to municipalities

Equitable share allocation is currently based on poverty levels. Further research on grant allocation may perhaps shed some light into why some municipalities are better able to uplift their people than others, particularly for the small rural municipalities. Some may argue that high populations may mean more revenues for those municipalities but further research can shed more light on this and perhaps on the need for equitable share formulae to be reviewed.

8.4.4 Policy and practice

The current legislation has many gaps and leaves a lot of unanswered questions. For example, in terms of new legislation, traditional councils are prohibited from

collecting levies from their communities, yet no alternative is given. Traditional councils continue to collect levies because new policies are not available, and there are no monitoring systems in place to ensure that policies are adhered to. There is therefore a need for in-depth studies on policy and practice in local governance.

8.4.5 Rural local governance structures

The current situation is that there are two types of local government structures running concurrently. The traditional leadership structures under amakhosi serve as ex-officio members in the democratically elected local government while at the same time continuing to run their councils; this is a challenge. Further investigations on what forms the rural local government structures must take i.e. whether it would be appropriate or not to have two distinct types of local government in rural areas each with its own responsibilities (Amtalka 1996: 36).

8.5 Conclusions

There is agreement among many scholars that the institution of traditional leadership has shown an amazing degree of resilience both in colonial and post-colonial eras. Others argue that the institution's survival can be attributed to the principle of indirect rule that was followed by British and French governments. "The French Governor Colonel, Louis de Trentinian argued in favour of retaining the tribal system in the French Soudan in order to relieve French commandants of little affairs after the French military conquest in 1896 (Robot 2001:4 in Ntsebeza 2005: 17)". Traditional leadership is at the heart of rural governance, political stability, successful policy implementation and hence rural development. Traditional leaders are a symbol of unity and peace. They preserve customs and culture, allocate land to subjects, resolve disputes and faction fights, conduct mediation, attend to applications for business rights, promote the identity of communities and promulgate tribal regulations (Ntsebeza 2005: 8; Keulder 1998: 3).

The institution of traditional leadership is therefore an essential political, social and economic structure for maintaining the socio-political order that is necessary for

development to take place, particularly in rural areas. Any attempts to create a full democracy in South Africa must use the strengths of traditional councils. Traditional leaders are social leaders and encompass systems rather than actual government institutions (Dlungwana 2004:43).

The recognition of traditional leadership in South Africa was by and large influenced by political and reconciliation considerations rather than by popular support. The fact that the newly appointed traditional councils are dominated by unelected members (60%) means that in vital issues like land allocation, rural people still remain the subjects in the sense that decisions are taken independently by traditional councils. The powers that traditional councils have been given under the Communal Land Rights Act are unprecedented in the sense that traditional leaders will not require magistrates to make the final decision in the allocation process as was the case during the apartheid era (Ntsebeza 2005: 295-297).

8.5.1 Traditional administration centres

It can be concluded that generally traditional administration centres are not being used to their full potential. The majority of the centres that rated in the top category had electricity, IT equipment, new furniture and new, renovated or extended centres. This shows that information technologies like computers seem to contribute positively to productivity and yield returns greater than non-computer usage. Similar results were however achieved from traditional administration centres like Batlokoa which had no electricity, no IT and poor furniture. One can then conclude that the functionality of the centre is not entirely dependant on its resource level.

Commitment, dedication and motivation from the Inkosi and the administration centre's secretary can take development to great heights with minimal resources. This also shows that employees are a key resource to improve public sector productivity. In the absence of these, even the best equipped centres have been shown to be dysfunctional. One can then conclude that motivated personnel are crucial for effective functioning of traditional administration centres. Apart from

dedicated employees, information technology especially computers contribute positively to productivity and yield excess returns relative to non-computer users.

The study also revealed that sustainability seemed to be a major issue in most traditional administration centres. One contributing factor to this concern was the high level of theft. IT equipment particularly computers, photocopiers and fax machines were reportedly stolen from some of the centres, probably because community members viewed the structures and their contents as government property and therefore had no sense of ownership. The second factor is the issue of revenue for the traditional councils. The study found that many telephone lines, electricity and water connections were reportedly cut off due to non-payment by the traditional councils. Thirdly DLGTA took very long to repair faulty equipment particularly IT. This impacted negatively on service delivery because some secretaries could often not produce necessary reports because the printer was out of ink or the photocopier needed toner.

This study shows that there is a lot of commonality between the traditional centre model and other community centre models in terms of their physical structures and function. All community centres including the TAC aim at bringing government services closer to the people and provide a multiple of services except for the Community Production Centres (CPC) which are strictly agricultural. There is a thin line between the TACs and the multipurpose community centres except for the scale of service provision.

8.5.2 Synergistic partnerships

This research has shown that conflict between elected councillors and traditional leaders is common and inevitable given the overlaps and gaps that exist in the legislation. While some scholars argue that traditional leaders play a mere ceremonial role, the ANC-led government opted for the co-existence theory despite internal differences and the dubious history of traditional authorities, particularly during the apartheid period. One can assume that it is possible for the institution of traditional leadership to co-exist with democratically elected institutions. While different pieces of legislation have given clear procedures and

guidelines for local government functioning, they are still vague on the role of interface with traditional leadership with local government. They have also not resolved tensions between the institution of traditional leadership and municipal councillors. The relationship between the two must be negotiated in order to ensure that service delivery is not delayed in rural areas.

In terms of the synergistic partnerships between traditional and municipal councils, there is a general agreement that National and Provincial governments should intervene and come up with special programmes to promote good working relations between the traditional and municipal councils. The study also revealed that it was felt that legislation alone is not enough to promote good working relations between traditional and municipal councils. Synergistic partnerships may not be major problem at district level because legislation (Section 81 of the Local Government: Municipal Structures Act 1998, Act 117 of 1998) provides for such partnerships by advocating for 20 percent representation by traditional leaders.

The problem is at the local municipality level where no guidance is given by government as to how traditional councils should partner with local municipalities in ensuring that rural communities are better serviced. Local forums made up of members of both traditional and municipal councils could go a long way in promoting good working relations between the two. Building some protocol agreements between the local municipality and the traditional councils under its jurisdiction can also address some of the common problems which are mainly protocol related. This research has also shown that there is a different level of understanding of the roles of traditional and municipal councils by different groups. There seems to be a reasonable understanding of the roles of municipal councils, while there is some confusion on the roles of traditional councils from the traditional council themselves as well as from community members.

It is difficult but not impossible to improve working relations between traditional leadership and municipal councillors. There are attempts made to get traditional councils and local municipalities to work closely with each other. This is because there is already legislation in place to that effect and also the functionality workshops are meant to make traditional councils aware of such legislations and

the intention of DLGTA to bring the two together. There are already some work-plans drawn by the traditional councils together with different government departments and NGOs particularly in those centres that received functionality workshops to ensure that the centres were to be used to their full potential. The changes in the functionality of the centres during the third month and later is an indication that with some intervention in the form of functionality workshops, additional furniture, IT and extension of buildings in some instances from the department, improvement in the functionality of the centres can be made possible.

8.5.3 Traditional leadership support

The government has and still is making deliberate efforts to keep traditional leadership under its control by paying their salaries and controlling all processes and systems in traditional authorities. Legislation gives too much discretionary powers to government both National and Provincial regarding the roles and functions of traditional leadership. The new legislation implies that in the case of traditional leaders no role, powers and functions are guaranteed; the vesting of the role, power and function is within the discretion of the national and provincial governments to provide such powers by means of either national or provincial legislation.

8.5.4 Legislation

New legislation has resulted in a major transformation of the institution of traditional leaders. This transformation brought, among other things, the formation of Traditional Councils, Local Houses and the provincial House of Traditional Leaders, as well as the disestablishment of regional councils. The Traditional Affairs branch of the KZN's DLGTA has also to transform in line with the new mandates, clients and new business plans.

In dealing with leadership positions within the institution of traditional leadership, the Traditional Leadership and Governance Framework Act 41 of 2003 provides for headman-ship in addition to kingship and senior traditional leadership. This should be regarded by the traditional institution as a major milestone since headman-ship was never recognized in the previous legislation. On the other

hand, this also complicates things because the legislation does not give guidelines as to how many headmen each inkosi can have. The implication for this is that Provincial governments have difficulty in allocating reasonable budgets to traditional leadership to support the activities of headmen in their areas.

Different pieces of legislation both National and Provincial have given clear procedures and guidelines for local government functioning, but they are still vague on the role of traditional leadership. They also have gaps when it comes to relations between traditional councils and local municipalities and have also not resolved tensions generally between the institution of traditional leadership and municipal councillors

8.6 Concluding remarks

In this research aspects of local governance with particular reference to the institution of traditional leadership have been highlighted. Traditional administration centres as a seat of traditional councils and a governance structure have been explored. A practical TAC model has been developed based on research and literature review. Interventions to foster synergistic partnerships and good working relations between traditional councils and municipalities have also been presented.

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9.9 NEWSPAPER CLIPPINGS

Mercury 5 May 2006 Traditional Leader's role invited.

Mercury 15 November 2006 Traditional Leaders must do their bit to stem the tide
of moral decay, says MEC.

10.1 APPENDIX A

LIST OF TRADITIONAL COUNCILS WITHIN THE UMGUNGUNDLOVU, UMZINYATHI, UTHUKELA AND AMAJUBA DISTRICTS

Traditional Authorities in the Umgungundlovu, Umzinyathi, Uthukela and Amajuba district municipalities (DLGTA 2004)

	Traditional Authority	Authority Type	Regional Authority	Clan Id	District Municipality	Municipality
	N ' 80					
1.	1101-T.A. QAMU	T/A	Msinga	1101	DC24	KZ244
2	1102-T.A. MTHEMBU	T/A	Msinga	1102	DC24	KZ244
3	1103-T.A. BASO	T/A	Msinga	1103	DC24	KZ244
4	1104-T.A. MBOMVU	T/A	Msinga	1104	DC24	KZ244
5	1105-T.A. CHUNU	T/A	Msinga	1105	DC24	KZ244
6	1106-T.A. NGOME	T/A	Msinga	1106	DC24	KZ244
7	1201.2-T.A AMASWAZI	Unproclaimed TA	Emnambithi	1201.2	DC23	KZ232
8	1201-T.A ABANTUNGWA KHOLWA	T/A	Emnambithi	1201	DC23	KZ232
9	1202-T.A.MCHUNU	T/A	Emnambithi	1202	DC23	KZ233
10	1203-MBHENSE T.A.	T/A	Emnambithi	1203	DC23	KZ233
11	1204-T.A. NXUMALO	T/A	Emnambithi	1204	DC23	KZ233
12	1205-T.A. SIGWEJE	T/A	Emnambithi	1205	DC23	KZ233
13	1206-T.A SITHOLE	T/A	Emnambithi	1206	DC23	KZ233
14	1207-T.A. MABASO	T/A	Emnambithi	1207	DC23	KZ233
15	1208-T.A. INGWE	T/A	Emnambithi	1208	DC23	KZ233
16	1209-T.A. MTHEMBU	T/A	Emnambithi	1209	DC23	KZ233
17	1210- T.A. SHABALALA	Unproclaimed TA	Emnambithi	1210	DC23	KZ232
18	1301-T.A. AMAZIZI	T/A	Amazizi	1301	DC23	KZ235
19	1302-T.A. AMANGWANE	T/A	Amangwane	1302	DC23	KZ235
20	1303-T.A. AMANGWE	T/A	Inhlanganiso	1303	DC23	KZ236
21	1304-T.A. AMAHLUBI	T/A	Inhlanganiso	1304	DC23	KZ236
22	1305-T.A. MHLUNGWINI	T/A	Inhlanganiso	1305	DC23	KZ236
23	1306-T.A. KWADHLAMINI	T/A	Inhlanganiso	1306	DC23	KZ236
24	1307-T.A. ABAMBO	T/A	Inhlanganiso	1307	DC23	KZ236
25	1308-T.A. MABASO	T/A	Inhlanganiso	1308	DC23	KZ236
26	1309-T.A NKWANYANA	Clan	Inhlanganiso	1309	DC23	KZ234
27	1310.0-T.A AMASWAZI	Unproclaimed TA	Inhlanganiso	1310	DC23	KZ235
28	1311-T.A. CHUNWINI	Clan	Inhlanganiso	1311	DC23	
29	1801-T.A. GCUMISA	T/A	Mpumalanga	1801	DC22	KZ221
30	1802-T.A. MAPHUMULO	T/A	Mpumalanga	1802	DC22	KZ226
31	1803-T.A. MANYAVU	T/A	Mpumalanga	1803	DC22	KZ226
32	2201-T.A. NXAMALALA	T/A	Vulindlela	2201	DC22	KZ225
33	2202-T.A. MPUMUZA	T/A	Vulindlela	2202	DC22	KZ225
34	2203-T.A. INADI	T/A	Vulindlela	2203	DC22	KZ225

35	2204-T.A. MAFUNZE	T/A	Vulindlela	2204	DC22	KZ225
36	2205-T.A. XIMBA	T/A	Vulindlela	2205	DC22	KZ225
37	2301-T.A. BATLOKOA	T/A	Hlanganani	2301	DC22	KZ224
38	2302-T.A. NXAMALALA	T/A	Hlanganani	2302	DC22	KZ224
39	2303-T.A. AMANGWANE	T/A	Hlanganani	2303	DC43	KZ5a1
40	2304-T.A. BHIDLA	T/A	Hlanganani	2304	DC43	KZ5a1
41	2305-T.A. ZASHUKE	T/A	Hlanganani	2305	DC43	KZ5a1
42	2306-T.A. QADI	T/A	Hlanganani	2306	DC43	KZ5a1
43	2307-T.A. MACALA- GWALA	T/A	Hlanganani	2307	DC43	KZ5a1
44	2308-T.A. SIZANANI (Memela)	T/A	Hlanganani	2308	DC43	KZ5a1
45	2309-T.A. VEZO KUHLE	T/A	Hlanganani	2309	DC43	KZ5a1
46	2310-T.A. VUMINDABA	T/A	Hlanganani	2310	DC43	
47	2311-T.A. ESIPHAHLINI	T/A	Hlanganani	2311	DC22	KZ227
48	2312-T.A. VUKANI	T/A	Hlanganani	2312	DC43	KZ5a5
49	2313-T.A. AMAKHUZE	T/A	Hlanganani	2313	DC43	KZ5a1
50	2314-T.A. ISIBONELO ESIHLE	T/A	Hlanganani	2314	DC43	KZ5a1
51	2315-T.A. MADZIKANE	T/A	Hlanganani	2315	DC43	KZ5a1
52	2316-T.A. ISIMINZA	T/A	Hlanganani	2316	DC22	KZ224
53	2317-T.A. MAGUZWANE	T/A	Hlanganani	2317	DC43	KZ5a2
54	801.1-T.A. INGWE	Clan	Madadeni	801.1	DC25	KZ254
55	801.2-T.A. Kubheka	Clan	Madadeni	801.2	DC25	KZ254
56	801.3-T.A. AMAHLUBI	Clan	Madadeni	801.3	DC25	KZ254
57	801.4-T.A. EMALANGENI (Nkosi)	Clan	Madadeni	801.4	DC25	KZ254
58	801-T.A. BUHLE- BOMZINYATHI	Community Authority	Madadeni	801	DC25	KZ254
59	802-T.A. GULE	T/A	Madadeni	802	DC25	KZ254
60	804-T.A. SHABALALA (Thekwane)	Landless	Madadeni	804	DC25	KZ254
61	805-T.A. NZIMA (NDLAMLENZE)	Landless	Madadeni	805	DC25	KZ254
62	806-T.A. MABASO (Mgundeni)	Landless	Madadeni	806	DC25	KZ254
63	807-T.A. MBATHA	Landless	Madadeni	807	DC25	KZ254
64	808.0- T.A. AMANTUNGWA	Clan	Madadeni	808	DC25	KZ252
65	901-T.A. HLAHLINDLELA	T/A	Nquthu	901	DC26	KZ263
66	902-T.A. MOLEFE	T/A	Nquthu	902	DC24	KZ242
67	903-T.A. KHIPHINKUNZI	T/A	Nquthu	903	DC24	KZ242
68	904-T.A. ZONDI	T/A	Nquthu	904	DC24	KZ242
69	905-T.A. AMANGWE- BUTHANANI	T/A	Nquthu	905	DC24	KZ242
70	906-T.A. MBOKODWE BOMVU	T/A	Nquthu	906	DC24	KZ242
71	907-T.A. EMANDLENI	T/A	Nquthu	907	DC24	KZ242
72	908-T.A. VULINDLELA-	T/A	Nquthu	908	DC24	KZ242

	SITHOLE					
73	909-T.A. SIZAMILE	T/A	Nquthu	909	DC24	KZ242
74	910-T.A. JAMA	T/A	Nquthu	910	DC26	KZ266
75	911-T.A. LUKHWAZI	T/A	Nquthu	911	DC26	KZ266
76	912-T.A. ZONDO	T/A	Nquthu	912	DC26	KZ266
77	AMANTESHE	Landless	Emnambithi	X1	DC 23	
78	MDLALOSE (Othawa)	Landless	Nquthu	X2		
79	RADEBE TA	Landless	Emnambithi	X3		
80	SITHOLE	Landless	Emnambithi	x4	DC23	

10.2 APPENDIX B

**LIST OF TRADITIONAL COUNCILS WITHIN THE
UMGUNGUNDLOVU, UMZINYATHI, UTHUKELA AND AMAJUBA
DISTRICTS WITH NO TRADITIONAL ADMINISTRATION CENTRES**

KwaZulu-Natal Umgungundlovu, Umzinyathi, Uthukela and Amajuba districts' T/Cs
with no traditional administration centres

	Traditional Authority N ' 16	Authority Type	Regional Authority	Status
26	1309-T.A NKWANYANA	Clan	Inhlanganiso	Unresolved land ownership
28	1311-T.A. CHUNWINI	Clan	Inhlanganiso	Unresolved land ownership
46	2310-T.A. VUMINDABA	T/A	Hlanganani	Traditional council was dismantled due to violence
53	2317-T.A. MAGUZWANE	T/A	Hlanganani	Traditional court was destroyed by fire
54	801.1-T.A. INGWE	Clan	Madadeni	Unresolved land ownership
55	801.2-T.A. Kubheka	Clan	Madadeni	Unresolved land ownership
56	801.3-T.A. AMAHLUBI	Clan	Madadeni	Unresolved land ownership
57	801.4-T.A. EMALANGENI (Nkosi)	Clan	Madadeni	Unresolved land ownership
62	806-T.A. MABASO (Mgundeni)	Landless	Madadeni	Unresolved land ownership
63	807-T.A. MBATHA	Landless	Madadeni	Unresolved land ownership
75	911-T.A. LUKHWAZI	T/A	Nquthu	T/A falls outside Umgungundlovu and Umzinyathi district municipalities boundaries
76	912-T.A. ZONDO	T/A	Nquthu	T/A falls outside Umgungundlovu and Umzinyathi district municipalities boundaries
77	AMANTESHE	Landless	Emnambithi	Unresolved land ownership
78	MDLALOSE(OTHAKA)	Landless	Nquthu	T/A falls outside Umgungundlovu and Umzinyathi district municipalities boundaries
79	RADEBE T.A	Landless	Emnambithi	Unresolved land ownership
80	SITHOLE	Landless	Emnambithi	Unresolved land ownership

10.3 APPENDIX C

FOCUS GROUPS DISCUSSION POINTS

FOCUS GROUP DISCUSSION POINTS (For consolidated responses)

Date :

Venue :

Nature of meeting :

1. Do you think Traditional Councils as defined by the KwaZulu-Natal Traditional Leadership Act No 5 of 2005 have a role to play in a democratic society?

Response	Number of responses
Yes	
No	

2. What is your understanding of the roles of Traditional Councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are "others", please list them in the space provided.

Response	Number of responses
Conflict resolution	
Land allocation	
Development issues	
Development planning	
Delivery of services	
Making of by-laws	
Other	

3. What is your understanding of the roles of municipal councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are "others", please list them in the space provided.

Response	Number of responses
Conflict resolution	
Land allocation	
Development issues	
Development planning	
Delivery of services	
Making of by laws	
Others	

4. Service delivery in KwaZulu-Natal requires collaboration between Traditional Councils and municipal councils.

Response	Number of responses
Yes	
No	

5. Working relations between traditional councils and municipal councils can be developed as follows: Multiple answers are permitted.

Response	Number of responses
Informal joint forums	
Formalised through legislation	
Special programmes	
Non-collaboration	
Other	

6. What in your opinion would make local governance work particularly in rural areas of KwaZulu-Natal? Mark all the relevant ones by giving them numbers from 1 to 5 in order of priority, if you think there are "others", please list them in the space provided.

Response	Number of responses	Average Total ranked scores
Direct intervention by National and Provincial governments		
Alignment of traditional and municipal ward boundaries		
Agency agreements allowing traditional councils to perform specific functions on behalf of government departments.		
Increase equitable share allocation according to population size and service delivery backlog.		
Invest in technical skills development.		
Other		

7. What structures would you suggest be put in place to make local governance work particularly in rural KwaZulu-Natal? Give 3 only.

FOCUS GROUP DISCUSSION POINTS (For individual responses)

Date :

Venue :

Nature of meeting :

1. Do you think Traditional Councils as defined by the KwaZulu-Natal Traditional Leadership and Governance Act No 5 of 2005 have a role to play in a democratic society?

Response	
Yes	
No	

2. What is your understanding of the roles of Traditional Councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are “others”, please list them in the space provided.

Responses	
Conflict resolution	
Land allocation	
Development issues	
Development planning	
Delivery of services	
Making of by laws	
Other	

2. What is your understanding of the roles of Municipal Councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are "others", please list them in the space provided.

Responses	
Conflict resolution	
Land allocation	
Development issues	
Development planning	
Delivery of services	
Making of by laws	
Others	

4. Service delivery in KwaZulu-Natal requires collaboration between Traditional Councils and municipal councils.

Response	
Yes	
No	

5. Working relations between Traditional Councils and Municipal Councils can be developed as follows: Multiple answers are permitted. If you can think of others, list them in the space provided.

Responses	
Informal joint for a	
Formalised through legislation	
Special programmes	
Non collaboration	
Other	

5. What in your opinion would make local governance work particularly in rural areas of KwaZulu-Natal? Mark all the relevant ones by giving them numbers from 1 to 5 in order of priority, if you think there are "others", please list them in the space provided.

Responses	
Direct intervention by National and Provincial governments	
Alignment of traditional and municipal ward boundaries	
Agency agreements allowing traditional councils to perform specific functions on behalf of government departments.	
Increase equitable share allocation according to population size and service delivery backlog.	
Invest in technical skills development.	
Other	

7. What structures would you suggest be put in place to make local governance work particularly in rural KwaZulu-Natal? Give only 3

FOCUS GROUP DISCUSSION POINTS (Zulu version)

(For individual responses)

Date :

Venue :

Nature of meeting :

1. Ucabanga ukuthi imikhandlu yamakhosi njengoba yakhiwe ngokomthetho omusha obizwa nge KwaZulu-Natal Traditional Leadership and Governance Act No 5 ka 2005 inalo iqhaza engalibamba emphakathini ophila ngokwentando yeningi?

Impendulo	
Yebo	
Cha	

2. Ngokuqonda kwakho iyini imisebenzi yemikhandlu yomdabu ekuphatheni emakhaya? Khetha kule elandelayo ngokuyinika izinombolo eziphakathi kuka1 no 6 ngokubaluleka kwayo. Uma kuneminye imisebenzi ofisa ukuyibalula engabhaliwe ngezansi yibhale esikhaleni esenzelwe lokho maqondana nebhokisi elithi "okunye".

Izimpendulo	
Ukuthetha amacala	
Ukwaba umhlaba	
Ezentuthuko	
Ukuhlela intuthuko	
Ukuletha izidingo	
Ukushaya imithetho	
Okunye	

3. Ngokuqonda kwakho iyini imisebenzi yemikhandlu yomasipala ekuphatheni emakhaya? Khetha kule elandelayo ngokuyinika izinombolo eziphakathi kuka1 no 6

ngokubaluleka kwayo.. Uma kuneminye imisebenzi ofisa ukuyibalula engabhaliwe ngezansi yibhale esikhaleni esenzelwe lokho maqondana nebhokisi elithi “okunye”.

Izimpendulo	
Ukuthetha amacala	
Ukwaba umhlaba	
Ezentuthuko	
Ukuhlela intuthuko	
Ukuletha izidingo	
Ukushaya imithetho	
Okunye	

4. Ukulethwa kwezidingo kungenzeka ngcono uma kungaba nokusebenzisana phakathi kwemikhandlu yomdabu neyomasipala.

Impendulo	
Yebo	
Cha	

6. Ukusebenzisana okuhle phakathi kwemikhandlu yomdabu neyomasipala kungenziwa ngcono ilokhu okulandelayo: (ungakhetha impendulo engaphezu kokukodwa).Uma uneminye imibono ngale kwale ebhalwe ngezansi, yibhale esikhaleni esenzelwe lokho, la kunombhalo khona othi “okunye”.

Izimpendulo	
Izigungu ezakhiwe nje	
Umthetho olawula lokho ngqo	
Izinhlelo eziyisipesheli	
Ukusebenza ngokuhlukana	
Okunye	

6. Ngokubona kwakho yini engenza ukuphatha ezingeni lohulumeni basekhaya kusebenze, ikakhulukazi ezindaweni zasemakhaya? Khetha izimpendula ngokunika izinombolo eziphakathi kuka 1 no 5 ngokulandelana kwazo. Uma uneminye imibono ngale kwale ebhalwe ngezansi yibhale esikhaleni esenzelwe lokho lapho kubhalwe khona ukuthi “okunye”.

Izimpendulo	
Ukungenelela ngqo kukahulumeni omkhulu nowesifundazwe	
Ukuhlela imingcele yemikhandlu yomdabu neyomasipala ifane.	
Izivumelwano zokusebenzisana phakathi kwemikhandlu yomasipala neyomdabu ezizonika imikhandlu yomdabu ilungelo lokwenza imisebenzi ethile kahulumeni.	
Ukwandisa imali evela kuhulumeni omkhulu, yabiwe ngokwezibalo zabantu nokwesweleka kwezidingo	
Ukuthuthukiswa kwamakhono ezobuchwepheshe	
Okunye	

7. Ngokubona kwakho yiziphi izinhloko okufanele zibekhona ukuze ukuphatha ezingeni lohulumeni basekhaya lisebenze kahle ikakhulukazi ezindaweni zasemakhaya kwaZulu-Natal. Yisho zibe ntathu kuphela.

10.4 APPENDIX D

**RESEARCH TOOLS USED TO COLLECT DATA ON THE
FUNCTIONING OF TACS.**

TAC Spot check

NAME OF TAC			
DATE OF INSPECTION	TIME:		
Was the TAC opened?	YES	NO	
What is the TAC opening time?	What is the TAC closing time?		
Was the secretary at work?	YES	NO	
Was Inkosi at the TAC?	YES	NO	
Is the TAC opened 5 days a week?	YES	NO	
If no, how many days?			
Conditions of the Exterior (outside) Building	GOOD	FAIR	POOR
Is the TAC clean and what is the condition of the ablution block (both inside and outside)?	GOOD	FAIR	POOR
What activities have been recorded for the past 10 days?			
Are there any other government departments and organizations utilizing the TAC on a regular basis i.e. daily, weekly or monthly? Please list them and how frequently?			
Any other comments			
Name of official:		Signature of Official:	

TAC IT Evaluation report

NAME OF TAC		
DISTRICT OFFICE		
DATE OF INSPECTION :	TIME:	
Was the TAC opened?	YES	NO
What was the state of the computer/s at this point?	Working well	Faulty
If faulty? Was it reported?	YES	NO
What was the state of the fax machine/s at this point?	Working well	Faulty
If faulty? Was it reported?	YES	NO
What was the state of the photocopier/s at this point?	Working well	Faulty
If faulty? Was it reported?	YES	NO
Give any other comments on the state of IT at this point.		
Name of official:	Signature of Official:	

TAC Daily Activity Report

Traditional Authority	
Name of Inkosi	
Name of Secretary	
TAC: new-old-renovated?	

Month and Year						
Date	Used by	Purpose	No. of participants	Opening time	Closing time	Comments
						STAMP

10.5 APPENDIX E
INTEPRERTATION OF OF CODES FOR RATINGS

1. Do you think Traditional Councils as defined by the KwaZulu-Natal Traditional Leadership and Governance Act No 5 of 2005 have a role to play in a democratic society?

Response	Code
Yes	1
No	2

2. What is your understanding of the roles of Traditional Councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are "others", please list them in the space provided.

Responses	Code
Conflict resolution	1
Land allocation	2
Development issues	3
Development planning	4
Delivery of services	5
Making of by laws	6
Other	7

3. What is your understanding of the roles of Municipal Councils in local governance? Mark all the relevant ones by giving them numbers from 1 to 6 in order of priority, if you think there are "others", please list them in the space provided.

Responses	Code
Conflict resolution	1
Land allocation	2
Development issues	3
Development planning	4
Delivery of services	5
Making of by laws	6
Others	7

4. Service delivery in KwaZulu-Natal requires collaboration between Traditional Councils and municipal councils.

Response	Code
Yes	1
No	2

5. Working relations between Traditional Councils and Municipal Councils can be developed as follows: Multiple answers are permitted. If you can think of others, list them in the space provided.

Responses	Code
Informal joint for a	1
Formalised through legislation	2
Special programmes	3
Non collaboration	4
Other	5

6. What in your opinion would make local governance work particularly in rural areas of KwaZulu-Natal? Mark all the relevant ones by giving them numbers from 1 to 5 in order of priority, if you think there are "others", please list them in the space provided.

Responses	Code
Direct intervention by National and Provincial governments	1
Alignment of traditional and municipal ward boundaries	2
Agency agreements allowing traditional councils to perform specific functions on behalf of government departments.	3
Increase equitable share allocation according to population size and service delivery backlog.	4
Invest in technical skills development.	5
Other	6

7. What structures would you suggest be put in place to make local governance work particularly in rural KwaZulu-Natal? Give only 3
-

10.6 APPENDIX F

TAC FUNCTIONALITY REPORTS FOR THE MONTHS OF JULY TO DECEMBER 2004

TAC FUNCTIONALITY REPORTS FOR THE MONTHS OF JULY TO DECEMBER 2004

10.6.1 REPORT FOR THE MONTH OF JULY 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF JULY 2004 (Umgungundlovu, Uthukela, Umzinyathi, Amajuba districts).							
Traditional Authority	Leaders Name	Buildings	Dept	Purpose	IT	Remarks	Rating
1101-T.A. QAMU	V.W. MAJOZI	Old	Health Welfare Transport Inkosi & council Secretary & community	CHW Pension & social grants Transport meeting Trad council meetings General admin	Computer photocopier printer fax machine	no electricity	2
1102-T.A. MTHEMBU	N.E. MTHEMBU	renovated	Health Transport FIFA Welfare Private lawyer Dept of Agriculture Inkosi & council Secretary & community	CHW Transport Forum Soccer Meeting Social Grants Road Accident Funds Farmers Association Conflict resolution & general admin	computer photocopier printer fax machine	working working working working	1
1105-T.A. MCHUNU	N.E. MCHUNU	Old	Thembaletu Welfare Secretary & community	ABET Pension & social grants filling birth/death application forms & general admin	computer photocopier printer fax machine	working working working working	2

1106-T.A. NGOME	S.Z. ZONDI	renovated	Dept of Health Age in action Stimele Bosch Development comm. Secretary & community	Mobile clinic Hadwork lessons Environmental project meeting Development meeting General admin	computer photocopier printer fax machine	working working working working	2
1201.2-T.A AMASWAZI	H.R. KHUMALO	New	Inkosi & council Health Secretary & comm	Trad council meetings Mobile clinic Filing birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
1201-T.A ABANTUNGWA- KHOLWA	T.R. KHUMALO	New	Welfare Agric. Health Inkosi & Council Secreatry & Comm.	Pension day Farmers meeting CHW workshop Conflict resolution General admin	computer photocopier printer fax machine	working working working working	1
1202-T.A.MCHUNU	S.A. MCHUNU	Old	Development comm.. Inkosi & council Secretary & community	Development meetings Conflict resolution & meetings filling birth/death application forms & general admin	computer photocopier printer fax machine	working faulty working not yet installed	3

1203-MBHENSE T.A.	S.S.S. MBHENSE	New	<p>Siyaphambili poultry cl. DTLGA :URD</p> <p>Indaka municipality Welfare Health Correctional services Inkosi and council Secretary & community</p>	<p>Poultry production meeting TAC functionality workshop LUMS meeting Pension & social grants CHW Re:parolees/&probaioners Trad council meeting General administration</p>	computer photocopier printer fax machine	working working working faulty	2
1204-NXUMALO	M.M. NXUMALO	renovated	<p>Local trad. healer Dev. committees Inkosi & council Secretary & community</p>	<p>Traditional healing Development meeting Trad council meetings filling birth/death application forms & general admin.</p>	computer photocopier printer fax machine	working working working working	3
1205-T.A. SIGWEJE	S.S. KUNENE	New	<p>Health Trad healers Dev. Committee Inkosi & council Secretary & community</p>	<p>CHW, Mobile clinic Trad. Healers meeting Community training Trad council meeting Filling birth/death application forms & general admin.</p>	computer photocopier printer fax machine	working working working working	2
1206-T.A SITHOLE	L.M. SITHOLE	New	<p>DTLGA:URD</p> <p>Home Affairs</p> <p>Inkosi & Council</p>	<p>TAC functionality workshop Delivery of death registration forms Trad. Council meeting</p>	computer photocopier printer fax machine	working faulty working still to be installed	3

1207-T.A. MABASO	K.M. MABASO	renovated	Agriculture Social welfare DTLGA:URD Secretary & comm.	Livestock meeting Pension payouts Functionality workshop IDs&birth registrations	computer photocopier printer fax machine	working working working working	3
1209-T.A. MTHEMBU	N.E. MTHEMBU	renovated	DTLGA: URD DWAF Inkosi and council Secretary & comm..	TAC functionality workshop meeting with Inkosi & council Trad council meeting Filling birth/death application forms & general admin.	computer photocopier printer fax machine	all equipment still to be installed	3
1210-T.A. SHABALALA	N.B. TSHABALALA	New	DTLGA:Provisioning Medical practitioner Community Secretary & comm.. Medical practitioner	Stock taking Medical services Cultural activities Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working not available faulty not available	3
1302-T.A. AMANGWANE	S.S. HLATSWAYO	renovated	Inkosi & council Secretary & community	Trad council meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
1303-T.A. AMANGWE	S.F. MAZIBUKO	New	Inkosi and council Secretary & community	conflict res. & council mtngs Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3

1304-T.A. AMAHLUBI	M.J. RADEBE	New	Inkosi & council TLGA Home affairs Secretary & community	conflict resolution stock taking birth and death certificate applications General administration	computer photocopier printer fax machine	working working working working	3
1305-T.A. MHLUNGWINI	N.F. NDABA	renovated	Inkosi and council Secretary & community	Trad council meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
1306-T.A. DHLAMINI	M.A. DLAMINI	renovated	Inkosi and council Secretary & community	Trad council meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
1308-T.A. MABASO	S.S. MABASO	New	Agriculture Inkosi and council Secretary & community	Farmer's meeting Trad. Council meeting application forms & general admin.	computer photocopier printer fax machine	working not available working not available	3
1310.0-T.A AMASWAZI	M.S. SHABALALA	under construction	Health Inkosi & council Secretary & community	Mobile clinic Conflict resolution & meetings	computer photocopier printer fax machine	working working working working	3

2301-T.A. BATLOKOA	R.L. MOLEFE	renovated	Community Dev.committee Inkosi & council Health Welfare D.O Transport Eskom NDA Agriculture Secretary & community	Meetings Needs prioritisation Meetings Community Health Pensions & soc.grants Transport meeting Electrification Intro. meeting to council Agric, baking, General administration	computer photocopier printer fax machine	working working working	1
2304-T.A. BHIDLA	D.T. DLAMINI	renovated	Sizophila (NGO) Inkosi and council Secretary & community	Community training Trad council meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working	3
2305-T.A. ZASHUKE	N J NGUBANE	Old	Health Welfare Zibambele club Secretary & community	Mobile clinic Pension payouts Savings meeting Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working	3
2306-T.A. QADI	S. I. GUMEDE	Old	Sisonke municipality Secretary & community	Meeting with Inkosi Filling birth/death application forms & general admin.			3
2307-T.A. MACALA-GWALA	F. GWALA (MRS)	renovated	SAP Secretary & community	Crime prevention Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working	3
2308-T.A. SIZANANI	B. C. MEMELA	Old	secretary & community Inkosi & council ABET	Comm. admin. Services Conflict resolution & meetings Adult education			3

			Health	Mobile clinic			
2309-T.A. VEZOKUHLE	M.S. MKHULISE	Old	SAPS Roads contractor Inkosi and council Secretary & community	Community policing forum Roads comm.elections Trad council meeting Filling birth/death application forms & general admin.			3
2313-T.A. AMAKUZE	M. M. DLAMINI	renovated	Inkosi and council Welfare Health Secretary & community	Meetings Pension payouts Mobile clinic Comm. admin services			3
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI		Secretary & community Inkosi and council	Comm. admin. Services & meeting Conflict resolution & council meetings	computer photocopier printer fax machine	working working working working	3
2315-T.A. MADZIKANE BHACA	T. NDLOVU	Old	Health Welfare Youth group Heifer D.O Transport Dev. Committee Secretary & community	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting General administration	computer photocopier printer fax machine	working working working working	2
2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and council Dev. Committee Secretary & community	Meetings Meeting Comm. Admin services	computer photocopier printer fax machine	working working working working	3

801.3-T.A. HLUBI	T H RADEBE	New	Secretary & community Inkosi & Council	IDs & birth registrations Conflict resolution Office administration			3
801-T.A. BUHLE- BOMZINYATHI	J.E.M. RADEBE	Old	Secretary & comm.. Sonqoba Youth group Agriculture Sanitation committee Regional authority D.O.Transport	IDs & birth registrations Rehearsal Farmers meetings Meetings on sanitation R/A meeting Transport meeting	computer photocopier printer fax machine	working working working not working	1
802-T.A. GULE	W.S. NTULI	New	Zibambeleni burial Inkosi & council C.L.R.D.C (NGO) Project committees Secretary & community	Meeting Council meeting Flint meeting Meetings on dev. issues Meetings and general administration	computer photocopier printer fax machine	working working working working	2
804-T.A. SHABALALA (Thekwane)	S.E. SHABALALA	New temporal structure	Inkosi and Trust Secretary & comm.. Uitrech municipality Inkosi & council	Meetings Admin & meetings Letters for the T/Council Meetings	computer photocopier printer fax machine	working working working working	2
805-T.A. NZIMA (DLAMENZE)	Z. P. NZIMA	New temporal structure	Secretary & comm.. Inkosi & Council Health Home Affairs Project comitees	Admin & meetings Conflict resolution and Mobile clinics IDs & birth registrations Meetings	computer photocopier printer fax machine	working working working working	2

808.0- T.A. AMANTUNGWA	L.R.H. KHUMALO	New	Welfare Inkosi & council Health Izimbuthu High Sch. Secretary & comm..	Social grants/pensions Conflict resolution & mtngs Mobile clinic Memorial service Admin & meetings	computer photocopier printer fax machine	working working working working	1
901-T.A. HLAHLINDLELA	S.M. MDLALOSE	renovated	Inkosi and council Secretary & community	Conflict resolution& meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
902-T.A. MOLEFE	E.L. MOLEFE	Old	Zuntal (NGO) D.O Transport Health Agriculture	Road project meeting Road project meeting Meeting on clinic construction Agricultural workshop	computer photocopier printer fax machine	working working working working	2
903-T.A. KHIPHINKUNZI	T.J. NGOBESE	renovated	Agriculture Health Welfare Madonsela builder Secretary & community	Farmer's meeting Mobile clinic Pensions & social grants Meeting Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	2
904-T.A. ZONDI	V. ZONDI	renovated	Health Inkosi & community Community Secretary & community	Mobile clinic meeting on stock theft Development meeting Admin & meetings	computer photocopier printer fax machine	working working working working	3

905-T.A.MANGWE-BUTHANANI	M.P.M. MAZIBUKO	renovated	Welfare Inkosi & Council Health Home Affairs Agriculture Isandlwane dressmaking and cleaning Secretary & community	Pension payout Trad.council meeting Mobile clinic Births and ID applications Farmer's assoc. meeting Mangweni development project Admin & meetings	computer photocopier printer fax machine	working working not available	2
906-T.A. MBOKODWE BOMVU	H.M. MNCUBE	renovated	Welfare Inkosi and council Secretary & community	Ministerial visit Conflict resolution & meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	3
907-T.A. EMANDLENI	P.M. Mdletshe	New	Welfare Secretary & community	Pension and social grants Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working	3
908-T.A. VULINDLELA-SITHO	S.K. SITHOLE	renovated	Welfare Health Lutheran church Inkosi and council Secretary & community	Pension and social grants Mobile clinic Church Service Conflict resolution & meetings Filling birth/death application forms & general admin.			2

909-T.A. SIZAMILE	F.P. HLATSHIWAYO	New	<p>Agriculture</p> <p>Home Affairs Eskom Lender construction D. o Transport Health LIMA DTLGA:URD Inkosi and council</p> <p>Secretary & community</p>	<p>Distribution of seed parcels</p> <p>Drop in centre meeting Electrification meeting Council meeting Roads meeting</p> <p>Trad. Healers meeting Farmers' meeting Council meeting</p> <p>Conflict resolution & meetings</p> <p>General admin.</p>	<p>computer photocopier printer fax machine</p>	<p>working working working working</p>	2
910-T.A. JAMA	J.Z. JIYANE	Old	<p>Agriculture Dept. of Works Ward committees</p> <p>Development committee</p> <p>Inkosi and council Secretary & community</p>	<p>Gardening meeting Meeting on MPPC (proposed) Development reporting Committee meeting</p> <p>Trad council meetings General admin.</p>			2

10.6.2 REPORT FOR THE MONTH OF AUGUST 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF AUGUST 2004 (Umgungundlovu, Uthukela, Umzinyathi, Amajuba districts)								
Traditional Authority	Traditional Leaders Name	Buildings	Department	Purpose	IT	Remarks	Rating	
1101-T.A. QAMU	V.W. MAJOZI	Old	Health Welfare Transport Umzinyathi DM Inkosi / council Secretary & community	CHW Pension & social grants Transport meeting Water project Trad council meetings Filling birth/death general admin.	computer photocopier printer fax	Working working working working	3	IT not connected because electricity is not yet connected
1102-T.A. MTHEMBU	N.E. MTHEMBU	Renovated	Health Transport FIFA Welfare Private lawyer Agriculture	CHW Transport Forum Soccer Meeting Social Grants Road Accident Funds Farmers Association	Computer photocopier printer fax	Working working working working	3	
1106-T.A. NGOME	S.Z. ZONDI	Renovated	Health	Mobile clinic	Computer photocopier	Working Working Working	3	

					printer fax	working		
1201.2-T.A AMASWAZI	F.B.Nkosi	New	Health Welfare	Primary health care Social grants	Computer Photocopie r Printer fax	Stolen Broken Stolen Not purchased	3	Inkosi not residing in the area .Need to encourage government departments to utilise the centre
1201-T.A ABANTUNGW A-KHOLWA	T.R. KHUMALO	New	Welfare Health DLGTA Consultants Youth Agriculture Inkosi/Council	Social grants CHW Workshop meeting meeting Extension services council meetings	Computer photocopie r Printer fax	Working Working Working working	1	Different civil society structures are using the centre
1202- T.A.MCHUNU	S.A. MCHUNU	Old	Inkosi and council	Council meeting	computer photocopie r printer fax	Working Faulty Working not yet installed	3	Council to develop a plan of inviting various departments and organisations to use the centre

1203-MBHENSE T.A.	S.S.S. MBHENSE	New	Health Agriculture NGO's Correct. Serv Welfare Indaka munic & Education,	Primary health care extention services development projects community service meeting social grants community meeting matric dance	computer photocopie r printer fax	working working working faulty	2	To develop a plan of action for inviting for inviting more users of the centre
1204- NXUMALO	M.M. NXUMALO	Renovated	NGO's, Agriculture Trad council Traditional doctor	Development meeting Extension services, TC meeting Consultation and med- sales	computer photocopie r printer fax	working working working working	3	TAC to be assisted to in contacting different departments and civil society sturctures to utilise the building
1205-T.A. SIGWEJE	S.S. KUNENE	New	Welfare Health Home affairs Agriculture Indaka munic NGO's Housing Traditional healer	CSG applications and pensions Community health Identity and birth documents extension development issues development issues	computer photocopie r printer fax	working working working stolen	1	Centre utilised by various departments and NGO's

				housing projects Consultation and med- sales				
1206-T.A SITHOLE	L.M. SITHOLE	New	Education, Safety and security Indaka municipality	Matric dance stock theft development meeting	computer photocopie r printer fax machine	Working working working not working	2	To develop a plan of action for inviting for inviting more users of the centre
1207-T.A. MABASO	K.M. MABASO	Renovated	Welfare Agriculture Transport DTLGA Traditional council	Pension payout,extension services,discuused rural roads,discussed community matterst	computer photocopie r printer fax machine	working not available working not available	3	More institutions to be encouraged to use the centre

1208-T.A. INGWE	N.C. ZWANE	New	DTLGA Health Transport Traditional council Welfare Safety & security Education Agriculture	TAC functionality workshop Primary health care Rural access roads Meeting Pension payouts Stock theft meeting Matric dance Extension services	computer photocopie r printer fax machine	no IT. Awaiting electrificati on of the TAC	2	centre need electricity as a matter of urgency
1209- T.A.MTHEMB U	N.E. MTHEMBU	Renovated	Agriculture Welfare Uthukela district and Indaka municipality	Extension services Pension payouts Project meetings	computer photocopie r printer fax machine	Working Not purchased yet Working Not purchased	3	In process of engaging government departments and NGO's to utilise the centre

1210- T.A. SHABALALA	N.B. TSHABALALA	New	Transport Agriculture Traditional healer	Access road meeting Veterinary services Traditional healing	computer photocopie r printer fax machine	Working Not purchased yet Working Not purchased	2	A plan has been devised to engage all institutions rendering service delivery to in the area
1301-T.A. AMAZIZI	M.E. MIYA	Renovated	Municipal coucillor Home Affairs Community Welfare local municipality	Development planning meeting Birth/ID applications and Meeting Grants and pension payout Development meeting	computer photocopie r printer fax machine	Wrking Working Working Not connected	1	
1302-T.A. AMANGWANE	S.S. HLATSWAYO	Renovated	Welfare Home affairs Agriculture	Pension payout Births/Deaths/ID registrations Extension services,	computer photocopie r printer fax machine	working working working working	2	To develop a plan of action for inviting for inviting more users of the centre

1303-T.A. AMANGWE	S.F. MAZIBUKO	Renovated	Medical doctor NGO Home affairs SAPS	Medical services Development meeting ID applications Policing forum meeting	computer photocopie r printer fax machine	working working working working	2	Not all activities have been recorded in the report . For example ,Imbabazane has a satellite office in the centre but it is not recorded
1304-T.A. AMAHLEBI	M.J. RADEBE	New	Health Nature conservation NGO,s	Home based care Nature conservation development meetings	computer photocopie r printer fax machine	working working working not connected	2	More institutions to be encouraged to use the centre
1305-T.A. MHLUNGWINI	N.F. NDABA	Renovated	Welfare SAPS	Pension and child support grant payout Community policing forum meeting	computer photocopie r printer fax machine	working working working working	2	There is a need for more activities
1306-T.A. DHLAMINI	M.A. DLAMINI	New	Health, Traditional healers Home affairs Imbabazane L.M Welfare Community	Primary health care Traditional healing IDs/births/deaths registration Development meeting Pension payouts and social grants applications Meetings	computer photocopie r printer fax machine	working working working working	2	T.A. needs to be more active by getting involved with other service providers

1308-T.A. MABASO	S.S. MABASO	New	URD NGO's	TAC Functionality meeting Development committee meetings	computer photocopier printer fax machine	working not available working not available	3	Centre need to be encouraged to invite more service providers
1310.0-T.A AMASWAZI	M.S. SHABALALA	Under construction	Health Inkosi & council Inkosi & council	Mobile clinic Conflict resolution Council meeting	computer photocopier printer fax machine	No IT.	3	Construction of centre in progress
2301-T.A. BATLOKOA	R.L. MOLEFE	Renovated	Community Dev.committee Inkosi & council Health Welfare SAPPI Eskom SAPS Agriculture Clouds of hope -NGO	Meetings Housing project meeting Council meeting CHW/ Mobile clinic Pensions & soc.grants Scholarships meeting Pay day -contract workers Community service Committee election, baking lessons Poverty alleviation programme	computer photocopier printer fax machine	working working working working	1	TAC under construction
2305-T.A. ZASHUKE	N J NGUBANE	Old	Community Health Welfare Zibambele club DTLGA:Provisioning	IDs,birth registrations mobile clinic Pension payouts Savings meeting Stock taking	computer photocopier printer fax machine	working working working	3	

2306-T.A. QADI	S. I. GUMEDE	Old	Community Sisonke municipality	general administration meeting	computer photocopie r printer fax machine	working working working working	3	
2307-T.A. MACALA- GWALA		Renovated	Community	general administration	computer photocopie r printer fax machine	working working working working	3	No electricity
2308-T.A. SIZANANI	B. C. MEMELA	Old	secretary & comm.. Inkosi & council ABET Health Isicathamiya group	General administration Conflict resolution & meetings Adult education Mobile clinic Rehearsal	computer photocopie r printer fax machine	working working working working	2	No electricity
2309-T.A. VEZOKUHLE	M.S. MKHULISE	Old	SAPS Roads contractor Inkosi and council Secretary & community	Community policing forum Roads comm.elections Trad council meeting Filling birth/death application forms & general admin.			3	no TAC/inkosi/induna. The institution fell apart as a result of violence
2310-T.A. VUMINDABA	VACANT						3	TAC often closed. DM trying to meet Inkosi and secretary. Inkosi runs some businesses in the area.

2312-T.A. VUKANI	T. NDLOVU (MRS)	Renovated	Inkosi and council Welfare Health TREE (Childcare NGO) Centre for criminal justice	Meeting on domestic violence Pension payout Mobile clinic Training Paralegal clinic	computer photocopie r printer fax machine	working working working working	2	
2313-T.A. AMAKUZE	M. M. DLAMINI	Renovated	Community Inkosi and council	Comm. Admin. Services & meeting Conflict resolution & council meetings	computer photocopie r printer fax machine	working working working working	3	
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI	Old	Health Welfare Youth group Heifer D.O Transport Dev. Committee	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting	computer photocopie r printer fax machine	working working working working	2	
2315-T.A. MADZIKANE BHACA	T. NDLOVU	Old	Health Welfare Youth group Heifer D.O Transport Dev. Committee Secretary & community	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting General administration	computer photocopie rprinter fax machine	working working working working	2	

2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and council Dev. Committee Community Agric. Farmer's assoc. Health Creche teachers	Council meeting Development meeting Comm. Meeting Admin services Stock sale meeting CHW HIV/AIDS awareness meeting Meeting on creches	computer photocopie r printer fax machine	working working working working	2	TAC destroyed by fire
801.3-T.A. HLUBI	T H RADEBE	New	Community Inkosi & Council Scretary	IDs & birth registrations Conflict resolution Office administration	computer photocopie r printer fax machine	working working working working	3	
801-T.A. BUHLE- BOMZINYATHI	J.E.M. RADEBE	Old	District farmers' union,Agriculture,Sant ako (NGO)yYouth organisation,Transpor t and Safety and security	IDs & birth registrations,youth projects,Discuss road projects,crime awareness campaign,meetings in preparation for agricultural show and and discuss sanitation project	computer photocopie r printer fax machine	working working working working	2	No TAC operates from Ubuhlebomzinyathi
802-T.A. GULE	W.S. NTULI	New	Dept.of Transport:Zibambe!el C.L.R.D.C (NGO) Millford block making, Nyanyadu farmers union, Flint fencing,	meetings on dev.issues Meetings on projects Govt. services Zibambe!e burial society meeting	computer photocopie r printer fax machine	working working working faulty	2	Temp To develop a plan of action for inviting for inviting more users of the centre oral structure using solar system

804-T.A. SHABALALA (Thekwane)	S.E. SHABALALA	New temporal structure	Inkosi and Trust members I	Meetings	computer photocopie r printer fax machine	working working working working	3	Temporal structure using solar system
805-T.A. NZIMA (DLAMENZE)	Z. P. NZIMA	New temporal structure	Nature conservation, Health CBO Amajuba municipality	Conservation meeting Mobile clinic development meeting, Establishment of cemetery			1	No TAC. Tempoary still has been ordered
808.0- T.A. AMANTUNGW A	L.R.H. KHUMALO	New	Welfare Inkosi and council Health School governing body Land claims commission Amajuba municipality,	Social grants/pensions Trad. council meeting and conflict resolution Community health care Interviews for educators land claims meeting and Community meeting	computer photocopie r printer fax machine	working working working working	1	
901-T.A. HLAHLINDLEL A	S.M. MDLALOSE	Renovated	Health Salvation army(NGO's) Inkosi and ouncil	Primary health Community meeting Council meeting	computer photocopie r printer fax machine	working working working working	1	More service providers to be invited for maximum utilisation of the centre

902-T.A. MOLEFE	E.L. MOLEFE	Old	DLGTA Nquthu municipality Health NGO's	Inspection Community meeting Community health	computer photocopie r printer fax machine	working working working working	2	More service providers to be invited for maximum utilisation of the centre
903-T.A. KHIPHINKUNZ I	T.J. NGOBESE	Renovated	Health Welfare	Primary health care grants and pension payout	computer photocopie r printer fax machine	working working working working	2	Electricity disconnected due to non payment
904-T.A. ZONDI	V. ZONDI	Renovated	Health NGO's	Primary health care Development meeting	computer photocopie r printer fax machine	working working working working	2	To develop a plan of action for inviting for inviting more users of the centre
905- T.A.MANGWE- BUTHANANI	M.P.M. MAZIBUKO	Renovated	Home affairs Health Transport forum	ID documents, primary health care access road meeting	computer photocopie r printer fax machine	NO IT	2	more institutions to be encouraged to use the centre
906-T.A. MBOKODWE BOMVU	H.M. MNCUBE	Renovated	Welfare DLGTA	Pension payout Project monitoring	computer photocopie r printer fax machine	NO IT	2	To develop a plan of action for inviting for inviting more users of the centre
907-T.A. EMANDLENI	P.M. Mdletshe	Old	Welfare DLGTA	Pension and child support payout Project monitoring	computer photocopie r printer fax machine	Working not connected working not connected	2	More institutions to be encouraged to use the centre

908-T.A. VULINDLELA- SITHO	S.K. SITHOLE	Renovated	Welfare Health Amafa ka Zulu	Social grants Mobile clinic Cultural activity meetings	computer photocopie r printer fax machine	No IT. Awaiting electrificati on of the TAC	2	More institutions to be encouraged to use the centre
909-T.A. SIZAMILE	F.P. HLATSHIWAYO	Renovated	Agriculture Correctional services, Youth formation Traditional healers Works Transport Health,councillors Home affairs	Veterinary services Community meeting Youth meeting Traditional healing Community meeting Transport forum CHW ID.documents distribution	computer photocopie r printer fax machine	working Not available working not available	2	According to the fieldworkers report the centre is always closed
910-T.A. JAMA	J.Z. JIYANE	Old	Health Agriculture SAPS DLGTA Nquthu municipality Youth forum Social welfare	Primary health Extension services Stock theft Community meeting Community meeting Youth meeting Grants and pensions	computer photocopie r printer fax machine	working working working	2	More institutions to be encouraged to use the centre

Labour	Training meeting
Transport	Road forum meeting

10.6.3 REPORT FOR THE MONTH OF SEPTEMBER 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF SEPTEMBER 2004 (Umgungundlovu district)

Traditional Authority	Leaders Name	Departments	Purpose	IT	IT Status	Rating
2202-T.A. MPUMUZA	N.W. ZONDI	Health, DLGTA:Planning, Traditional Council, NGO-VECO,	Mobile clinic	Computer- Photocopier –	Good	2
			Meeting	Printer	Good Not Wkng	
			Council meeting	Fax machine	Good	
			Meeting			
1801-T.A. GCUMISA	N.P. GCUMISA	secretary	Admini work	Computer-	Stolen	2
				Photocopier	Working stolen	
				Printer	not instlled	
				Fax machine		
1803-T.A. MANYAVU	S.E. MDLULI	T/A Council, Health, Community, Secretary, Land Affairs, Agriculture	Council meeting	Computer	Good	1
			Mobile clinic	Photocopier	Good	
			Meeting	Printer	Good faulty	
			Admin work	Fax machine		
			Meeting			
			Meeting			

2201-T.A. NXAMALALA	S.A. ZUMA	Secretary, Community	Admin work Meeting	No IT	- No IT -	3
2203-T.A. INADI	G.S. ZONDI	Hospersa, Secretary	Meeting Admin work	Computer- Photocopier Printer fax	working Not working working faulty	2
2204-T.A. FUNZE	M.S. NGCOBO	T/A Council, Health, Community, Secretary, Land Affairs, Agriculture	Council meeting Mobile clinic Meeting Admin work Meeting Meeting	Computer Photocopier Printer fax	Working Not working working not working	2
2316-T.A. ISIMIZA	N.C. MOLEFE	Secretary, Midland Women's Group, Khanyisani Club, Turn Table Trust, Inkosi	Admin work Meeting Meeting Meeting Council meeting	No IT	None because there is no electricity	3

2301-T.A. BATLOKOA	R.L. MOLEFE	Secretary, Welfare, KwaZulu-Natal Wildlife, KwaZulu-Natal Archives, Transport, Inkosi&Councillors, Trad. Councillors Turn Table Trust, Eskom	Admin work Social grants Meeting Meeting inkosi Transport forum Council meeting Meeting Comm. meeting Electricity meeting	Computer Photocopier - Printer - fax machine	None working because there is no electricity	1
2304-T.A. BHIDLA	D.T. DLAMINI	Football Association, Secretary, Commuity, Zibambele Project, Welfare, Sizophila Project	Soccer meeting Admin work Meeting Meeting Pensions meeting	Computer Photocopier Printer Fax machine	Stolen Good Good Not installed	3

2305-T.A. ZASHUKE	N J NGUBANE	Dept.of Health, Zimbabwe Project, Secretary, CPS/Dept. of Social Welfare	Mobile clinic Roads project Admin work Social grants	Computer- Photocopier - Printer Fax -	Working Working Working Working	2
2307-T.A. UMACALA- GWALA	F. GWALA (MRS)	Secretary, Ingwe Municipality, Social Welfare, Agriculture, Co	Admin work Meeting Pension Farmers meeting	Computer Photocopier Printer fax	working - faulty working Not installed	3
2309-T.A. VEZA KUHLE	M.S. MKHULISE	Secretary, Sisonke District Municipality, Zimbabwe Workers, Road Committee,	Admin work Meeting Roads project Meeting	No IT	No IT	3
2311-T.A. ESIPHALENI	Z.J. DLAMINI	Secretary, SANCA, Home Affairs,	Admin work Meeting ID applications	No IT	No IT	3
2312-T.A. VUKANI	T. NDLOVU (MRS)	Secretary Inkosi & council Community Transport, Welfare Health,	Admin work Council meeting Meeting Transport forum	No IT	No IT	2

			Pensions Mobile clinic			
2313-T.A. AMAKUZE	M. M. DLAMINI			No IT	No IT	2
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI	Secretary Creche	Admin work Day care	Computer Photocopier Printer Fax	Working Working Working Not installed	3
2316-T.A. ISIMINZA	T.S.G. MOLEFE	Welfare Dev Comm	Pensions Meeting	No IT	No IT	3

10.6.3 TAC FUNCTIONALITY REPORT (September 2004: Uthukela, Amajuba, Umzinyathi)

Traditional Authority	Leaders Name	Govt. Depts / NGOs			Information Technology		
		Buildings	Dept	Purpose	IT	Remarks	Rating
1101-T.A. QAMU	V.W. MAJOZI	Old	Health Welfare Transport Umzinyathi DM Inkosi & council Secretary & community	CHW Pension & social grants Transport meeting Water meeting Trad council meetings Filling birth/death application forms & general admin.	computer photocopier printer fax machine	working working working working	2
1102-T.A. MTHEMBU	N.E. MTHEMBU	renovated	Dept of Health Dept of Transport FIFA Welfare Private lawyer Dept of Agriculture	CHW Meeting Transport Forum Soccer Meeting Pension&Social Grants Road Accident Funds Farmers Association	computer photocopier printer fax machine	working working working working	2
1201.2-T.A AMASWAZI	F.B.Nkosi	New	Dept. of Health Dept. of Welfare	Primary health care Pension and grants	computer photocopier printer fax machine	Stolen Broken Stolen Not purchased	3
1201-T.A ABANTUNGWA-KHOLWA	T.R. KHUMALO	New	Welfare Health DTLGA Consultants	Grant applications primary health care, Workshop Community meeting	computer photocopier printer fax machine	working working working working	

			Youth Agriculture Traditional council	Youth meting Extention services council meetings			1
1202-T.A.MCHUNU	S.A. MCHUNU	Old	Inkosi and council	Discussing community issues	computer photocopier printer fax machine	working faulty working not yet installed	3
1203-MBHENSE T.A.	S.S.S. MBHENSE	New	Health Agriculture NGO's Correctional services Welfare Indaka municipality Education,	Primary health care Extention services, Community meeting Meeting Pension and grants Counci meeting Matric dance	computer photocopier printer fax machine	working working working faulty	2
1204-NXUMALO	M.M. NXUMALO	renovated	NGO's Agriculture Traditional council Traditional healer	Community meeting Extension services Council meting traditional healinge	computer photocopier printer fax machine	working working working working	3

1205-T.A. SIGWEJE	S.S. KUNENE	New	Welfare Health Home affairs Agriculture Indaka municipality NGO's Housing Traditional healer	Pension and grants Clinic ID & birth applications Extension services Community meeting Housing meeting traditional healing	computer photocopier printer fax machine	working working working stolen	1
1206-T.A SITHOLE	L.M. SITHOLE	New	Education Safety and security Indaka municipality	Matric dance stock theft meeting development issues	computer photocopier printer fax machine	Working working working not working	2
1207-T.A. MABASO	K.M. MABASO	renovated	Welfare Agriculture Transport DTLGA Traditional council	Pension payout Extension services, Rural roads meeting Workshop Council meeting	computer photocopier printer fax machine	working not available working not available	3

1208-T.A. INGWE	N.C. ZWANE	New	DLGTA Health Transport Traditional council Welfare Safety and security Education Agriculture	TAC functionality workshop , Primary health care Rural road meeting Council meeting Pension payout Stock theft,meeting Matric dance Extension services	computer photocopier printer fax machine	no IT. Awaiting electrificati on of the TAC	2
1209- T.A.MTHEMBU	N.E. MTHEMBU	renovated	Dept. of Agriculture Dept. of Welfare Uthukela D.M Indaka LM NGO'S	Extension services, Pension payout Project meetings Project meeting Community meeting	computer photocopier printer fax machine	Working Not purchased Working Not purchased	3
1210- T.A. SHABALALA	N.B. TSHABALAL A	New	Dept. of Transport, Agriculture Traditional healer	Access road meeting Veterinary services Traditional healing	computer photocopier printer fax machine	Working Not purchased Working Not purchased	2

1301-T.A. AMAZIZI	M.E. MIYA	Renovated	Municipal coucillor Home affairs NGO's Cultural groups Welfare Local municipality Inkosi and council	Community meeting ID & birth applications Community meeting Cultural activities Pension and grants Community meeting Council meeting	computer photocopier printer fax machine	Wrking Working Working Not connected	1
1302-T.A. AMANGWANE	S.S. HLATSWAY O	renovated	Dept.of Welfare Agriculture Home affairs NGO,s	Pension payout Extension services ID & birth applications development meeting	computer photocopier printer fax machine	working working working working	2
1303-T.A. AMANGWE	S.F. MAZIBUKO	renovated	Medical doctor, NGO Home affairs SAPS	Medical treatment Development meeting ID & birth applications CPF meeting	computer photocopier printer fax machine	working working working working	2
1304-T.A. AMAHLUBI	M.J. RADEBE	New	Health Nature conservation NGO,s	Home based care, Nature conservation mtng Development meeting	computer photocopier printer fax machine	working working working not cnnected	2

1305-T.A. MHLUNGWINI	N.F. NDABA	renovated	NGO's Welfare SAPS	Developmentg meeting Pension and grants CPF meeting	computer photocopier printer fax machine	working working working working	2
1306-T.A. DHLAMINI	M.A. DLAMINI	New	Health Traditional healers Home affairs NGOs Imbabazane L.M. Welfare Community	Primary health care Traditional healers mtng ID and birth applications Community meetings Community meetings Pension and grants Community meeting	computer photocopier printer fax machine	working working working working	2
1308-T.A. MABASO	S.S. MABASO	New	DLGTA NGOs	Workshop Development committee meetings	computer photocopier printer fax machine	working not available working not available	3
1310.0-T.A AMASWAZI	M.S. SHABALALA	under construction	Health Inkosi & council Inkosi & council	Mobile clinic Conflict resolution Council meeting	computer photocopier printer fax machine	No IT. Constructio n of centre in progress	3

2301-T.A. BATLOKOA	R.L. MOLEFE	renovated	Community Dev.committee Inkosi & council Health Welfare SAPPI Eskom S A PS Agriculture Clouds of hope (NGO)	Meetings Housing project meeting Community meeting Mobile clinic Pensions & .grants Scholarships meeting Pay day for contractors CPF Committee election, Baking lessons Poverty alleviation programme	computer photocopier printer fax machine	working working working working	1
2305-T.A. ZASHUKE	N J NGUBANE	Old	Home Affairs Community Health Welfare Zibambele club DTLGA:Provisioning	IDs,birth registrations Community meeting mobile clinic Pension payouts Savings meeting Stock taking	computer photocopier printer fax machine	working working working working	3
2306-T.A. QADI	S. I. GUMEDE	Old	Community Sisonke municipality	general administration Community meeting	computer photocopier printer fax machine	working working working working	3
2307-T.A. MACALA-GWALA	????	renovated	Community	general administration	computer photocopier printer fax machine	working working working working	3
2308-T.A. SIZANANI	B. C. MEMELA	Old	secretary & communtiy Inkosi & council ABET Health Isicathamiya group	Comm. admin. Services Conflict resolution Adult education Mobile clinic Rehearsal	computer photocopier printer fax machine	working working working working	2

2313-T.A. AMAKUZE	M. M. DLAMINI	renovated	Inkosi and council Welfare Health TREE (Childcare NGO) Centre for criminal justice	Conflict resolution Pensions and grants mobile clinic Preschool teachers training Meeting on domestic violence	computer photocopier printer fax machine	working working working working	2
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI		Community Inkosi and council	Comm. Admin. Services & meeting Conflict resolution & council meetings	computer photocopier printer fax machine	working working working working	3
2315-T.A. MADZIKANE BHACA	T. NDLOVU	Old	Health Welfare Youth group Heifer D.O Transport Dev. Committee	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting	computer photocopier printer fax machine	working working working working	2
2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and council Dev. Committee Community Agric. Farmer's association Health Creche teachers	Meetings Meeting Comm. Admin services Stock sale meeting CHW HIV/AIDS awareness meeting Meeting on creches	computer photocopier printer fax machine	working working working working	2
801.3-T.A. HLUBI	T H RADEBE	New	Community Inkosi & Council Scretary	IDs & birth registrations Conflict resolution Office administration	computer photocopier printer fax machine	working working working working	3

801-T.A. BUHLE- BOMZINYATHI	J.E.M. RADEBE	Old	District farmers' union Agriculture Santako (NGO) Youth organization Transport Safety and security	Farmers meeting Extension services Development meeting Youth meeting Rads meeting Crime awareness campaign	computer photocopier printer fax machine	working working working working	2
802-T.A. GULE	W.S. NTULI	New	Dept.of Transport Zibambelel C.L.R.D.C (NGO) Millford block making Nyanyadu farmers union Flint fencing Millford farmers union	Roads meeting Burial society meeting Meetings on dev.issues Block making meeting Farmers meeting Meeting Union meeting	computer photocopier printer fax machine	working working working faulty	2
804-T.A. SHABALALA (Thekwane)	S.E. SHABALALA	new temporal structure	Inkosi and Trust members 1	Meetings	computer photocopier printer fax machine	working working working working	3

805-T.A. NZIMA (DLAMENZE)	Z. P. NZIMA	new temporal structure	Nature conservation Health CBO Amajuba district municipality	Meeting Mobile clinic Development meeting Establishment of cemetary meeting			1
808.0- T.A. AMANTUNGWA	L.R.H. KHUMALO	New	Health School governing body Land claims Commission Welfare Amajuba district municipality, Traditional council	Clinic Interview for educators land claims Social grants/pensions Development meetings Trad. council omnthly	computer photocopier printer fax machine	working working working working	1
901-T.A. HLAHLINDLELA	S.M. MDLALOSE	renovated	Dept.of Health Salvation army(NGO's) Councillor	Clinic Community service Community meeting	computer photocopier printer fax machine	working working working working	1
902-T.A. MOLEFE	E.L. MOLEFE	Old	DTLG Nquthu municipality	Inspection Development meeting	computer photocopier printer fax machine	working working working working	2

			Dept. of Health NGO's	Clinic Training			
903-T.A. KHIPHINKUNZI	T.J. NGOBESE	renovated	Health Welfare	Primary health care and Grants and pension payout	computer photocopier printer fax machine	working working working working	2
904-T.A. ZONDI	V. ZONDI	renovated	Health NGO's	Primary health care Development meeting	computer photocopier printer fax machine	working working working working	2
905-T.A.MANGWE- BUTHANANI	M.P.M. MAZIBUKO	renovated	Home affairs Health Transport	ID ans birthy applications Clinic CPF meeting	computer photocopier printer fax machine	NO IT	2
906-T.A. MBOKODWE BOMVU	H.M. MNCUBE	renovated	Welfare DTLGA	Pension payout Project monitoring	computer photocopier printer fax machine	NO IT	2
907-T.A. EMANDLENI	P.M. Mdletshe	OLD	Welfare DTLGA	Pension and child support payout and Project monitoring	computer photocopier printer fax machine	Working not connected working not connected	2

908-T.A. VULINDLELA-SITHO	S.K. SITHOLE	renovated	Welfare Health Amafa ka Zulu	ID and birth applications Mobile clinic Cultural activity meetings	computer photocopier printer fax machine	No IT. Awaiting electrification of the TAC	2
909-T.A. SIZAMILE	F.P. HLATSHIWA YO	renovated	Agriculture Correctional services, Youth formation Traditional healers Works Transport Health Councillors Home affairs	Veterinary services Workshop Youth meeting Traditional healers mtng Community meeting Roads meeting Clinic Development meeting ID and birth applications	computer photocopier printer fax machine	working Not available working not available	2
910-T.A. JAMA	J.Z. JIYANE	Old	Health Agriculture SAPS DLGTA Nquthu municipality Youth	Primary health Extension services stock theft meeting Asset management Community meeting Youth meeting	computer photocopier printer fax machine	working working working	2

			Pensions and grants			
			Training			
			Roads meeting			
Social welfare						
Labour						
Transport						

10.6.4 REPORT FOR THE MONTH OF OCTOBER 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF OCTOBER (Umgungundlovu, Uthukela, Amajuba and Umzinyathi districts)								
Traditional Authority	Leaders Name	Buildings	Govt. Depts / NGOs		Information Technology		Rating	
			Dept	Purpose	IT	Remarks		
1101-T.A. QAMU	V.W. MAJOZI	Old	Health Welfare Transport Umzinyathi DM Inkosi & council Secretary & community	CHW Pension & grants Transport meeting Water project Council meetings General admin	computer photocopie r printer fax machine	Not connecte d	3	IT not connected because electreicity is not yet connected
1102-T.A. MTHEMBU	N.E. MTHEMBU	Renovated	Health Transport FIFA Welfare Private lawyer Dept of Agriculture	CHW Meeting Transport Forum Soccer Meeting Pension& Grants Road Accident Funds Farmers Assoc.	No IT	No IT		District administrator refused secretary to compile this information. No IT, no electricity
1105-T.A. MCHUNU	N.E. MCHUNU	Old						Inkosi passed away, no one took over

1106-T.A. NGOME	S.Z. ZONDI	Renovated	Dept of Health secretary	Mobile clinic Admin work	computer photocopie r printer fax machine	working working working working	3	
1201.2-T.A AMASWAZI	H.R. KHUMALO	New	Dept.of Health Phezukomkhono Agriculture Traditional Authority	Mobile clinic Meeting Soil testing Traditional Authority meeting	computer photocopie r printer fax machine	Stolen Broken Stolen Not supplied	3	Secretary absconded and Council is in a process of appointing new one.Local farmers allocated one office to train youth in farming.
1201-T.A ABANTUNGW A-KHOLWA	T.R. KHUMALO	New	Welfare Health Home Affairs Council Community	Pension day Mpilonhle meeting Registration of I. D books and births Council meeting Reporting cases	computer photocopie r printer fax machine	working working working Telephon e closed for non payment	1	Traditional Authority performing very well.
1202- T.A.MCHUNU	S.A. MCHUNU	Old	No report received.Secretary was instructed by Inkosi to stay at home until January when they will sort out their problems.	No report received	computer photocopie r printer fax machine	working working faulty not installed	No rating given	No Secretary to furnish the report.

1203-MBHENSE T.A.	S.S.S. MBHENSE	New	Dept of Health Correctional Services Poultry farmers Jobskop Burial Society Traditional Healer	Mpilonhle Project meeting & parols Poultry farming meeting Burial Society meeting Traditional healing	computer photocopie r printer fax machine	working working working faulty	1	Traditional Authority performing very well when considering their report submitted. This will be confirmed shortly.
1204-NXUMALO	M.M. NXUMALO	Renovated	Zamokuhle Society Inkanyezi Burial Society Sizanani Burial Society Traditional doctor Ethembeni Society	Society meeting Society meeting Society meeting Traditional heling pensioners meeting	computer photocopie r printer fax machine	working working working Needs service Producin g blank papers. It was reported to Kevin.	2	More government departments needs to be approached and be requested to utelise the TAC.
1205-T.A. SIGWEJE	S.S. KUNENE	New	Traditional healers Home Affairs Welfare Community use Dept of Agriculture Inkosi and Council Dept. of Health	Meeting I Ds and birth cert. Registration of old age pensioners Confirmation of residence Weekly meeting Council meeting Primary Health care	computer photocopie r printer fax machine	working working working Stolen	1	TAC doing very well in terms of activities performed.

1206-T.A SITHOLE	L.M. SITHOLE	New	Inkosi and Council secretary	Trying of cases Secretary doing routine office work	computer photocopie r printer fax machine	working faulty working still to be installed	3	More government departments need to be approached and be requested to utelise the TAC.
1207-T.A. MABASO	K.M. MABASO	Renovated	Inkosi and Secretary Eskom Welfare Traditional Council	Routine work electricity meeting Pension day council meeting	computer photocopie r printer fax machine	working not available working not available	3	More government departments needs to be approached and be requested to utelise the TAC.
1208-T.A. INGWE	N.C. ZWANE	New	Dept. of Welfare Dept. of Health Dept. of Education	Pension day CHW meeting Farewell function	No IT	No IT. Awaiting electrifica tion of the TAC	2	No electricicy in the area.
1209-T.A. MTHEMBU	N.E. MTHEMBU	Renovated	Welfare Indaka Municipality Agriculture KZN Spice Growers	Pension day Meeting with Chillie Project Com. Handing- over cert of Block 2&3 Meeting of the Committee	computer photocopie r printer fax machine	working not installed working not installed	2	More government departments needs to be approached and be requested to utelise the TAC.
1210- T.A. SHABALALA	N.B. TSHABALA LA	New	Inkosi & Council Secretary Doctor Home Affairs	Meeting Daily activities Consulting period Different applications	computer photocopie r	working not available faulty not available	2	More government departments needs to be approached and be requested to utelise the TAC.

					printer fax machine			
1302-T.A. AMANGWANE	S.S. HLATSWAY O	Renovated	Inkosi & council Community	monthly meetings birth and death certificate applications	Computer photocopie r printer fax machine	working working working working	3	
1304-T.A. AMAHLEBI	M.J. RADEBE	New	Inkosi & council TLGA Home affairs	conflict resolution stock taking birth and death certificate applications	computer photocopie r printer fax machine	working working working working	3	
1306-T.A. DHLAMINI	M.A. DLAMINI	Renovated						Secretary left work, Inkosi has not been installed there is no traditional council.
1308-T.A. MABASO	S.S. MABASO	New						Landless Inkosi with no TAC
1309-T.A. NKWANYANA	F.N. NKWANYA NA							Structure under construction
1310.0-T.A. AMASWAZI	M.S. SHABALAL A	Under constructio n						no TAC
1311-T.A. CHUNWINI	M.MCHUNU							No TAC
1801-T.A. GCUMISA	N.P. GCUMISA							TAC was burnt due to violence, now renovated but awaiting furniture

2301-T.A. BATLOKOA	R.L. MOLEFE	renovated	Community Dev.committee Inkosi & council Health Welfare SAPPI Eskom SAP Service Agriculture Clouds of hope (NGO)	Meetings Housing project Community meetings mobile clinic Pensions & soc.grants Scholarships meeting Pay day for workers Community service Committee election, baking lessons Poverty alleviation programme	computer photocopie r printer fax machine	working working working working	1	TAC under construction
2305-T.A. ZASHUKE	N J NGUBANE	Old	Community Health Welfare Zibambele club DTLGA:Provisioni ng	IDs,birth registrations mobile clinic Pension payouts Savings meeting Stock taking	computer photocopie r printer fax machine	working working working working	3	
2306-T.A. QADI	S. I. GUMEDE	Old	Community Sisonke municipality	general administration meeting	computer photocopie r printer fax machine	working working working working	3	
2307-T.A. MACALA- GWALA		renovated	Community	general administration	No electricity	No electricity	3	No electricity
2308-T.A. SIZANANI	B. C. MEMELA	Old	secretary & communy Inkosi & council ABET Health Isicathamiya group	Comm. admin. Services Conflict resolution Adult education Mobile clinic Rehearsal			2	No electricity

2313-T.A. AMAKUZE	M. M. DLAMINI	renovated	Inkosi and council Welfare Health TREE (Childcare NGO) Centre for criminal justice	Conflict resolution Pensions/ grants mobile clinic Preschool teachers training Meeting on domestic violence	computer photocopie r printer fax machine	working working working working	2	No electricity
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI		Community Inkosi and council	Comm. Admin. Services & meeting Conflict resolution & council meetings	computer photocopie r printer fax machine	working working working working	3	
2315-T.A. MADZIKANE BHACA	T. NDLOVU	Old	Health Welfare Youth group Heifer D.O Transport Dev. committee	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting	computer photocopie r printer fax machine	working working working working	2	
2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and council Dev. Committee Community Agric. Farmer's association Health Creche teachers	Meetings Meeting Comm. Admin services Stock sale meeting CHW HIV/AIDS awareness meeting Meeting on creches	No IT	No IT	2	TAC destroyed by fire
801.3-T.A. HLUBI	T H RADEBE	New	Community Inkosi & Council Scretary	IDs & birth registrations Conflict resolution Office administration	computer photocopie r printer fax machine	working working working working	3	Activities happeing from Ubuhlebomzinyathi, inkosi has no TAC.

801-T.A. BUHLE- BOMZINYATHI	J.E.M. RADEBE	Old	Community Sonqoba Youth group Agriculture Sanitation committee Regional authority D.O.Transport	IDs & birth registrations Rehearsal Farmers meetings Meetings on sanitation R/A meeting Transport meeting	computer photocopie r printer fax machine	working working working working	1	
802-T.A. GULE	W.S. NTULI	New	Zibambeleni burialsoc Inkosi & council C.L.R.D.C (NGO) Project committees Community	Meeting Council meeting Meetings on dev. Meetings on projects Govt. services Community meeting	computer photocopie r printer fax machine	working working working working	2	Temporal structure using solar system
804-T.A. SHABALALA (Thekwane)	S.E. SHABALAL A	New temporal structure	Inkosi and Trust Community Uitrech municipality Inkosi & council	Meetings Community meetings Meeting with T/Council Council Meetings	computer photocopie r printer fax machine	working working working working	2	

805-T.A. NZIMA (DLAMENZE)	Z. P. NZIMA	New temporal structure	Community Inkosi & Council Health Home Affairs Project committees	Community meetings Conflict resolution and Mobile clinics IDs & birth registrations Meetings	computer photocopie r printer fax machine	working working working working	1	No TAC. Temporary still has been ordered
808.0- T.A. AMANTUNGWA	L.R.H. KHUMALO	New	Welfare Inkosi & Council Inkosi & council Health Izimbuthu High School	Social grants/pensions Trad. council monthly conflict resolution Immunisation and other health services Memorial service	computer photocopie r printer fax machine	working working working working	1	
904-T.A. ZONDI	V. ZONDI	renovated	Health Inkosi & community Community	Community health community meeting on stock theft Development meeting	computer photocopie r printer fax machine	working working working working	3	
905- T.A.MANGWE- BUTHANANI	M.P.M. MAZIBUKO	renovated	Welfare Inkosi & Council Health Home Affairs Agriculture Isandlwane dressmaking and cleaning	Pension payout Trad.council meeting Mobile clinic Births and ID applications Farmer's assoc. meeting Mangweni development project	computer photocopie r printer fax machine	working working not available	1	
906-T.A. MBOKODWE BOMVU	H.M. MNCUBE	renovated	Welfare	Ministerial visit	computer photocopie r printer fax machine	working working working working	3	

907-T.A. EMANDLENI	P.M. Mdletshe	New	Welfare	Pension and child support payouts	computer photocopie r printer fax machine	No electricity	3	No electricity
908-T.A. VULINDLELA- SITHO	S.K. SITHOLE	renovated	Welfare Health Lutheran church	Social grants and pensions Mobile clinic Church Service		No IT. Awaiting electrifica tion of the TAC	2	

10.6.5 REPORT FOR THE MONTH OF NOVEMBER 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF NOVEMBER 2004 (Umgungundlovu district)					Information technology			
Traditional Authority	Leaders Name	Building	Depts.	Purpose	IT	Status	Rating	Remarks
1103-T.A. BASO	T.D. MTUNGWA	Good	Education, Heath, Social welfare, Umsinga municipality	Abet, community health workers meeting, social grants, distribution of seeds for farming		No IT	3	
1105-T.A. MCHUNU	N.E. MCHUNU	Fair	Thembaletu, Cash pymment services, Welfare, Inkosi & council, Umsinga municipality	Abet pension payouts, social grants, council meeting, official opening of a fencing project.			2	
1106-T.A. NGOME	Not yet appointed	Good	Welfare, handwork group, Health, Agriculture	Pension payouts, handwork making, community heath workers meeting, farmers meeting			2	
1801-T.A. GCUMISA	N.P. GCUMISA	Good	secretary, inkosi & council, Swayiman community policing forum	General admin, council meeting, community policing forum meeting,	Computer Photocopier Printer fax	stolen working stolen not installed	2	
1802-T.A. MAPUMULO	N.K. MAPHUMULO		Sizabantu, inkosi and council, secretary, Health.	Social grants, council meeting/conflicts resolution, CHW.				

							3	
1803-T.A. MANYAVU	S.E. MDLULI	Good	Home Affairs Headmen & Councillors, Agriculture, Welfare, Zamokuhle (NGO), Mvula Trust,		Computer Photocopier Printer fax	working working working faulty	2	
2201-T.A. NXAMALALA	S.A. ZUMA	Good	Secretary, Community			no IT		report not obtained
2202-T.A. MPUMUZA	N.W. ZONDI	Good	Health, KZN Wild life, Land surveyors, Agriculture, , Education, Traditional Council, NGOs.	Home based care training, committee meeting, farmers's meeting, council meeting.	Computer Photocopier Printer fax	working working working faulty	1	
2203-T.A. INADI	G.S. ZONDI	Good	Secretary Inkosi and council	Administration conflicts resolution.	Computer-Photocopier Printer fax	working faulty working faulty	3	photocopier and fax have not been working for the past two months.
2204-T.A. FUNZE	M.S. NGCOBO	Good	T/A Council, Health, Community, Secretary, Correctional services, Agriculture, Women's clubs, Inkosi and council.	Council meeting, mobile clinic, community meetings, CPF, farmer's meetings, sewing and garden meetings.	Computer-Photocopier Printer fax	working faulty working faulty	2	

2205-T.A. XIMBA	M.Z. MLABA	Fair	Health Welfare Inkosi and council, Vulindlela regional authority	mobile clinic Orphans programme and pension payout, council meeting, , regional authority meeting.	Computer Photocopier Printer fax	No IT		
2301-T.A. BATLOKOA	R.L. MOLEFE	Fair	Secretary Dept. of Welfare KZN Wildlife KZN Transport Inkosi Council Eskom	General admin, pension payouts projects funding meeting, Mhlangeni Rd maint.mtng council meeting Drakensburg project (environmental studies) and issuing account numbers for electricity Issuing meter numbers Food parcels,	No IT	no IT	2	
							1	no electricity

			Municipal councillors, Agriculture.	siyavuna project.				
2302 TA. NXAMALALA	S. ZUMA	Good	New TAC not handed over yet			No IT		New TAC not handed over yet
2304-T.A. BHIDLA	D.T. DLAMINI	Good	Secretary Commuity Welfare Zibambebe Project.	General admin Meeting Pension payout	Computer Photocopier Printer fax	stolen working stolen not installed	3	
2305-T.A. ZASHUKE	N J NGUBANE	Good	Dept.of Health, Zibambebe maintainence Project Secretary CPS/ Welfare	Mobile clinic, Savings club, General admin, Pension payout	Computer Photocopier Printer fax	mouse faulty faulty working not installed	2	

			Ingwe municipality Community Agriculture.	IDP meeting Meeting, siyavuna project				
2306-T.A. QADI	S. I. GUMEDE	Poor	Secretary	general admin	No IT	No IT	3	
2307-T.A. UMACALA- GWALA	F. GWALA (MRS)	Good	Secretary Ingwe Municipality, Agriculture Community IEC	General admin, IDP meeting, Devnt comm Meeting, Electioneering	Computer- Photocopier Printer - fax	Working Faulty Working Not installed	3	
2308-T.A. SIZANANI / MEMELA	B. C. MEMELA	Poor	Agriculture Health Inkosi & council	farmer's union meeting Mobile clinic, council meeting/ conflicts resolution.	No IT	No IT	3	
2309-T.A. VEZO KUHLE	M.S. MKHULISE	Fair	Secretary Sisonke Municipality Zibambele Workers Road Committee	general admin, water project.	No IT		3	
2310-T.A. VUMINDABA	vacant							
2311-T.A. ESIPHALENI	Z.J. DLAMINI	Good	Secretary		No IT	No IT	3	No electricity

			SANCA					
			Home Affairs,					
2312-T.A. VUKANI	T. NDLOVU (MRS)	Good	Secretary Inkosi and council Community Welfare Health,	Gneral admin, Conflicts resolution food parcels, health service.	No IT	No IT	3	
2313-T.A. AMAKUZE	M. M. DLAMINI	Poor	Secretary Social Welfare Health Insurance Company (Nkwezela Funeral Parlour) Hlanganani. Dept. of Transport Sisonke District Municipality Ingwe Municipality IEC Members		No IT	No IT	2	

2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI	Fair	Secretary Creche	Admin. Child care	Computer- Photocopier Printer - fax	Working Working Working Not installed	3	
2315-T.A. MADZIKANE BHACA	M. ZULU	Poor	TREE Youth group Development comm. Masakhane Health Transport Valley Trust Turn Table Trust Welfare Burial club	Creche meeting, music practice, Meeting Heifer project Mobile clinic Ttransport meeting Community mtng. Community mtng Pension payout Burial socity meeting.	No IT	No IT	2	
2316-T.A. ISIMINZA	T.S.G. MOLEFE	Fair	Welfare Dev Committees Inkosi and secretary	Pension payouts Meeting Admin Meeting with	No IT-	No IT	2	

10.6.5 TAC FUNCTIONALITY REPORT: NOVEMBER 2004 UTHUKELA

			Govt. Depts / NGOs		Information Technology		
Traditional Authority	Leaders Name	Buildings	Dept	Purpose	IT	Remarks	Rating
1101-T.A. QAMU	V.W. MAJOZI	Old	Health Welfare Transport Umzinyathi DM Inkosi & council Secretary & community	CHW Pension & grants Transport meeting Water project mtng. Council meetings General admin.	computer photocopier printer fax machine	working working working working	
1102-T.A. MTHEMBU	N.E. MTHEMBU	renovated	Dept of Health Dept of Transport FIFA Welfare Private lawyer Dept of Agriculture	CHW Meeting Transport Forum Soccer Meeting Pension&Grants Road Accident Funds Farmers Association	computer photocopier printer Fax machine	working working working working	
1106-T.A. NGOME	S.Z. ZONDI	renovated	Dept of Health		computer photocopier printer fax machine	working working working working	3

1201.2-T.A AMASWAZI	H.R. KHUMALO	New	Dept.of Health Phezukomkhono Agriculture Traditional council	Mobile clinic Meeting Soil testing Council meeting	computer photocopier printer fax machine	Stolen Broken Stolen Not supplied	3	
1201-T.A ABANTUNGWA- KHOLWA	T.R. KHUMALO	New	Dept of Welfare Dept. of Health Home Affairs Traditional Council Community	Pension day Mpilonhle meeting ID and birth applications Council meeting Community affairs	computer photocopier printer fax machine	working working working Telephone cut off		1
1202-T.A.MCHUNU	S.A. MCHUNU	Old	No report received.Secretar y suspended from work..	No report received	computer photocopier printer fax machine	working working Out of order not installed	No rating given	
1203-MBHENSE T.A.	S.S.S. MBHENSE	New	Dept of Health Correctional Services Poultry farmers Project committee Jobskop Burial Society Traditional Healer	Mpilonhle Project Checking of parrols Poultry meeting Project meeting Burial Society meeting Traditional healing	computer photocopier printer fax machine	working working working faulty		1

				e			
1204-NXUMALO	M.M. NXUMALO	renovated	Zamokuhle Society Inkanyezi Burial Society Sizanani Burial Society Traditional healer Ethembeni Society	Society meeting Society meeting Society meeting Traditional healing Old age pensioners meeting	computer photocopier printer fax machine	working working working Needs service	2
1205-T.A. SIGWEJE	S.S. KUNENE	New	Traditional healers Home Affairs Welfare Community Agriculture Inkosi and Council Health	Meeting ID and birth applications. Registration of old age pensioners Community affairs Extension services Council meeting Primary Health care	computer photocopier printer fax machine	working working working Stolen	1

1206-T.A SITHOLE	L.M. SITHOLE	New	Inkosi and Council Secretary and the Council	Trying of cases Council meeting Secretary doing routine office work	computer photocopier printer fax machine	working faulty working still to be installed	3
1207-T.A. MABASO	K.M. MABASO	renovated	Inkosi and council Secretary Eskom Welfare Traditional Authority Council	Council meeting Admin work Electricity meeting Pension day Meeting	computer photocopier printer fax machine	working not available working not available	3
1208-T.A. INGWE	N.C. ZWANE	New	Dept. of Welfare Dept. of Health Dept. of Education	Pension day Community Health Workers meeting Farewell function	computer photocopier printer fax machine	No IT. Awaiting electrification of the TAC	2
1209-T.A. MTHEMBU	N.E. MTHEMBU	renovated	Dept. of Welfare Indaka Municipality Agriculture KZN Spice Growers	Pension day Handing- over cert of Block 2&3 Meeting with Chillie Project Committee. Meeting	computer photocopier printer fax machine	working not installed working not installed	2

1210- T.A. SHABALALA	N.B. TSHABALALA	New	Inkosi and Council Secretary Doctor Home Affairs	Council meeting Admin work Consultations ID and birth applications	computer photocopier printer fax machine	working not available faulty not available	2
1301-T.A. AMAZIZI	M.E. MIYA				computer photocopier printer fax machine	working working working working	
1302-T.A. AMANGWANE	S.S. HLATSWAYO	renovated	Inkosi & council Community Home affairs	monthly meetings community affairs ID and birth applications	computer photocopier printer fax machine	working working working working	3
1303-T.A. AMANGWE	S.F. MAZIBUKO	New			computer photocopier printer fax machine	working working working working	
1304-T.A. AMAHLEBI	M.J. RADEBE	New	Inkosi & council TLGA Home affairs	conflict resolution stock taking ID and birth applications	computer photocopier printer fax machine	working working working working	3

1308-T.A. MABASO	S.S. MABASO	New	Agriculture Traditional council	Farmer's meeting Trad. Council meeting	computer photocopier printer fax machine	working not available working not available	3
1310.0-T.A AMASWAZI	M.S. SHABALALA	under constructi on	Health Inkosi & council	Mobile clinic Conflict resolution Monthly meetings	computer photocopier printer fax machine	working working working working	3
2301-T.A. BATLOKOA	R.L. MOLEFE	renovated	Community Dev.committee Inkosi & council Health Welfare SAPPI Eskom South African Police Service Agriculture	Meetings Housing project meeting Community needs meetings mobile clinic Pensions & grants Scholarships meeting Pay day for contract workers Community service baking lessons Poverty alleviation programme	computer photocopier printer fax machine	working working working working	1

			Clouds of hope (NGO)				
2305-T.A. ZASHUKE	N J NGUBANE	Old	Community Health Welfare Zibambebe club DTLGA:Provision ing	Community affairs Mobile clinic IDs/birth registrations Savings meeting Stock taking	computer photocopier printer fax machine	working working working working	3
2306-T.A. QADI	S. I. GUMEDE	Old	Community Sisonke municipality secretary	Community affairs Community meeting Admin. work	computer photocopier printer fax machine	working working working working	3
2307-T.A. MACALA-GWALA	????	renovated	Community	general administration	computer photocopier printer fax machine	working working working working	3

2308-T.A. SIZANANI	B. C. MEMELA	Old	secretary & communtiy Inkosi & council ABET Health Isicathamiya group	Comm. admin. Services Conflict resolution & Adult education Mobile clinic Rehearsal	computer photocopier printer fax machine	working working working working	2
2313-T.A. AMAKUZE	M. M. DLAMINI	renovated	Inkosi and council Welfare Health TREE (Childcare NGO) Centre for criminal justice	Conflict resolution Pensions and social grants mobil clinic Preschool teachers training Meeting on domestic violence	computer photocopier printer fax machine	working working working working	2
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI		Community Inkosi and council	Comm. Admin. Services & meeting Conflict resolution & council meetings	computer photocopier printer fax machine	working working working working	3
2315-T.A. MADZIKANE BHACA	T. NDLOVU	Old	Health Welfare Youth group Heifer D.O Transport Dev. committee	Mobile clinic Pension payoputs Rehearsal Poultry project meeting Transport meeting Development meeting	computer photocopier printer fax machine	working working working working	2

2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and council Dev. Committee Community Agric. Farmer's association Health Creche teachers	Meetings Meeting Comm. Admin services Stock sale meeting CHW HIV/AIDS awareness Meeting on crèches	computer photocopier printer fax machine	working working working working	2
801.3-T.A. HLUBI	T H RADEBE	New	Home Affairs Community Inkosi & Council Secretary	IDs & birth registrations Community affairs Conflict resolution Admin work	computer photocopier printer fax machine	working working working working	3
801-T.A. BUHLE-BOMZINYATHI	J.E.M. RADEBE	Old	Community Songqoba Youth group Agriculture Sanitation committee Regional authority D.O.Transport	Community affairs Rehearsal Farmers meetings Sanitation meeting R/A meeting Transport meeting	computer photocopier printer fax machine	working working working working	1

802-T.A. GULE	W.S. NTULI	New	Zibambeleni burialsoc Inkosi & council C.L.R.D.C (NGO) Project committees Community	Society meeting Council meeting Meetings on dev. Meetings on projects Govt. services meeting	computer photocopier printer fax machine	working working working working	2
804-T.A. SHABALALA (Thekwane)	S.E. SHABALALA	new temporal structure	Inkosi and Trust Community Uitrech municipality Inkosi & council	Trust Meetings Community meetings Letters for the T/Council Meetings	computer photocopier printer fax machine	working working working working	2
805-T.A. NZIMA (DLAMENZE)	Z. P. NZIMA	new temporal structure	Community Inkosi & Council Health Home Affairs Project committees	Community affairs Conflict resolution Mobile clinics IDs & birth registrations Meetings	computer photocopier printer fax machine	working working working working	2
808.0- T.A. AMANTUNGWA	L.R.H. KHUMALO	New	Welfare Inkosi & Council Inkosi & council Health Izimbuthu High School	Grants/pensions Council meeting conflict resolution Clinic Memorial service	computer photocopier printer ax machine	working orking working working	1

904-T.A. ZONDI	V. ZONDI	renovated	Health SAPS Inkosi & community Traditional council	Clinic Meeting on stock theft Development meeting Council meeting	computer photocopier printer fax machine	working working working working	3
905-T.A.MANGWE- BUTHANANI	M.P.M. MAZIBUKO	renovated	Welfare Inkosi & Council Health Home Affairs Agriculture Isandlwane dressmaking and cleaning	Pension payout Council meeting Mobile clinic Births and ID applications Farmer's assoc. meeting Mangweni development project	computer photocopier printer fax machine	working working not available	
906-T.A. MBOKODWE BOMVU	H.M. MNCUBE	Renovate d	Welfare	Ministerial visit	computer photocopier printer fax machine	working working working working	3
907-T.A. EMANDLENI	P.M. Mdletshe	New	Welfare	Pension and child support payout	computer photocopier printer fax machine	working working	3

908-T.A. VULINDLELA- SITHO	S.K. SITHOLE	Renovate d	Welfare Health Lutheran church	Registration of child support grant and old age pensions Mobile clinic Church Service	computer photocopier printer fax machine	No IT. Awaiting electrificati on of the TAC.	2
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10.6.5 TAC FUNCTIONALITY REPORT: UMZINYATHI AND AMAJUBA NOVEMBER 2004

Traditional Authority	Leaders Name	Buildings	Govt. Depts / NGOs		Information Technology		Rating
			Dept	Purpose	IT	Remarks	
903-T.A. khiphinkunzi	T.J. NGOBESE	Renovated	Welfare Inkosi & council Secretary Community	Pension & grants Council meeting general admin. Stock meeting	computer photocopier printer fax	working Faulty faulty.	2
904-T A Zondi	V. Zondi	Renovated	Welfare Inkosi Council Secretary & Community	Pension& Grants, Council meeting general Admin	computer photocopier printer fax machine	working working working faulty	2
906-T.A. Mbokodwebomvu	MbathA(head of indunas)	Renovated	Welfare Education	Pension & grants Meeting	computer photocopier printer fax machine	no IT	2

			Council Secretary & Community	Council meeting general admin			
907 -T.A.Emandleni	M.P. Mdletshe (head man)	New	Welfare Headman & Council Community	Pension & grants, Council meeting Food parcels	computer photocopier printer ax machine	working working working	2
908-T.A. Vulindlela	S.K. SITHOLE	Renovated	Welfare Health Transpot Inkosi and councillors Secretary & Community	Pension & grants clinic Transprt forum Council meeting General admin	computer photocopier printer fax machine	no IT	2
910-T.A.Jama	J.Z. JIYANE	New	Nafu Dept of labour IDT SAPS Inkosi & council Secretary & Community	Farming meeting, MPCC meeting Community meting Formation of CPF Council meetingGeneral admin	computer photocopier printer fax machine	working not working working not working	2

905-T.A Mangwebuthanani	M.P.M. MAZIBUKO	Renovated	Welfare, Home affairs Inkosi and Councillors, Community	Pension &social grants, death reports, stock removal permits, general Office work	computer photocopier printer fax machine	no IT	2
909-T .A. Sizamile	F.P.Hlasthwayo	Renovated	Welfare, Health safety & security CPF Education DLGTA Agriculture Inkosi and Councillors, Community Secretary	Application for grants, Home base care Crime prevention CPF meeting Governing body mtng. Workshop Extension services Council meeting Communbity affairs general office work	computer photocopier printer fax machine	not working not available not working not available	2
901-T.A.Hlahlindlela	S.M. MDLALOSE	Renovated	Abaqulusi Municipalty Councillors, , Land survey , TLGA, Health workers,Inkosi and his Councillors and Community	water project meeting,Training health workers,meetings with Inkosi and Ezidulwini community,meeting about lumps, Death reports, issue birth certificates ,stock removal permits,bank letters, ID books,	computer photocopier printer fax machine	working working not working working	1

				general Office work			
902-T .A Molefe	E .Molefe	Old	Transport forum Ward Councillor Health women's club, Community and secretary	meeting about road Community meeting , Clinic sewing lessons Death reports,stock removal permits and general Office work	computer photocopier printer fax machine	working working working not available	2
802-T.A.Gule	W.S. NTULI	New	no report obtained	n/al	computer photocopier printer fax machine	no working working no working working	

801-T.A. BUHLE-BOMZINYATHI	for all four of Amakhosi	Renovated	DFU (ngo) Inverness care Sanitation Health N.A.F.U. Hlanga poultry project, Agriculture Amakhosi Community	Community meeting Monthly meeting, DOT project Poultry meetinig Extension services cases trials,general Community affairs	computer photocopier printer fax machine	working working working not working	2
808-T.A Amantungwa	R. L.H. Khumalo	New	Zimbutu SGB,CPF,Utrecht L.M. Majuba D,M.SAPS,Welfare,Hea lth,Education,Emxhake ni SGB, Umzilikazi School, Amakhosi, Inkosi and his Councillors and Community	Amajuba D.M. disaster meeting,Pension application, mobil clinicEduc.meeting with Inkosi,Pension &social grants,Emxhakeni SGB &Umzilikazi School wtiting exams,and general office work.	computer photocopier printer fax machine	working not working working still to be installed	1

805-T.A.Ndlamlenze	Z.P. Nzima	park home	Health, Transport, Amajuba D. M. Nature consevation,Education, Inkosi and his Councillors Community	mobile clinic,Transport road construction meeting,Community meeting game reserve ,and general Office work	No It		2
804-T.A. Thenkwane	S.E. SHABALALA	park home	Utrecht L.M, Agriculture,Transport,A majuba D.M, Sizakancane women club, Inkosi and his Councillors ,Communiy	Deliver documents, recruitment to work in the road, IDP project meeting,Community services	No IT		2

10.6.6 REPORT FOR THE MONTH OF DECEMBER 2004

CONSOLIDATED TAC FUNCTIONALITY REPORT FOR THE MONTH OF DECEMBER 2004 (Umgungundlovu district)					Information technology			
Traditional Authority	Leaders Name	Building	Depts.	Purpose	IT	Status	Rating	Remarks
1103-T.A. BASO	T.D. MTUNGWA	Good	Education, Heath Social welfare, Umsinga municipality	Abet CHW meeting, Social grants, Distribution of seeds for farming		No IT		
1105-T.A. MCHUNU	N.E. MCHUNU	Old	Thembaletu Cash payment services, Welfare Inkosi & council, community.	Abet pension payouts Social grants, Council meeting, Ingoma festival	No IT	No IT	2	
1106-T.A. NGOME	Not yet appointed	Renovated	Welfare Youth, Community Old age group	Meeting with aged Handwork making, community meeting.			2	

1801-T.A. GCUMISA	N.P. GCUMISA	Renovated	secretary, inkosi & council, Swayimane R/A	General admin, council meeting, Regional authority meeting.	Computer Photocopier Printer fax	stolen working stolen not installed	2	
1802-T.A. MAPUMULO	N.K MAPHUMULO	Rrenovated	Sizabantu, inkosi and council Secretary, Health.	Grants Trad council meeting conflicts resolution Mobile clinic	no IT	No IT	3	
1803-T.A. MANYAVU	S.E. MDLULI	Good	Home Affairs Headmen & Councillors, Zamokuhle (NGO) Mvula Trust,	Home affairs services, Council meeting, Sanitation project,	Computer Photocopier Printer fax	working working working faulty	2	
2201-T.A. NXAMALALA	S.A. ZUMA	Good	Secretary, Inkosi & council	Admin work, Regional council meeting.		no IT	3	
2202-T.A. MPUMUZA	N.W. ZONDI	Good	Secretary, NGOs Health,	General admin, Community mtngs, Home based care training, Council meeting.	Computer Photocopier Printer fax	working working working faulty	1	

			Traditional Council					
2203-T.A. INADI	G.S. ZONDI	Good	Secretary Inkosi and council	administration conflicts resolution.	Computer- Photocopier Printer fax	working faulty working faulty	3	photocopier and fax still not fixed.
2204-T.A. FUNZE	M.S. NGCOBO	Good	Health, Community, Secretary, SAPS Agriculture	Mobile clinic Council meeting, general admin CPF Farmer's meeting	Computer- Photocopier Printer fax	working faulty working faulty	3	
2205-T.A. XIMBA	M.Z. MLABA	Fair	Health Welfare Inkosi &council Vulindlela R/A	Orphans programme and mobile clinic, Pension payout, Council meeting, R/A meeting.	Computer Photocopier Printer fax	No IT		

2301-T.A. BATLOKOA	R.L. MOLEFE	Fair	Secretary, Welfare Kwazulu- Natal Wildlife Transport, Eskom Inkosi & Council Municipal councillors, Agriculture.	Admin Pension payouts and garden and poultry projects funding, Drakensburg project (envi. studies), Mhlangeni Rd maintenance mtng, Issuing account numbers for electricity Council meeting, Issuing meter numbers Food parcels, siyavuna project.	No IT	no IT		
2302 TA. NXAMALALA	S. ZUMA	Good	New TAC not handed over yet			No IT	1	no electricity Functionality report not obtained
2303-T.A. AMANGWANE								Functionality report not obtained

2304-T.A. BHIDLA	D.T. DLAMINI	Renovate d	Secretary, inkosi and council	General admin, council meeting.	Computer Photocopier Printer fax	stolen working stolen not installed	3	
2305-T.A. ZASHUKE	N J NGUBANE	Good	Health, Secretary, Welfare, Community, Safety & security.	Mobile clinic, General admin, Food parcels & pension payout, Community meeting, 16 days of activism against child and women abuse.	Computer Photocopier Printer fax	mouse faulty faulty working not installed	2	
2306-T.A. QADI	S. I. GUMEDE	Poor	Secretary	general admin	No IT	No IT	3	
2307-T.A. UMACALA- GWALA	F. GWALA (MRS)	Good	Secretary, Sisonke district municipality, Health	general admin IDP meeting, Development committee meeting.	Computer Photocopier Printer Fax	Working Faulty Working Not installed	3	
2308-T.A. SIZANANI / MEMELA	B. C. MEMELA	Old	Secretary, Inkosi and council	General admin, council meeting.	No IT	No IT	3	
2309-T.A. VEZO KUHLE	M.S. MKHULISE	Old	Secretary Sisonke . Municipality Zibambebe Workers Road Committee	general admin, water project.	No IT	No IT	3	No electricity.
2310-T.A. VUMINDABA	Vacant							Functionality report not obtained

2311-T.A. ESIPHALENI	Z.J. DLAMINI	Good	Secretary, SANCA Home Affairs,	Admin Community meeting IDs/birth registrations	No IT	No IT		No electricity
2312-T.A. VUKANI	T. NDLOVU (MRS)	Good	Secretary, Inkosi & council Welfare, Health,	General admin, Conflicts resolution, Food parcels Health service.	No IT-	No IT		
2313-T.A. AMAKUZE	M. M. DLAMINI	Renovate d	secretary, Health Welfare	General office Admin, mobile clinic, Pension payout	No IT	No IT	3	
2314-T.A. ISIBONELO ESIHLE	V. T. ZONDI	Fair	Secretary, Creche	Community service	Computer Photocopier Printer fax	Working Working Not installed		
2315-T.A. MADZIKANE BHACA	M. ZULU	Old	Youth group, Izandla zothando Masakhane, Health, Welfare.	music practice AIDS awareness, workshop Project meeting Mobile clinic, Pension payout.	Computer Photocopier Printer fax	No IT	2	

2316-T.A. ISIMINZA	T.S.G. MOLEFE	New	Inkosi and secretary, Mvula Trust, farmer's association, inkosi & council.	General admin and community service, Community meeting, council meeting Council meeting.	No IT	No IT	2	
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Functionality report for the month of December 2004 (Uthukela, Umzinyathi and Amajuba districts).								
Traditional Authority	Leaders Name	Buildings	Govt. Depts / NGOs		Information Technology		Rating	
			Dept	Purpose	IT	Remarks		
1201.2-T.A AMASWAZI	F.B.Nkosi	New	Phezukomkhono PSC volunteers Agriculture Welfare	PSC meeting Craft work Daily work Women's group Pension payout	computer photocopier printer fax machine	Stolen Broken Stolen None	3	Inkosi not residing in the area .Need to encourage government departments to utilise the centre
1201-T.A ABANTUNGWA- KHOLWA	T.R. KHUMALO	New	Health Welfare Agriculture Inkosi and council	Mpilonhle workshop Pension payout Farmers association Imbiizo of the tribe	computer photocopier printer fax machine	working working working Telephone closed	1	Different civil society structures are using the centre

1202-T.A.MCHUNU	S.A. MCHUNU	Old			computer photocopier printer fax machine	working faulty working not yet installed		No functionilty report received as secretary was suspended
1203-MBHENSE T.A.	S.S.S. MBHENSE	New	Community Correctional services Indaka LM Welfare Agriculture	Poultry project meeting Monitoring paroles Youth training Meeting Meeting with project team	computer photocopier printer fax machine	working working working faulty	2	To develop a plan of action for inviting more users of the centre
1204-NXUMALO	M.M. NXUMALO	Renovated	Community Inkanyezi burial society Zamokuhle burial society Traditional healer Ethembeni pension services	Community meeting Members meeting Members meeting Traditional healing Giving advice to people with pension grant problems	computer photocopier printer fax machine	working working working but needs service	2	TAC to be assisted to in contacting different departments and civil society sturctures to utilise the building
1205-T.A. SIGWEJE	S.S. KUNENE	New	Home affairs Welfare Agriculture Traditional healer Health Boschoek committee Ethembeni pension	ID & birth certificates Pension payouts Meeting Traditional healing Home based care Meeting	computer photocopier printer fax machine	Working Working Working Stolen	1	Centre utilised by various departments and NGO's

			services	Giving advice to old aged				
1206-T.A SITHOLE	L.M. SITHOLE	New	Indaka L.M Contradev. Contractor Inkosi and council	Identification of training needs Recruitment of labour by contractor Council meeting	computer photocopier printer fax machine	faulty faulty working not working	3	To develop a plan of action for inviting for inviting more users of the centre
1207-T.A. MABASO	K.M. MABASO	Renovated	Inkosi and secretary	Routine work	computer photocopier printer fax machine	working not available working not available	3	More institutions to be encouraged to use the centre
1208-T.A. INGWE	N.C. ZWANE	New	Health Agriculture Emilweni creche Inkosi and council	CHW Meeting Farewell function Meeting Council meeting	No IT	No IT	3	centre need electricity as a matter of urgency
1209-T.A.MTHEMBU	N.E. MTHEMBU	Renovated	Buhlebezwe Chillie PSC Indaka LM officials Block 2 committee	Project meeting Meeting with chillie PSC Meeting	computer photocopier printer fax machine	Working None orking None	3	In process of engaging government departments and NGO's to utilise the centre

1210- T.A. SHABALALA	N.B. TSHABALALA	New	Inkosi and council only	Meetings	computer photocopier printer fax machine	Working None Working None	3	A plan has been devised to engage all institutions rendering service delivery to in the area
1301-T.A. AMAZIZI	M.E. MIYA	Renovated	Traditonal council Paralegal Municipal councillor Ward committees Home Affairs Agriculture	Conflict resolution Legal services Conduct meetings Attend meetings Collect applications Extension services	computer photocopier printer fax machine	Working Working Working Working	2	
1302-T.A. AMANGWANE	S.S. HLATSWAYO	Renovated	Inkosi and council Community	Council meetings Attend meetings and apply for ID'S, birth certificates etc.	computer photocopier printer fax machine	Working Working Working Working	3	linkosi to be installed shortly
1303-T.A. AMANGWE	S.F. MAZIBUKO	Renovated	Agriculture Health Private doctor South African Police Imbabazane local municipality	Extension services Primary health care Consult patients Attend community Police Forum Imbabazane has a permanent office used to attend to all issues affecting communities	computer photocopier printer fax machine	Working Working Working Working	1	Good working relationship between lcal government structure and Traditional leadership
1304-T.A. AMAHLUBI	M.J. RADEBE	New	Home affairs Welfare Agriculture Women's organization Siza pension investigators	ID & birth certificates Pension payouts Extension services Sewing lessons Assit with pension applications Community meeting	computer photocopier printer fax machine	working working working not cnected	2	More institutions to be encouraged to use the centre

			Nature conservation					
1305-T.A. MHLUNGWINI	N.F. NDABA	Renovated	Paralegal Elected councillor Home Affairs Ward committees Community Traditional council	Legal services Development issues ID and birth applic. Ward meetings Access govt. services Monthly meetings and conflict resolution	computer photocopier printer fax machine	working working working working	2	There is a need for more activities
1306-T.A. DHLAMINI	M.A. DLAMINI	New	Home Affairs Traditional council Community	ID's and birth certificates Monthly meetings Access govt.services	computer photocopier printer fax machine	working working working working	3	T.A. needs to be more active by getting involved with other service providers
1307-T.A. ABAMBO	Induna Mbatha	New	Induna and council Community	Council meeting Attend meeting to discuss installation of Inkosi	computer photocopier printer fax machine	working working Still to be purchased	3	Secretary to start in January . Inkosi also started working
1308-T.A. MABASO	S.S. MABASO	New	Agriculture SAPS Traditional council	Extension services Meeting with community Conflict resolution and council monthly meeting	computer photocopier printer fax machine	working not available working not available		Inkosi needs counselling by higher authorities

1310.0-T.A AMASWAZI	M.S. SHABALALA	under construction	Health Inkosi & council Inkosi & council	Mobile clinic Conflict resolution Monthly meetings	computer photocopier printer fax machine	No IT. Construction of centre in progress	3	
801.3-T.A. HLUBI	MJ Hadebe	New	Community Inkosi & Council Secretary	IDs & birth registrations Conflict resolution Administration	computer photocopier printer fax machine	working working working working	3	
801-T.A. BUHLE- BOMZINYATHI	J.E.M. RADEBE	Old	Victory Sonqoba Theatre Inkosi and council Community	Aids awareness Conflict resolution	computer photocopier printer fax machine	working working working working	3	The centre closed early in December for the festive season
802-T.A. GULE	W.S. NTULI	New			computer photocopier printer fax machine		2	secretary not reporting for work
804-T.A. SHABALALA (Thekwane)	S.E. SHABALALA	new temporal structure	Welfare Majuba DC officials Majuba DC officials Transport	Meeting with Inkosi Introduced consultant Delivered documents Delivered documents		NO IT	2	New prefabricated structure with old furniture is used