

Annexure A: A further note on ward and development committees

There are a number of plausible options for resolving the tensions between ward and development committees raised in the main body of this report (see section: “Participatory local government”). If one excludes the possibility of resolving the problem by making traditional authorities the primary local government (the reasons for such exclusion have been discussed above), then one can proceed by either (a) insisting that there is no duplication of officially recognised development structures (e.g., per ward) or (b) by working with the reality of multiple fora.

In the former case, where only one similar structure is recognised as having status in terms of the envisaged functions, the policy would have to either

- decide on one or the other option (i.e., either development committees or ward committees) in general for all traditional authority areas⁴⁹; or
- propose a mechanism for deciding on one option on a case-by-case basis; or
- insist on the amalgamation of the structures into one within the local government system.

(Note that if a particular traditional authority has been duly elected on a popular mandate as a ward councillor then presumably these tensions need not necessarily arise at all.)

The second approach would recognise the possibility of multiple fora - and perhaps too the special contribution of development committees under traditional authorities – and provide guidelines for their interaction and their articulation with local government and development planning processes. Such policies would stipulate that the local government has the final authority, and that ward councillors in traditional authority areas have special responsibilities which require them to:

- in the 1st instance, seek synthesis between ward and development inputs;
- in the 2nd instance (where synthesis is not possible) to forge consensus positions between ward and development inputs; and
- in the 3rd instance (where neither synthesis nor consensus is possible) to explicitly account for decisions which favour one option over another⁵⁰.

⁴⁹ In this scenario, given the overarching constitutional and local government policy context, it is unlikely that traditional authority-driven development committees would cut it.

⁵⁰ i.e., this is distinct from a broad and usually non-enforceable requirement to ‘consult’ because it demands that reasons be made known and argued against specific inputs made by interested parties.

All of these modalities are more likely to be effective the more the two structures work together. Indeed, merging them may be a redundant wish since it is likely that a requirement that they develop a common programme of work and a commonly agreed agenda to deliver the inputs required at local level would go a long way to synergising their energies rather than remaining locked in debilitating conflict and tension.

However, recognising a multiplicity of fora at the local level inevitably requires that the approach must go further and recognise that, depending on local conditions, traditional authority-driven or –associated development committees may themselves be only one of a range of local, special interest groups with a legitimate expectation and right to make inputs and to be heard and that such rights be protected by the state.

Notwithstanding the tensions that exist between protagonists of different positions in these debates, it is important to point out that competition for substantive input into local developmental decision-making is not inherently negative – in fact, it is characteristic of local democracy⁵¹. The desire of traditional authorities (and potentially other interest groups) to have the political credibility associated with delivering development at the local level is understandable but (as argued elsewhere in this paper) in a constitutional democracy this cannot be satisfied by making traditional authorities as such into local government⁵².

⁵¹ This is line with an argument introduced later in this paper regarding local-level competition for political credibility associated with development delivery.

⁵² Again, the ‘exception’ would presumably arise where a traditional authority has been elected as councillor into the local government structure