

The origins of urban development and the early establishment of local authorities

3.1 Introduction

For most of human history and development, human beings have lived a nomadic existence. People stayed in one place only for as long as shelter, food and safety were available. However, with the acquisition of knowledge in agriculture and farming, many people started constructing shelters or houses of a more permanent nature. This development caused people to move around less frequently, and the first informal settlements started to develop. In these early settlements almost all people were concerned with farming activities. With the gradual expansion of these settlements, not all people were needed for farming, and many started rendering other services within their respective communities. These services quickly became an important part of a community's existence and quality of life, and residents of communities soon became dependent on such services. In later developments these services became so important that communities devised various reliable arrangements to ensure regular and uninterrupted provisions of such services or provision of goods. These community-based institutions that protected and controlled the provision of basic and necessary services to the whole of the community led to the formation of the first informal local authorities.¹

During the latter part of the 20th century, people became even more strongly community based, and the first signs of the enormous urbanisation that was to come became noticeable. During the main upsurge of urbanisation, many villages, towns and cities were created. It was generally the responsibility of the various local authorities established within each city or town to ensure the quality of life and also the provision of sustainable and essential services to the local residents.

¹ For more detail, see Cloete (1997) 1.

3.2 The general development from farmland into urban settlements

Initially, all land in the world could be regarded as farmland, and urban areas thus originated from farmland. In order to establish urban developments, farmland had to be rezoned for residential purposes and had to be subdivided into smaller pieces.² When a particular piece of land had been subdivided into smaller pieces and after the construction of a small number of houses, the settlement became known as a village. With the subsequent increase of people and new developments, some villages transformed into towns and eventually into modern-day cities. When an urbanised area became so big that it comprised a core city together with a number of satellite towns, such a city became known as a “metropolitan area”. A metropolitan area is therefore the most expansive form of modern urban development.³

With the creation of the various forms of urban area⁴ it became essential for each area to establish and manage a specific local authority for that area. Over time these local authorities became known as “municipalities”, a term that is synonymous with local institutions created to manage and control urban settlements. The word “municipality” originated from the Latin word *municipalis*. The term *municipalis* referred to a city⁵ with some measure of self government and its own decision-making authority, but which was ultimately still subject to the control of a central government.⁶ In many modern systems in the world, this final control over municipal authorities is still in existence within the overall governmental structure of such states.⁷

3.3 The origin, creation and importance of local authorities

The urban areas of the developing world that were established early provided mainly an environment where people could live in peace and harmony with one another and where they felt safe from outside threats. As human settlements expanded over time, not all people living within that community could make a living out of farming activi-

² Generally these smaller pieces of land are today known as building stands or residential erven.

³ Note that in the new demarcated local government system in South Africa, there are six specifically demarcated metropolitan areas. These areas are discussed and identified later.

⁴ Towns, cities, villages, etc.

⁵ Urban development of a certain proportion.

⁶ See Cloete (1997) 2.

⁷ The position is no different in South Africa. Although local governments have been given distinctive and autonomous status with their own powers and functions, they often still fall under the final control of higher governmental institutions.

ties, and therefore they started providing other needed services or goods.⁸ It is of interest to note that early cities or towns existed long before the creation of empires or states. The early local authorities were therefore to some extent the forerunners of the many democratic governments that were to follow in later years.⁹ It is also generally accepted that, depending on the relevant services, local authorities are in the best position to address and satisfy the needs and expectations of a local community.

In comparison with European cities, some dating back hundreds of years, South African cities and urban developments are young. The oldest urban settlement in South Africa dates back to 1652, when Jan van Riebeeck established the first port on the Cape coast.¹⁰ After this first step in colonising the Cape, the area known as Cape Town gradually developed from a small village into a town, then into a city and finally into the metropolitan area it is today. The development was sparked in 1657, when a few soldiers of the East Dutch Indian Company were released from their official services and were allowed to become farmers in the region.¹¹ Many of them settled in the surrounding areas of Cape Town and established various farming activities. In 1682 the then Governor of the Cape appointed some of the free burgers as so-called *heemraden*. The main function of the *heemraden* was to settle disputes amongst the people of the local community. A few years later, in 1685, the first *landdrost*¹² was appointed, with similar functions to those of the *heemraden*. During 1779 a group of free burgers living near Cape Town submitted a written petition to the Council of Seventeen,¹³ in which they requested a larger say and participation in the government of the settlement. As a result of this petition, a committee of the high court of justice was established in 1786 to serve as the first local authority for Cape Town. This committee was indeed the first official urban local authority created in South Africa.¹⁴

⁸ An indispensable linkage developed between the different services and goods people provided for one another. Most goods or services could not be maintained and provided for without the support and availability of many other goods or services. For example, a farmer could not plough or deliver his produce without a marketplace, roads, or even skilled labourers to maintain or repair his essential farming instruments.

⁹ See Cloete (1997) 46.

¹⁰ This is also the reason why Cape Town is referred to as the "mother city".

¹¹ They became known as *free burghers*.

¹² Also known as a Magistrate.

¹³ The council was the controlling body of the Dutch Indian Company.

¹⁴ Cloete (1997) 10.

After the establishment of the early local authorities the country underwent radical expansion and, when the Union of South Africa was formed in 1910, all four provinces of the Union¹⁵ developed similar systems of municipal administration based on the early system that had been established in the Cape. Local authorities were not autonomous government institutions, however, but were placed under the control and supervision of the four provincial administrations.

In the early days of local government development in South Africa, the indigenous people were mainly nomadic in their existence. Some tribal villages of a more permanent nature were established, but not to the same extent as in Western urban settlements. Most of the local tribes were self sufficient, but with the increase in population there were inadequate work opportunities and basic services available. Many ethnic Africans started to move to the developing colonial settlements in the hope of creating a better life for themselves and their families. However, Native Africans were not treated equally and, depending on his or her racial background, a person was treated according to a particular system and according to specific rules applicable to only that race.¹⁶ In order to understand and meet fully the challenges of the new local government structure of South Africa and the demands that the transformation process had to address, it is important to keep the segregation history of South Africa in mind. Two systems with regard to local authorities were developed: one for white people and another for non-whites. This policy was responsible for many of the problems and challenges that face local governments of today and requires redress.

3.4 Conclusion

It is evident that the creation of local governments/authorities was necessitated through the development of concentrated urban settlements; the rendering of essential services, and the management of an urban area could then be conducted by a separate local authority. There are, however, significant differences to the roles, powers and functions of modern local governments in comparison with those of years gone by. Modern local governments are much more complex in nature and function, especially as they form part of the overall governmental structure of a mod-

¹⁵ The Transvaal, the Free State, Natal and the Cape Province.

¹⁶ Refer to the case of *Fedsure Life Assurance v Greater JHB TMC* 1999 (1) SA 374 (CC) where the constitutional court provided a brief background description of the history of local government in SA.

ern 21st century state. Many of these challenges and complexities will be highlighted and discussed in the chapters that follow.