The Second Carnegie Inquiry into
Poverty and Development in
Southern Africa

The Rural Crisis in South Africa: Some Issues

by

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Introduction

"South Africa has the most unequal income distribution among the 66 countries of the world for which data are available." The Quail Commission, February 1980.

The crisis of poverty in the rural areas of South Africa is not something the people living in those areas needed to be told about. For them, the daily struggle for survival did not need any research. Now, however, awareness of that crisis is emerging outside the rural areas. The drought and the floods, organisations such as Operation Hunger and World Vision, which have conducted well-publicised campaigns to raise money, and research, particularly that conducted in the Second Carnegie Inquiry into Poverty and Development in Southern Africa, have all helped increase that awareness.

And whichever way one looks at it, there is such widespread poverty and deprivation that it can only be described as a crisis. The real issue now is -- or at least, should be -- about what action should be taken in response to that crisis.

Long-term solutions, within a different political environment, are important but this paper will focus on a few issues about action in the rural areas within the present political situation. That crisis exists now and while its long-term solution will be found in the future, the immediate response to that crisis has to be today and not in terms of some future grand plan when major changes have taken place in South Africa.

Although a large number of projects and programmes for poverty-alleviating action have been launched in the rural areas, there has been very little thinking about the political implications of this activity. It is very easy to find need in the rural areas, particularly those areas now regarded by the Government as "national states". In any one of those ten bantustans, an unquantifiable potential for action can be found, whether it is in the field of health, water, energy, housing, agriculture or employment.

For me, the humanitarian hand-out response to that need cannot be dismissed as irrelevant or palliative. The response of the people in those desparate areas to this kind of action is enough to convince one that it is needed or welcomed.

But it has to be questioned. Much of this action refuses to look at any of the implications. Because it is "good", the people in those projects seem to say, the political implications and consequences can be ignored. This blind belief in the positive benefits of particular projects has lead a large number of them to become fully associated with the principal instrument of oppression in the bantustans -- the chieftainship system. Indeed, many projects have the enthusiastically embraced the local chief and his henchmen -- and helped legitimise the system of government by showing that the chief is "good" and doing something for his people.

This paper will examine the oppressive nature of tribal rule in the bantustans and then argue that any development action which serves to boost that system has to be questioned. Indeed, it will argue that the chieftainship system should be opposed, not only because it is an instrument of oppression, but also because any real hope for the future can only be found in the development of a democratic form of government in which the people are the focus of control and of development action. By ensuring that the people in the rural areas are involved in projects, independent of the tribal structures as far as this is possible, development action can help stimulate a democratic alternative to autocratic tribal rule.

The foundations

The colonial practice of co-opting chiefs and tribal authorities into a governmental hierarchy has long been analysed and, until the rise of Dr Hendrik Verwoerd as the Minister of Native Affairs, South African policies were broadly similar to practices in other parts of Africa, particularly British-ruled Africa. The place of the chiefs in the system was originally defined in the 1927 Native Administration Act.

With the National Party victory at the polls in 1948 and the increasing urgency of developing a viable political alternative to one-man-one-vote, the government, and Dr Verwoerd in particular, set about giving substance to the policy of separate development -- and making the chiefs the allies and instruments of Grand Apartheid in the rural areas.

Thus, in 1957, Proclamation 110 "Regulations prescribing the duties, powers, privileges and conditions of chiefs and headmen" were issued. In these the conditions of service for chiefs and headmen -- that is, salaries, pensions and other benefits -- get defined; their key role and responsibility for setting up tribal authorities outlined. The chief and his council must look after the "material, moral and social welfare of his people and/or the development and improvement of the soil in his territory, and mainly measures providing for, supporting, actively encouraging or himself initiating the active participation of his tribe or community in the administration or management of its own affairs". He is entitled to the loyalty, respect and obedience of all the Bantu in his territory.

He "may not become a member of or participate in the affairs of a political organisation or an association whose aims, in the opinion of the Minister, undermine or adversely affect the established administration or law and order".

"He must carry out all the lawful orders which he receive from or through the Native Affairs Commissioner or another government official properly authorised thereto in writing by the Secretary, Chief Native Commissioner or Native Commissioner."

Dereliction of "duty", disregard of orders or any form of misconduct is punishable by either reproof, suspension, reduction in salary or summary dismissal.

E.S. Moloto put it rather sympathetically in 1973 that from this proclmation "one comes to the conclusion that the appointed tribal chief is a civil servant of a special category."

So, in the early days of separate development, the chief becomes officially part of the civil service, responsible to Pretoria not to the people. He gets a salary; he becomes an administrator, a prosecutor and a judge; and although still subject to the dictates of Pretoria, he becomes the centre of power and control in the bantustans.

The Bantu Authorities Act of 1951 and the Promotion of Bantu Self-Government Act of 1959 became the legislative mechanisms to promote not only tribal rule but also the bantustan policy.

With their powers to allocate and withdraw land, to levy taxes and to control their areas of jurisdiction through the appointment of sub-chiefs, headmen and sub-headmen, the chiefs were entrenched and, where necessary, supported by the instruments of state, particularly the police.

There was for a while some division of power between white Native (renamed Bantu) Commissioners, who were directly answerable to Pretoria for the implementation of government policies, and the chiefs. But with the development of "self-government" and, in the case of four bantustans, "independence", the role of the Commissioner disappeared. The chiefs became the instruments of the various bantustan governments. In any event, they dominated the various bantustan parliaments.

In short, the increase in the powers of the chiefs and the tribal authorities and their critical role in the bantustan parliaments -- all of them -- gave the Government exactly what it wanted. It provided an aura of legitimacy for a thoroughly undemocratic and autocratic system of government, and it provided the means by which an apparent alternative to one-man-one-vote over the whole South Africa could be developed.

The delivery

"The opposition is mistaken to say they are the representatives of the people because the elected members were elected by the people to come and support their chiefs in the Legislative Assembly". Kaiser Matanzima in 1964.

For the Government, the rewards of this deliberate nurturing of power to the chiefs came with the next phases of separate development. In all the territorial authorities and legislative assemblies in all ten of the bantustans, the majority of members were chiefs. So, when Chief Kaiser Matanzima, who later elevated himself to being a Paramount Chief, lost the 1963 elections in Transkei, the chiefs merely reversed the result and elected the defeated candidate Chief Minister. When Chief Patrick Mphephu in Venda lost two successive elections, the chiefs reversed the results, although on the second occasion the detention of most opposition members of the legislative assembly also helped.

In all the other bantustans, except possibly Lebowa, it has been the chiefs who have been decisive in ensuring the "election" of a government, either through chiefs such Lukas Mangope in BophuthaTswana and Gatsha Buthelezi in KwaZulu. In the Ciskei, when the then Minister of Education, Mr Lennox Sebe, who later became a chief in his own right, launched his palace revolution against Chief Justice Mabandla in 1973, it was the transfer of loyalty by Rarabe chiefs, coupled with an election victory of 13 out of 20 elected members of the legislative assembly, which ensured a Sebe victory.

In some bantustans, political movements involving both chiefs and other support groups have blurred the dominance of traditional leadership. In KwaZulu, Qwa Qwa and KaNgwane, this pattern has developed and it is perhaps significant that in two commoners ended up as chief ministers while in KwaZulu, Buthelezi would probably have been the dominant figure in Inkatha even if he had not been a chief, although this undoubtedly helped.

In Lebowa, however, Dr Phatudi won such a large victory in the 1973 elections that he was able to overcome the support by most chiefs of the then chief minister, Chief M.M. Matlala. After his election as chief minister, several chiefs crossed the floor. Since then, he has carefully built up the support of Kgoshi, welding them into an alliance to ensure dominance of the Lebowa legislative assembly.

One could go on looking at developments in the various bantustans. What is clear that unelected, government-paid chiefs have played a critical role in ensuring the emergence of ten bantustan governments who have provided an appearnce of popular support and who have ensured that separate development has "worked".

The law

All the bantustans have passed innumerable laws and proclamations about the powers and duties of chiefs. They have also ensured that it is an offence to to disrupt and challenge their rule. An example, the KwaZulu Chiefs and Headmens Act of 1974, passed by the KwaZulu Legislative Assembly, will be quoted here, but the other bantustans have similar laws.

In clause six of the KwaZulu Chiefs and Headmans Act it is laid down that "any chief or headman shall....

(c) subject to such lawful orders or instructions as may from time to time be given to him by or through any competent representative of the Government (KwaZulu) carry on the administration of his area....

(d) maintain law and order and report to the Government, without delay, any matter of import or concern, including any condition of unrest or dissatisfaction;

(e) exercerise within his area, in relation to any resident

(i) the powers of arrest....

(ii) the powers of search and seizure....

(f)....report forthwith to the competent authorities....

(iv) any misuse of Government property

(v) the holding of any unauthorised meeting, gathering or assembly or the unauthorised entry of any person into his area

(vii) the commission of any offence which does not fall under his own jurisdiction

(g) disperse or order the dispersal of any unauthorised assembly of armed persons or of any riotous or unlawful meeting or gathering

(h) if a state of lawlessness exists in his area or in his opinion cannot otherwise be prevented, order that all or any of the following shall be prohibited for any period in his discretion

(i) the gathering of men in groups

(ii) the brewing of beer or the holding of any feast within such area as he shall specify

(iii) the carrying by any person of a shield or more than one ordinary stick

(iv) the shouting of war cries or the blowing of bugles or whistles

(i) make known to the residents of his area the requirements of any new laws

(j) ensure compliance with all laws and the orders and instructions of any competent authority....

(m) not be or become a member or take part in any activities or in any manner promote the objects of any organisation of which the aims are the unconstitutional overthrow of the government and shall not encourage disobedience to or resistance against any law."

This year, a new penal code was gazetted in the Transkei. It makes it illegal for any meeting of more than five people to be held "to resist the execution of any law, or any legal process". In any event, Transkei has been under a state of emergency since 1960, except for a short period after "independence" in 1976. The emergency regulations provide for unfettered control of "affected" people which mean "any person enrolled as a scholar or student at any institution" or any person declared "affected" by a member of the police.

In all the bantustans, laws and regulations of this nature, originally drafted at a time when some chiefs were resisting government policies, have been adopted and adapted by the bantustan governments. They have ensured a legal basis to feudal control of the people in the rural areas.

The rewards

For many years, allegations of bribery and corruption in tribal administration in the rural areas have been made. Recently, however, some indication of the levels of corruption in tribal rule have been begun. For instance, even the Sunday Times could talk about "startling allegations of corruption, incompetence and nepotism in tribal courts" in a Human Sciences Research Council report by Professor J.C. Bekker of the University of Zululand. "Torture, murder and instigation of tribal wars by chiefs holding vast powers in the rural communities they dominate are all included in the allegations," the report said.

In a research paper last year, Paulus Zulu of the University of Zululand's Centre for Research and Documentation, revealed the results of a survey conducted among residents of tribal authority areas in KwaZulu. As far as I am aware this is the first time such a survey has been conducted and although it was confined to KwaZulu it is very unlikely that similar surveys in other bantustans would reveal significantly different patterns, provided the respondents felt free to respond openly.

Zulu found that in the acquisition of sites, 88 percent of the respondents in the sample reported that they had to pay sums of money ranging from R5 to R50 for a site. "Thirty five percent stated that they had to pay an annual fee of R2 or more before they were allowed to plough their fields. Five percent alleged that they had to bribe either the induna/councillor or the chief before they could get any service from them. Forty percent of the respondents in the sample stated that in the application for pensions or disabilitiy grants, people had, among other things, to pay some fee to the local induna. Also it was common knowledge that an applicant for a pension had to be accompanied by an induna or councillor to the commissioners office. In a majority of instances, the applicant paid the induna's busfare and also bought him lunch."

He also found that chiefs and indunas were very active in presiding over disputes and litigation which they could extract fines from the people and in the allocation of land as "this had immediate rewards in the form of bribes and 'gestures of gratitude'." They were also active in collecting levies "such as the purchase of the chiefs' car or when the chief or his sons were getting married".

For anyone with any contact with the rural areas, Zulu's findings are not surprising in the least. They merely confirm in statistical terms what has been going on for some time.

They show that not only do the chiefs have the most extraordinary legal powers over the people -- powers which none of the bantustan governments have reduced since "self-government" -- they wield the most extraordinary effective power over the daily lives of the people in the rural areas. And for the people living there the only way to gain access to resources -- whether it is to land, jobs, pensions, or whatever -- is by bribing the chief and/or his flunkies. To add to this burden, all the bantustans have not only established tribal police, backed, if necessary, by uniformed and security police, they have also drafted laws making it extremely difficult, if not impossible, to organise opposition against the chiefs.

It is difficult to believe that in the 1970s and 1980s an industrializing South Africa could introduce a system of oppressive feudalism under the guise of transfering political power to black people, yet that is what has happened. By satisfying Pretoria's need for partners in the separate development gamble, the chiefs have become wealthy, powerful and dominant.

The implications

"As is well known, the present leadership in the Transkei is vitally dependent upon the support of this traditional leadership category and from the point of view of its own political survival, the Transkei National Independence Party would, to put it bluntly, be committing suicide where it to fly in the face of traditionalism and all that it entails." P.J. Hugo, 1976.

The implications of this situation for development action in the rural areas are considerable. While no organisation can hope to do anything of significance in the rural areas under the banner of destroying the institution of chieftainship, it is clear that the enthusiastic endorsement and incorporation of traditional leadership within the structure and functioning of development projects, as so many have done particularly in the initial phases, can only be questioned. Community organisations obviously have to function within the limitations of the powers of chiefs and headmen, but if they are to do anything about the oppressive nature of tribal rule they can only aim to provide an alternative to tribal rule. If the people in those areas can control part of their lives through a degree of organisation, moves towards greater democracy and a slow breaking down of South Africa's modern day feudalism will take place.

"That this process will ultimately present a challenge to existing institutions is clear....The likelihood of chiefs and induans attempting to undermine representative associations is ever present. This is part and parcel of development and strategies have to be devised to deal with the problem," Paul Daphne has written.

But if the real aim of development action is the stimulation of control by the people over their own affairs in order that they may attempt to change and improve the quality of their lives, it simply cannot become the welfare wing of the chieftainship system. It has to encourage an alternative.

Conclusion

In order to force separate development to "work" and to get allies in the bantustans, the Nationalist Government has cynically bolstered chieftainship power. This had made people in the rural areas subject to the whims of autocratic, non-elected power over which they have no control. This modern-day feudalism has created enormous political problems for people involved in development action in the rural areas.

Development action in the rural areas does, in any event, face considerable difficulties, but there is a crisis of poverty there and action should be taken despite these obstacles.

But one can only endorse Paul Daphne's conclusion that "any rural development work which takes place without taking cognisance of the restrictions imposed by the tribal authority system, and without the intention to facilitate the creation of alternative structures, is likely to have limited long-term impact."

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