

CHAPTER 2

LOCAL GOVERNMENT: COUNTRY CONTEXT AND THEORETICAL CONSIDERATIONS

2.1 INTRODUCTION

The main thrust of the discussion in this chapter is the decentralisation process in Swaziland. The core issues pertaining to the theory of decentralisation are examined and, furthermore, the policies and practices of decentralisation in Swaziland are considered. In that regard, the various national government initiatives designed to meet the overall objective of sharing power with local government are analysed. Special premium is placed on the nature, structure, powers and functions of local government in the country. Significantly, the more recent developments on decentralisation in Swaziland, triggered by constitutional changes at national level, are also examined.

The discussion departs from the premise that local government in any country can only be fully understood in terms of its history (Wraith, R 1972:27) and in the context of the broader political territory within which it operates, given that a local authority takes its cue from and is shaped by the environment that surrounds it (Stanyer, 1976:15-16). Thus the discussion is set in a historical context, tracing the development of local government in Swaziland from the colonial period, reviewing some of the important milestones in its evolution, ending with the completion of the research in 2005.

2.2. NATURE OF GOVERNMENT IN SWAZILAND

It is argued that the public sector reflects a particular culture that derives from society's cultural characteristics (Thornhill, C. 1994:6). Local government is an important part of the public sector and, therefore, of society in general. To understand local government fully one must consider the broader context within which it operates (Alexander, A. 1982:4 & Wraith, R: 27). Accepting this as a general premise, the discussion provides a profile of the country, highlighting mainly its major political, social, economic and cultural features.

2.2.1. Profile of the Country's Major Characteristics

Swaziland is a landlocked country wedged between South Africa to the north, west, and south and Mozambique to the east. It is the smallest country in the southern hemisphere, with a total area of 6 704 square miles (17 364 square kilometres) and a population of one million people. Geographically, Swaziland has within its borders every feature of the terrain of the African continent, except for a desert. The country is divided into four distinct geographical regions – highveld, middleveld, lowveld and Lubombo plateau – running from north to south, each with its own climate and physical characteristics.

In addition to the aforementioned geographical regions, the country is divided into four administrative regions (formerly known as districts) – Hhohho, Manzini,

Shiselweni and Lubombo. The administrative capital is Mbabane, a small but busy city, located in the Hhohho region, and with a population of 58 000. Established by the British colonial authorities, this city was named after a local chief, Chief Mbabane, and is today the Headquarters of all government ministries. The ministry that is of particular relevance to this study is that of Housing and Urban Development (the parent ministry for local government in urban areas or municipal authorities).

There are several other towns outside Mbabane, the largest being Manzini, the only other city apart from the capital, situated in the Manzini region. The rest of the towns are Nhlangano, Piggs Peak, Siteki, Hlatikulu, Matsapha, Lavumisa, Mankaiyane, Ngwenya, Vuvulane and Ezulwini. It is reported that the oldest towns grew around trading stores, with an intricate chain of events having led to further their development (Swaziland government: Swaziland Review 2002:4).

These towns serve an ever-growing population, as more and more people have been migrating from the rural areas to the towns and cities. With towns and cities experiencing growing pressure due to increasing rates of urbanisation, emphasis is now being given to urban development and management. Urban government (in the form of municipal authorities) has been created in all the above urban areas - in the form of city councils, town councils and town boards – and is expected to play an increasingly important role in service provision to facilitate

and promote improvements in terms of social and infrastructural development within each locality (Swaziland Government: Swaziland Review 2002).

2.2.2. Socio-Political and Cultural Dynamics

Swaziland is a monarchy governed through modern and traditional institutions. Executive power is vested in the King, who is head of state (Encyclopedia Britannica, Volume 27:978) and rules in consultation with a government constituted of modern institutions (executive, legislature and judiciary) and traditional institutions (Swazi National Council or *Libandla*, Kings Advisory Council or *Liqoqo*), all which will be explained shortly. The various government policy documents that were perused – National Development Plan, National Development Strategy, Decentralisation Policy - point to the mission of the government of Swaziland:

The mission of the government of the Kingdom of Swaziland is to provide a climate and infrastructure that will progressively maximise the quality and security of life of the people of Swaziland and make the best use of the country's natural resources.

It is asserted in the above official government documents that in order to operationalise and attain the objective expressed in the mission statement, the government of Swaziland created the *Tinkhundla* as an administrative structure for service delivery, as well as a political philosophy and system of government, to facilitate the achievement of development goals (Swaziland Government

Decentralisation Policy, 2005:5). It is argued that the *Tinkhundla* system, at its core, is designed to facilitate the practice of both Western and traditional styles of government, in a country where traditional leadership is central and instrumental in the management of public affairs and of development programmes.

Flowing from the above, it has been strongly argued that to a large extent, Swazi society is predominantly traditional and conservative in that ancient norms and values permeate almost the entire fabric of the society. Traditionalism is the cornerstone of the governmental system, and an official ideology whose origins date back to the early beginnings of the Swazis as a nation (Dlamini, M.P. 1999:58-61).

As Absalom Vilakati succinctly puts it:

The social order in Swaziland has always been overwhelmingly traditional, and the social, political and economic actions of its people are generally carried out as a result of ingrained habit. Undergirding all their actions is the 'value orientation' of traditionalism, which ensures that the social actions of persons will be determined by what seem to them to be required by duty, honour, personal loyalty and proper standards of right and wrong. Value orientation acts as a binding social imperative. This social order derives from the sacredness of tradition, whose validity is reinforced socially and psychologically (Vilakati, A 1979: 270).

When the Swazi people talk of *traditions*, they refer to the social relationships and actions that take as the point of their departure age-old customs. Thus, traditions stand as a pillar of their social, political, religious, intellectual, and moral

order. Traditionalism is embodied in the King who is also projected as a symbol of national unity. The King is the supreme ruler; and as the executive monarch, he holds the land in trust for the nation, and plays a central role in sacred rites; and the people pay allegiance to him by virtue of the position of authority he holds, which gives legitimacy to what he does (Vilakati, A .1979: 270).

The social hierarchies that derive from the existing traditional authority structure consist of the King, the Queen Mother and the royal household. In terms of the country's Constitution (which is effective from 2006) the King is head of both the modern and traditional structures of government. He is described in section 5 of the Constitution as a hereditary head of state, a symbol of unity of the Swazi nation, Commander-in-Chief of the Defence Forces and Commander-in-Chief of the Police Force. On account of his status as an executive monarch, the King is immune from suit or legal process in any civil court in respect of all things done or omitted by him in his private capacity (section 11 of the Constitution).

The King rules with his mother i.e. the Queen Mother, as also provided for in the Constitution. A number of writers, such as Hilder Kuper, tend to view the Queen Mother as a figure who makes her contribution under a male figure, such that the position and power of the Queen Mother is derivative (Kuper, H. 1978: 113). This characterisation of the Queen Mother is, however, challenged somewhat by Genge who adopts a gender focused approach in his thesis that considered the role of Labotsibeni, a famous Swazi queen and mother of King Sobhuza II. In his

thesis, Genge argues that Labotsibeni was an exceptionally powerful figure, as queen from 1889-1899 and subsequently as queen regent for her son Mona (Sobhuza 11) from 1899 to 1921. From 1889 -1899 she was in theory a co-ruler with king Bhunu or Mahlokohla and Queen Regent for her son from 1899-1921. But, in practice she was the 'brains behind the throne', who also openly directed the affairs of the throne (Genge, M. 1999:253). Thus, in the above example of Queen Labotsibeni, it is suggested by Genge, that the position of Queen Mother deserves more credit than it has received hitherto, for the role the incumbent can play in Swazi politics. This view is supported by Vilakati who argues that the Queen Mother, as the wife of the King's father, who was King, acquires the awesome dignity and ritual sacredness of the King's person, making her a very important political figure in Swazi politics (Vilakati, A. 1979:270). Next in the social hierarchy are members of the aristocracy. These are the Dlamini or members of the King's extended family, that is, his brothers and cousins and other princes of the realm who have been elevated for meritorious service e.g. all war heroes, army generals, powerful medicine men, and commoners who marry royal women (Vilakati, A. 1979:270-272).

In its pure and unadulterated form, the Swazi monarchy has inbuilt 'checks and balances', which make it difficult for the King to exercise discretionary power. By providing that the King will rule together with the Queen Mother, whose office theoretically is at the same level as his own, the constitution facilitates the existence of a dual monarchy. Besides the office of the Queen Mother, there are

two councils, namely, the *Liqoqo* (King's Advisory council) and the *Libandla* (Swaziland National Council), which the King consults on matters of state generally, not exclusively those involving Swazi Law and Custom [section 13 (1) and section 231 (1) and 232 (1) of the Constitution of the Kingdom of Swaziland]. Hence, it is argued that the Swazi monarchical structure is organised in such a way that the King may not take unilateral decisions that may result in the abuse of power.

As suggested above, apart from the traditional structures, the King reigns with the assistance of a modern government, comprised of the Executive, Legislature and Judiciary. The executive in Swaziland is composed of the cabinet headed by a Prime Minister who is appointed by the King. It is noteworthy that since independence all the Prime Ministers have been picked exclusively from the ruling Nkosi-Dlamini clan, thus underlining the dominance of this powerful clan in the country and its affairs. In 2005, the executive arm of government consisted of 15 ministries and 25 state-owned enterprises, each of which functionally falls under a parent ministry. The new Constitution under chapter 10 (section 172 - 193) provides for the creation of an independent (executive) Public Service Commission (PSC) replacing the Civil Service Board (CSB), an advisory body that was created by the Civil Service Act, 1973.

Parliament is bicameral consisting of the House of Assembly and Senate. The Senate consists of not more than 31 members. In terms of the new constitution,

ten of the Senators are to be elected by the House at their first meeting and twenty are to be appointed by the King. As for the House of Assembly, it must consist of not more than sixty members elected directly by the people from the various *Tinkhundla*, serving as constituencies (section 94 and section 95 of the Constitution).

The country's judicial system operates on a dual basis in that it consists of both modern and traditional institutions. The Judiciary is composed of the High Court, Court of High Appeal (renamed the Supreme Court under the new constitution), Industrial Court and the magisterial courts. The aforementioned constitute the modern institutions entrusted with the function of interpreting and administering modified Roman Dutch law; and they are paralleled by Swazi national courts which are responsible for administering Swazi law and custom.

Thus, the Swaziland political system at national level exhibits a diarchic structure, consisting of the traditional government structure on the one hand and the modern government structure on the other. This dualism is an enduring legacy of colonialism; it derives from colonial policy in Swaziland, which permitted the existence of a parallel structure of administration consisting of the British colonial administration and the traditional authority system. At independence, the dualism was retained; and so it continues but with the difference that the King now heads both structures, as he has done now for more than thirty-six years.

Of significance about the modern government system in Swaziland, are the major milestones in constitutional development from independence to-date. From 1968 to 1973 the country was governed through the independence (Westminster) Constitution, which provided for all three branches of government – Executive, Legislature and Judiciary and a constitutional monarch. In 1973 the independence constitution was repealed through the King's Proclamation to the nation. Through the 1973 decree, all executive and legislative powers were vested in the office of the King who became an executive monarch. From 1973 the King ruled by decree until 1978 when the Establishment of Parliament Order of 1978 was promulgated. The Establishment of Parliament Order, 1978 revived the legislative branch of government, providing for the election of an electoral college which in turn elected/nominated the members of Parliament as well as the appointment of the cabinet. The Establishment of Parliament Order of 1978 was subsequently amended in 1992, to provide for the direct election of members of Parliament from the *Tinkhundla*.

Finally, it is worth noting that a critique of the above description of the Swaziland system of government is the lack of acknowledgement of opposition to traditional authority and the monarchy and the methods that have been employed to sustain the *status quo*. Whilst it may be true that traditional authorities enjoy a wide degree of popular support, it is also the case that there is some opposition to the existing socio-political order. That there is indeed a level of opposition to the existing socio-political order, in particular the *Tinkhundla* system, is underlined by

the protest action witnessed in the last decade, including two national strikes organized by the trade union movement to press for constitutional reform (amongst other issues) and a spate of bombings, orchestrated by opposition forces targeted at buildings associated with the *Tinkhundla* i.e. the *Tinkhundla* offices, which are seen as the symbol of traditionalism and of the *status quo*. Past bombings occurred in Mbabane in the Deputy Prime Minister's offices (which until 2005 was the HQ of the *Tinkhundla*) where one person was killed, Lobamba Lomdzala *inkhundla* and, Sandleni *inkhundla* (Times of Swaziland, 2006). Even though the bombings resulted in minimal loss of life, they could be interpreted as having been an indication of a certain level of opposition to the country's system of government. However, it is difficult to assess the extent of the opposition and to state precisely the proportion of those that oppose the existing establishment (*Tinkhundla*) in relation to those that support it.

2.3 SYSTEM OF LOCAL GOVERNMENT IN SWAZILAND

In Swaziland, a unitary state, local government is the second level of government, after the national government. The local government system in urban areas was created through the Urban Government Act, No 8, 1969. As for local government in rural areas, separate instruments were used to create it, namely, the Regional Councils Order, 1978 and the Establishment of Parliament Order, 1978 (amended in 1992). The three aforementioned legal instruments that created the country's local government system contemplated some form of local

administration of public services in a decentralised governmental structure. The architects of the decentralisation programme envisioned a dual system of local government consisting of a Western system, on the one hand, and a traditional one, on the other. The former would be modelled along modern Western principles and the latter founded on ancient norms and values.

Since Swaziland has a dual system of local government, the study will (only in this chapter) include reference to the *Tinkhundla*, which even though is not the focus of the present research, constitutes an important part of the system and structure of local government in Swaziland. *Tinkhundla* is a name given to the approximately 55 regional (predominantly rural) assemblies established (legally) in 1978 as a general equivalent of local councils, to promote development in the country's four regions in general and rural communities in particular. The philosophy underpinning the *Tinkhundla* is, however, much older and dates back in time to the pre-independence period, as explained in the relevant sections shortly.

In assessing the dual nature of the local government system in Swaziland, the study will recast the modern institutional arrangement (municipal authorities) in the country's urban areas against the traditional local government institutions (*Tinkhundla*) found in rural areas. By so doing, the study identifies the essential characteristics of the two parallel systems of local government, reveals their essential differences and demonstrates how they interact. From such a

discussion, the delimitation of the study and its focus on urban areas becomes clearer.

At the time of completing the research, there has been mooted, within the Swaziland government, a plan to undertake two major initiatives, which are bound to have implications for local government in the country. Firstly, there is an initiative aimed at strengthening the country's decentralisation programme through the formulation of a decentralisation policy. Secondly, there is a concurrent move to amend the Urban Government Act, 1969, a statute enacted some thirty-six years ago. These initiatives have been triggered partly by the new Swaziland Constitution, which comes into effect in February 2006, whose provisions must be given effect through appropriate policy enactments. Therefore, some consideration must be given to both the proposals put forward in the new decentralisation policy and the legislative enactments that are contemplated as well as to the implications of both these developments for local government in Swaziland.

With that in view, the discussion, which follows immediately, considers the questions raised in the preceding paragraphs, to be discussed under the following five broad themes/topics: nature of government; overview of pre-independence developments; urbanisation; decentralisation, decentralisation programme in Swaziland; profile of the research areas, and new trends and developments.

2.4 OVERVIEW OF PRE-INDEPENDENCE DEVELOPMENTS

In this section, the study briefly reviews the colonial background and explains how the political dispensation and administrative system in Swaziland has been shaped by history. It is explained in this section that the existing local government system, characterised by duality, is an enduring legacy of colonial rule, which will always be part of the history of the country.

2.4.1 Pre-colonial Period

The pre-colonial history of the Swazi nation is best explained in terms of the role played by a succession of powerful monarchs in trying to secure the survival of the Swazis in the face of pressure from the Zulus and the Pedi and to find accommodation with land settlers and mineral seekers. The traditional order of powerful monarchs was interrupted by colonial rule from 1902-1968, when Great Britain was the administering authority, at least for the most part.

According to some historical accounts, the origins of the Swazi nation can be traced back to the 16th century, a period during which a migratory core of Nguni people migrated down the east coast of Southern Africa (presently Mozambique) and eventually settled under the leadership of Dlamini 11I. Under Ngwane 11I, the first leader to settle in present day Swaziland, the descendants of this group

saw expansion to the west and north. Subsequently, his grandson, Sobhuza I, continued this policy of expansion and of engendering of the Swazi nation.

The pre-eminent King Sobhuza II died in 1836, and his successor Mswati II inherited an extensive kingdom and reigned during the mid-19th century and also gave his name to the tribe. It was he who established a sound political foundation of the nation, which became known as Swaziland, 'the land of the people of Mswati' (Swaziland Government 2002). The Swazi conquered many of the tribes to the north but relinquished territorial claims north of the Crocodile River and the Lydenburg Republic in the 1880s to settlers. According to Johnson, R.W. (2004: 84-85):

"The Swazis were the only big and relatively strong African group not to opt any form of military opposition to the advancing tide of Boer or British power. Their King, Mswati, played his cards well. The Swazi established good relations with the Boers, gave them land, and signed a treaty with them in exchange for cattle and support against the Zulu and the Pedi. In 1885 Mswati gave away land along the north bank of the Phongola for Boer settlement in order to strengthen his position against the Zulus. In 1875 a new treaty was signed with the Transvaal according to which the Swazi accepted a semi-dependent status by agreeing to the appointment of a Transvaal official to supervise their external policy although not to rule them. They also agreed to keep their trade routes open to the Boers and allowed a railway to be built through their territory. In exchange the Swazi received assurances of support against the Pedi and Zulus".

Despite this and despite British backing during the 1880s, they lost land to the Boers in the west and to the Portuguese in the east. By the end of the 1880s

Swazi authority had been completely undermined by land, mineral, trade and other concessions as settlers, mineral prospectors, traders and others crisscrossed their strategically placed territory (Johnson, R.W. 2004: 84-85).

2.4.2 Colonial Period: Overview

The colonial history of Swaziland is closely tied to that of Botswana and Lesotho. From the late 19th century, until the period of self-government and independence, the British administered all three as the High Commission Territories. The Resident Commissioner in the territory reported to the British High Commissioner in South Africa, who was the top British official in this area of the British Empire.

Swaziland was the smallest of the three territories. For years, during the colonial period, there was an active dispute over who should control Swaziland – the Transvaal Republic in South Africa or Great Britain. The Swazi people are reported to have refused a proposal to institute South African Administration in 1893, but the next year an agreement was signed establishing virtual administration by South Africa without annexation. After the Anglo-Boer war and the institution of British control of Transvaal in 1903, its British governor was empowered to administer Swaziland and to legislate by proclamation. In 1906 these powers were transferred to the High Commissioner for Basutoland (Lesotho), Bechwanaland (Botswana), and Swaziland. In 1906, Swaziland became a British Protectorate, following in the footsteps of Botswana and

Lesotho, both who had sought British protection in the face of encroachment, in 1885 and 1868 respectively. Thus, through a paper conquest, the Swazi were drawn into the British colonial empire (Britannica Encyclopedia, Volume 27).

In their Swaziland territory, the British adopted a *laissez faire* policy of colonial administration, permitting the operation of the traditional political system alongside the Western system. The King, during the colonial period, lost his status as king of Swaziland. Menelisi Genge explains this position very clearly in his thesis stating that in 1898 the Swazi king lost his original status as King of Swaziland at least in the eyes of the Transvaal and British governments and those of Europeans in Swaziland, when the British and Transvaal governments expropriated from him some of his major administrative powers, and restyled him Paramount Chief (Genge, M. 1999: 249).

Thus the Paramount Chief exercised powers in the section of the territory which was considered the native regime. The British Resident Commissioner had ultimate responsibility for policy in Swaziland. The new title of paramount chief was in keeping with British trends in Africa, where the title of King was abolished and replaced with the term Paramount Chief. Unlike in other colonized territories though, the traditional authority in Swaziland was not incorporated into colonial administration. Rather, the Paramount Chief and the chiefs were left to deal with civil matters of Swazi law and custom independently of the British. One important implication of this *laissez faire* policy was that chiefs were not regarded as

administrative stooges by the local population and, therefore, retained their authority throughout most of the rural area. Significantly, however, their authority was restricted to the countryside (Rosen Prinz, 1976:85-87).

Jackie Viecegli argues along the same lines and asserts that the British colonial administration hardly interfered with existing traditional political arrangements. Unlike in most British colonies where indirect rule was introduced, the colonial authorities in Swaziland did not practice the traditional system of indirect rule but developed a type of dual administration whereby the traditional native authority coexisted with the British colonial administration. In the urban areas, Western systems of administration were introduced. In the rural areas, matters relating to Swazi traditional administration, particularly Swazi law and custom, including the control and distribution of land in the so-called 'native reserves' remained the prerogative of the King, the Queen mother and their chiefs and counsellors. The traditional authorities played no part in the administration of the territory outside the native authority (Viecegli, 1982; Rosen Prinz, 1976:85-87).

According to some historical accounts, South Africa had during the colonial period viewed the three territories potentially a part of South Africa. Contributing to this view was the tentative nature of the British commitment to these territories. The South African Act of 1909, establishing the Union of South Africa, carried an addendum explicitly noting that the three High Commission Territories were expected to become part of the Union in due course. The British seemed to

share the South African view that the logic of geography, economics, and ethnic ties between and amongst the peoples of the High Commission Territories and the Union of South Africa pointed to incorporation as the sensible path to the future (Carter M, & O'Meara, P. 1979:223).

It was precisely the fear of incorporation that led to the people of the High Commission Territories to resist the move (Carter M, & O'Meara, P. (1979). Although long expected to eventually form part of South Africa, the people of Botswana, Lesotho and Swaziland rejected this alternative in favour of separate independence. Under the diplomatic leadership of King Sobhuza II, crowned in 1921 as King of the Swazis but viewed by the colonial power as Paramount Chief, Swaziland's independence drive was peaceful. Whilst Botswana and Lesotho both raised their flags in 1966, Swaziland raised hers in 1968.

2.5 URBANISATION IN SWAZILAND

Towns were developed during the colonial period as administrative, commercial and industrial sites. The roots of urbanisation were laid in the 19th century at the time when European concessionaires were streaming into Swaziland in search of land and minerals. Tiny European settlements were founded at Bremersdorp, Mbabane, Piggs Peak, and Siteki, marking the sites for future towns. In each case, the settlement consisted of a trading store and an inn, built to serve the needs of the concessionaires.

In 1890, the provisional government set up by the British and Transvaal governments to deal with European matters established its Headquarters in Bremersdorp (now the city of Manzini), then a small trading centre strategically located in the centre of the country and in the heart of the Middleveld. A small village gradually grew up around this trading area consisting of the government offices and a courthouse, a few small stores, some dwelling houses built of wood and iron, a jail and a few police huts (Matsebula, JSM, 1972: 71).

Some reports indicate that Bob Rodgers, a European trader from South Africa took advantage of the business opportunity offered by the large number of concessionaires, setting up a trading store in 1885 in the then Manzini village on the banks of the Mzimene river. The store was subsequently sold to a hotel owner Albert Bremer in 1885 after whom the town (Bremersdorp) was named. The governing committee of the area at the time bought the hotel owned by Bremer to be used for administrative purposes. There was a condition to the sale made by Bremer, which was to the effect that Manzini should be called 'Bremersdorp.' This was accepted and the town was officially given the name 'Bremersdorp'; but to the indigenous people, (who tended to associate a local area with traditional authority), the place remained ka-Manzini, part of the chieftdom of Chief Manzini Motsa (Rosen Prinz, 1976: 50-82).

When the South African Government (Transvaal) took over the administration of Swaziland in 1895, Bremersdorp, was maintained as the Headquarters. At the

outbreak of the Anglo-Boer War (1899) the administrative officials departed, after ordering all Europeans residents to leave Swaziland. Bremersdorp was virtually deserted and during the War the town was set on fire and razed to the ground. It was subsequently rebuilt, and has developed steadily into its present position as a commercial centre of the country (Rosen Prinz: 1976: 84).

At the end of the Anglo-Boer War (1901) the British, as the victors, assumed control of Swaziland, choosing to set up their Headquarters in the rugged Highveld where the climate was very much similar to that of the mother country, England – cool, wet, and misty. Bremersdorp was rejected because of its hot and dry climate. The chosen site was near the Mbabane river named after Lubabe, a bitter shrub used for fattening cattle, and was part of the chiefdom of Mbabane Kunene. A tin mining camp and trading station already marked the site of the future administrative capital (Matsebula 1972:44; Rosen Prinz, B. 1976).

To facilitate effective administration, the British divided the country into six districts Mbabane, Mankayiyane, Siteki, Hlatikulu, Piggs Peak and Manzini, each headed by a District Commissioner (DC). The districts were units of administrative control only; unlike chiefdoms their boundaries were drawn arbitrarily and could be altered without the consent and even knowledge of the inhabitants (Kuper, H. 1947: 93). The DC was chief of the office, distinct from chief by birth; he had a limited amount of land to distribute (that demarcated as crown land). The relationship between him and the inhabitants was impersonal

based on Weberian principles. His appointment and removal from office were directly controlled by central administration; transfers were frequent and the departing official would leave his house and his office to his successor, relinquishing all his ties with the people and the post. The District Commissioner's authority crosscut that of traditional hereditary chiefs and his responsibilities included directing and co-ordinating the activities of the traditional authorities (Rosen Prinz, B. 1976:84-87).

Although British administration often consulted with the paramount chief, the responsibilities of the traditional Swazi authorities were limited in practice to the collection of taxes and to matters that were strictly within the traditional sector, always proving that tradition was not 'repugnant to natural justice' (Vilakati, 1979:270-273).

As in other African territories, the towns became magnets, offering employment, money, health and educational services – in short the 'good life'. As a result of rural – urban migration, the total African urban population swelled from 654 in 1946 to 21 959 in 1966; and by 1972 the total urban population of the two largest towns, Mbabane and Manzini, was estimated to be between 35 000 and 45 000 (Rosen Prinz, 1976:123-125). The growth of towns as administrative and commercial centers created the need for close administration, in order to effectively regulate and administer basic municipal services.

The first step towards introducing local government was taken in 1912 with the Urban Areas Proclamation, 1912, which dealt with the general administration of declared urban areas. It empowered the High Commissioner 'to make regulations for good government of towns and of areas adjacent thereto', and recognized the District Commissioner as urban authority. This proclamation is thought to have given impetus to the creation of an administrative structure for the running of the urban area on modern principles i.e. to administer an urban area and to provide basic municipal services for which charges may be levied. The proclamation gave the District Commissioner the authority to make regulations dealing with *inter alia* sanitation, traffic, building inspection, recreation facilities, rubbish collection, the keeping of animals, cemeteries, water supply, markets, street lighting, drainage, and zoning.

Another significant step in the development of local government was taken in 1964 when the Town Management Proclamation was issued, establishing semi-autonomous municipalities in Mbabane and Manzini (Denning, B.H. 1969:3-12). Modelled on the law in the Cape Province (Republic of South Africa), the proclamation contained provisions for the declaration of Board areas, their establishment and composition, the conduct of meetings, the employment of staff, and various financial matters. Owing to this proclamation, the Manzini urban area was declared the Manzini Town Management Board in 1964. The proclamation empowered the Board to levy rates (property tax) in its area of jurisdiction.

This position is supported by Rosen Prinz who argues that in the early 1960s new forms of political organization grew in the towns and some, like urban committees, town management boards and town councils, were imported from the West, while other, e.g., *emabandla* (urban councils), had their roots in Swazi traditional political structure. The representative style councils were established initially in the two major urban centres (Mbabane and Manzini) which until then, had been administered by the District Commissioner, recognized since 1912 as urban local authority (Rosen Prinz, B. 1976:173).

Rosen Prinz further argues that the representative model of local government was intended to involve all members of the urban community in a single decision making arena. In the larger towns, the District Commissioner was advised by two elected committees (a) the Urban Areas Advisory Committee, consisting of the representatives of the white community and (b) the African Township Committee, comprising of representatives of the freehold section of the African location. Though both committees were subsequently incorporated into the new Town Management Boards, the Europeans maintained a majority and thus retained control over local authorities (Rosen Prinz, 1976:173-182).

When the representative model of local government was introduced in Swaziland in the 1960s it was quite clear that it had failed to achieve its goals in other British African territories. By independence in 1968 the boards had not become strong, viable and popular institutions (Rosen Prinz, B. 1976:8).

2.6. DECENTRALISATION: CONCEPTUAL FRAMEWORK

In this section, the thesis considers key issues pertaining to the theory of decentralization. The section briefly indicates the case for decentralisation in Africa, the challenges encountered in its implementation, and the prerequisites for success; by so doing it provides a conceptual framework for the discussion of the country perspective, which will follow shortly.

Decentralisation has been accepted by most governments in Africa as an indispensable tool for transforming and improving public administration. In an era of persistent economic problems and continuing dissatisfaction with service rendering, many national governments in Africa have been persuaded to withdraw from certain activities and reduce the services they provide directly. Justification for government withdrawal from providing certain goods include resource constraints, and the fact that development experience has shown that the highly centralised and top-down approach to service delivery is expensive, cumbersome, inflexible, and prone to abuse (Wunsch, 1999).

Although the private sector can and should provide some of the services, the problem is that most of the services provided by the state are non-profitable public goods. In these cases, the most logical requirement is for the services to be provided by sub-national or local government (African Development Report 2001:164). Thus, for most African countries, including Swaziland, decentralisation is the strategy that has been adopted to facilitate the efficient

and effective delivery of services, promote local self-government, as well as advance the goal of socio-economic development.

A major feature of public administration in the African continent immediately after political independence was the overt centralisation of governmental administration. In British territories, the colonial government's attempt to introduce some form of decentralisation had not yielded the expected positive results, such that at independence, by and large, government administration was centralized. Upon the attainment of independence, many African countries for a while retained the inherited structures. This resulted in considerable reliance on centralised institutions and this often meant the neglect or suppression of local self-government or the absence of any meaningful grassroots involvement in governance. Other consequences of centralisation were: the distortion of the development process; the stifling of the contribution that local talent and initiative can make to development; and under-mobilisation of local resources or failure to utilize them to best advantage (United Nations, 1962).

The 1970s and 1980s in Africa were characterised by various attempts to remedy the problems associated with centralisation. African governments, to varying degrees of success or failure, began to experiment not only with new approaches to development but also with new political and administrative arrangements, including decentralising authority to states, regions, districts and local agencies,

field units of central ministries and local government, to give more power to people at the grassroots level (Cheema and Rondinelli, 1983:10).

The decentralisation process derived impetus from three forces: firstly, from disillusionment with the results of central planning and control of development activities; secondly, from the implicit requirement for new ways of managing development programmes and projects that were embodied in growth-with-equity strategies that emerged during the 1970s; and thirdly, from the growing realisation that as societies become more complex and government activities begin to expand, it becomes increasingly difficult to plan and administer all development activities effectively and efficiently from the centre (Cheema and Rondinelli, 1983:10).

The need for decentralisation in African countries is undeniable in light of the failures attributed to the centralised state. Decentralisation is considered to be the essential counterpart of development. It, inevitably, results in the creation of local government, the level of government that is the focus of this study. There is no doubt about the value of meaningful and effective local government in contemporary society. The importance of local government institutions derives from their responsibilities of service provision. Local government institutions, from this perspective, are the providers and administrators of basic services in specified areas or localities, intended to meet the needs of the people.

Besides, decentralising power to local government is widely acknowledged as an indispensable element of democracy because it fulfils democratic aspirations. Any country that aims at democratising its institutions and entrenching democracy will only be successful if it commits itself to far-reaching political and administrative reforms that effectively redistribute power to the other levels of government (Reddy, 1992). Evidence in Africa, however, suggests that decentralisation has been a good theory but poor practice; the governments' policy declarations on decentralisation have appeared faultless on paper; yet in practice, there is, ostensibly, a wide gap between what is promised and ultimately delivered, such that theory departs from practice. A weakness of the decentralisation process in Africa, from this perspective, is that the national government appears unwilling to share power with local government.

Reports on the experience of African countries with decentralisation indicate quite clearly that there are serious constraints that prevent the sharing of power between national governments and local governments. Contrary to the official rhetoric about decentralisation, resources and key functions remained centralised at the national level, leaving local government not only under-resourced but also performing rudimentary and insignificant functions. The African Development Report 2001 [164], for instance, indicates that in some African countries e.g. Kenya, local authorities have remained weak in terms of raising their own revenues as well as being in charge of services at a local level. The central government has had to assume the financing and running of health and

education, at national level, thus reducing municipal governments to peripheral services such as the regulation of markets and provision of water and sanitation. Even in providing these minor and peripheral services, municipal governments have performed poorly, demonstrating weak governance, leading to the mushrooming of autonomous peoples' organisations in the form of neighbourhood associations, that are perhaps more representative of peoples' interests, to fill the political space, by providing services such as security, sanitation, garbage collection, water and even to collect rates for electricity (African Development Report 2001:167).

The tendency towards deconcentration has been particularly evident in the policies of a number of the African governments trying to decentralise governmental functions. Decentralisation is considered to have had limited success because there was no significant transfer of high-level personnel from the national level to the provinces and districts. This was the case, for example, in Zambia, where despite the government's stated commitment to meaningful decentralisation, the bulk of governmental activities continued to be performed by central government. Since it was necessary to have some of the activities or functions decentralised, the government went ahead with decentralisation but sought to enforce tight ministerial control. Thus, the major principle that underpinned Zambia's decentralisation programme of 1969 is what was termed '*decentralisation in centralism*' which was understood to mean a measure whereby the government will decentralise functions while retaining effective

control from the centre, in the interest of unity (Mutahaba, G: 94-98). In the case the purpose of decentralisation in the words of the President of Zambia was:

“to ensure that the influence of government is felt at all levels of society right down to the village and to make doubly sure that government policies and intentions are clearly explained to and understood by the ...people” (Mutahaba, G. 1989: 98).

This approach to decentralisation is reminiscent of the indirect rule system, which was essentially a form of decentralisation with strong co-ordination from the centre. The emphasis, in the Zambia experience, was on decentralisation along deconcentration and the revival of a strong prefectoral system in the provinces and districts. The system is prefectoral because the principal agent of central government in the field exercises control over all field officers as well as supervising locally elected authorities and thus becomes part of the chain of command between central headquarters and the areas covered by all government services (Mutahaba, G: 94-99).

There has been in the past two decades a decline of devolution in Africa e.g. in Nigeria and Cameroon in favour of deconcentration; and the phenomena of one party states and military rule in the 1970s served to increase the concentration of power and resources at the centre, to the detriment of the regional and local governments Olowu and Wunsch (1990).

It is obvious from the above that, for African countries, the inadequacies in technical, financial and human resource capacity, and the imperative to maintain social cohesion and secure national political stability or unity took precedence over the question of 'power sharing', resulting in the emergence of strong central governments shadowed by weak territorial governments. Under these circumstances, most of the key governmental functions (housing, education, health, infrastructure service provision, law and order) and the authority to make decisions were not decentralised. Lacking the requisite power or autonomy and capacity, local government has remained an appendage of the national government, performing rudimentary functions and relying on national government for financial support and for qualified personnel (African Development Report 2001: 167).

Flowing from the foregoing comments, it may be argued that real commitment on the part of the national government to share power with local government is evidenced by the transfer of power, from national government to the institutions charged with the responsibility of carrying out the decentralised functions, which should:

- be granted meaningful rather than symbolic government functions;
- be afforded adequate financial and human resources to undertake the government functions that have been assigned to local government;

- possess power to raise income through local taxes and to diversify income sources;
- possess authority to make and implement decisions regarding local affairs in response to variable needs, and
- provide for the strengthening of capacity at local level to undertake the range of services assigned to local government.

In the final analysis, the success of the decentralisation process rests partly on the satisfactory fulfillment of the above; otherwise, the decentralisation process is likely to achieve only limited results.

2.7 DECENTRALISATION: THE SWAZILAND EXPERIENCE

The attainment of independence by Swaziland in 1968 provided an opportunity to further develop and strengthen the decentralisation process in Swaziland. The post independence years have been ones of gradual evolution of local government, particularly since 1969, when Parliament passed the Urban Government Act, Act, No 8, of 1969 - a statute that established town councils and town boards in all the country's major towns. Some thirty-six years after its enactment, the Act is still the principal instrument providing the legal framework for matters pertaining to urban local government in Swaziland and is administered through the parent ministry, the Ministry of Housing and Urban Development.

Since it is applicable only in urban areas, the Act covers only about 30% of the country's population. It does not extend to areas outside the major towns and cities - to what has been referred to as chiefdoms. Chiefdoms are found in Swazi Nation Land (SNL), which is land in the country's villages and/or rural areas, where the majority of the people (approximately 70%) live under the authority of chiefs, who are appointed by the King and are accountable to him. A different system of local government administration (*Tinkhundla*) was created formally in 1978 in respect of rural areas. Therefore, since 1978 the country has maintained two types of local government. The first consists of urban local government, created in terms of the Urban Government Act, 1969, in all areas recognized as towns. These institutions are mandated to serve primarily urban populations. The second type consists of the *Tinkhundla*, which are found in all areas that are not covered by the Urban Government Act, 1969.

It is argued that the division of the country into districts during the colonial period set the tone for the institutional arrangements that were to emerge after independence. The British heritage of districts headed by district commissioners was not abandoned completely at independence. In fact, this system was practiced for a while and then subsequently modified. In the independence period, the districts were reduced in number from seven to four – Manzini, Hhohho, Lubombo and Shiselweni. Furthermore, as part of the changes and modifications that were introduced in the 1970s, the term *district* was substituted for *region* and the title *district commissioner* discarded in favour of *regional*

administrator. Thus, each region was to be headed by a regional administrator appointed by the King as per the provisions of the Establishment of Parliament Order of 1978 and the Regional Councils Order of 1978. Since Swaziland is a unitary (section 1 of the constitution) and not a federal state, the regions are not considered another level of government and do not enjoy a degree of autonomy as is the case in a federal system.

Unlike district commissioners, regional administrators are not involved in the management of urban areas notwithstanding that their offices are situated in the major towns. The regional administrators currently have limited powers, which include the responsibility of promoting development efforts within the regions. They must co-ordinate development initiatives within a region by working together with chiefs, *Tindvuna* (headmen) and government officials.

It is noteworthy that the office of the regional administrator has been recognized in the New Constitution, which comes into effect in February 2006. In terms of Chapter 7 of the Constitution, under section 83, the regional administrator is appointed by the King on the recommendation of the Minister responsible for the *Tinkhundla*. The regional administrator has the same status as a deputy minister and will convene and preside over meetings of the Regional Council, established in each of the four regions consisting of persons nominated by each *Inkhundla* in a region from amongst the *Bucopho* (a consultative committee in chiefdom).

The Regional Council must advise the regional administrator on the administration of the region and co-ordinate social and economic development of the region and perform such other functions within the region as may be prescribed. During the time of conducting this research, the responsibility for regional administration and development functionally falls under the Deputy Prime Minister's Office (DPM), a situation which may change in the future, since this responsibility can be discharged by any ministry, depending on what is considered to be an appropriate portfolio allocation.

In this arrangement, the ministry responsible for the *Tinkhundla* and regional development is expected to play a pivotal role in terms of promoting socio-economic development, in general, and service delivery in particular countrywide. Thus, the ministry responsible for the *Tinkhundla* and regional development has two broad functions for which it is responsible. Firstly, the ministry is responsible for community development, a responsibility that entails motivating the rural population to apply their skills in self-development at the individual, homestead and community level. Secondly, it is responsible for promoting regional development in Swaziland. The regional development function places a responsibility on the ministry responsible for the *Tinkhundla* to assist in co-ordinating the activities of all government agencies involved in the provision of services in areas outside those under the control of urban authorities. To this end, the ministry responsible for the *Tinkhundla* must work in conjunction with the Regional Administrators.

2.7.1 *Tinkhundla*

King Sobhuza II (King of Swaziland from 1923 - 1984) is credited with the creation of the *Tinkhundla* - a system of government that has been practiced in Swaziland for more than two decades (Sabela T, R. 1999:225-226). Sabela traces the *Tinkhundla* system to 1973. However, it is argued in the current research that the *Tinkhundla* system of government legally came into effect in 1978. The ideas that underpin the *Tinkhundla* are, however, much older and may be traced to the pre-independence period. This argument is supported by the Decentralization Policy Document published by the Swaziland Government which states that the *Tinkhundla* system was launched by King Sobhuza II as far back as January 1955, to decentralise administrative work thus bringing it within reach of everybody and provide the people with real service leading to decentralisation and delegation of authority from the central body (Decentralisation Policy: GOS: 2005: 5). If this official version is accurate, this will have happened during the colonial era, when King Sobhuza II was still regarded by British authority as a paramount chief with jurisdiction only over areas controlled by traditional leaders.

A further argument concerning the origin of the *Tinkhundla* is made by Rosen Prinz who contends that the philosophy underpinning the *Tinkhundla* system is indeed considered to be old and founded on hereditary chieftainship as well as traditional cultural norms and values. The Swazi people had, during the pre-colonial period, developed their own system of local government in which

hereditary chiefs and councils were incorporated into a hierarchical structure of authority at the head of which was a hereditary King, of the aristocratic Dlamini clan, who ruled in conjunction with a select group of senior counsellors. Colonial rule did not abolish the traditional authority structure but actually maintained it. Thus, *Tinkhundla* may be considered as a revival of this old and cherished idea (Rosen Prinz, 1976); and the whole structure was intended to decentralise government and elevate the authority of traditional leaders.

The reason, probably, why Sabela believes that the *Tinkhundla* came into effect in 1973 is that in April of the same year King Sobhuza II repealed the Independence Constitution. The repeal of the Constitution in Swaziland in 1973 happened against a background of similar actions in other African countries. This was a period of general dissatisfaction with independence constitutions in Africa. When repealing the independence Westminster constitution of Swaziland, King Sobhuza II declared that it had failed. The Constitution was seen as a cause of unrest or tension and an impediment to free and progressive development in all spheres of life. According to this view the constitution permitted the importation of highly undesirable political practices alien to and incompatible with the Swazi way of life – practices that were designed to disrupt and destroy the Swazi democratic method of political activity.

Whereas the King's proclamation to the nation, banning political parties and providing for rule by decree is of 1973, evidence suggests that having made his

proclamation to the nation, the King proceeded to rule by decree for five years until 1978 when he launched the *Tinkhundla* system. This was done through the promulgation of the Establishment of Parliament Order, 1978 and the Regional Councils Order, 1978. The new system of *Tinkhundla* was projected as a uniquely Swazi alternative to the Westminster Constitution. Under this system the authority of the King was increased and he became an executive monarch; thus he ceased to be the constitutional monarch, which he was in terms of the 1968 independence Constitution. The King continued to rule by decree without any threat from politicians with possible different political ideas. Therefore, the *Tinkhundla* system came into effect in the latter part of the 1970s and not in 1973. This position is made clearer by the following contribution:

“Although the Tinkhundla system of government and its origins date back to the colonial era and was a useful mechanism for enlisting the participation of the people in community affairs, it was not until the promulgation of the Regional Councils Order of 1978 that it became an instrument of official government policy designed to provide a basis for local government from grass-roots to the highest political levels” (Dlamini, MP. 1999:58- 60).

The *Tinkhundla*, a system that espouses traditional values may be very perplexing when discussed in the context of modern public governance. It may be difficult to comprehend how the *Tinkhundla* system works because of the dual role assigned to it. It is noteworthy that, since 1978, the *Tinkhundla* have been associated with both political and administrative functions. The dual role is clearly manifest when the *Tinkhundla* are used both as electoral centres and structures

for the local administration of public services. As electoral centres, which is a political function, *Tinkhundla* serve as constituencies from which aspiring politicians may stand for national parliamentary elections; thus a candidate who wins the elections may represent his *inkhundla* (constituency) in the national Parliament. As local councils, which have an administrative function, *Tinkhundla* are considered (by government) to be the main vehicle of decentralisation; and from the latter perspective, the *Tinkhundla* (councils) help to promote grassroots participation in areas outside the towns and cities by bringing government and public services closer to the people.

Each of the *Tinkhundla* (an *inkhundla*) consists of 3-6 chiefdoms. There are currently approximately 55 *Tinkhundla* in the whole country providing services to quite a large proportion of the population (approximately 70% of the people live in rural areas).

2.7.1.2 Objectives of the *Tinkhundla*

According to the Regional Council's Order No. 22 of 1978, the *Tinkhundla* were intended to:

- serve as meeting places for discussing local issues;
- serve as centres for mobilisation
- promote the social and economic development of rural people;
- establish strong local government and decentralise administration;

- identify and initiate projects that could directly contribute to the development of the country;
- serve as focal points for the provision of rural social services;
- serve as rural employment centres;
- serve as points of contact between government and the people; and
- generally uplift the economic, health and educational standards of the region; and to act so that peace and harmony might prevail throughout the kingdom.

2.7.1.3 Role of the *Tinkhundla*

The *Tinkhundla*, from a government perspective, are centres where the members of the community participate in the political, social and economic development of their areas and the country at large. Below are listed some of the functions that should be performed by the *Tinkhundla*:-

(a) Political Functions

Tinkhundla play a vital role in the politics of the country. Thus an *inkhundla* can be viewed as a forum for:

- electing members of Parliament, whilst serving as a constituency.
- making proposals/resolutions to the Regional Councils for the promulgation and or amendments of the laws at national level; and
- receiving information from and providing feedback to communities.

(b) Socio-Economic Functions:

The socio-economic function of the *Tinkundla* are:

- to implement national and Government Policies and projects at Regional and *Tinkhundla* levels as assigned to them by the Regional Councils Order Section 5 (1) 1978;
- to co-ordinate national activities i.e. cultural and traditional at Regional Level;
- to liaise with the Swazi national Council in all matters affecting Swazi law and Custom through *Indvuna yeTinkhundla*;
- to keep the Government and the Swazi national Council informed of all major economic or political activities taking place within their Regions also through *Indvuna yeTinkhundla*;
- to identify and initiate priority projects that meet the needs of people residing in their regions in accordance with the National Development Plan; and
- to generally do all such things as they may deem fit to promote the economic, health and educational standards for their Regions, and to act so that peace and harmony might prevail throughout the Kingdom;

The overall administration and co-ordination of the *Tinkundla* as well as the system of regional administration fall under by the ministry responsible for regional development which in 2005 was the Office of the Deputy Prime Minister.

The government relies on the regional administrative structures and the *Tinkhundla* to spearhead development in the regions and in the rural areas of Swaziland where the majority of the citizens live.

From the government's point of view, all socio-economic and political issues are to be discussed in the various *Tinkhundla*. Whilst citizens within chiefdoms are at liberty to discuss those issues as well within their chiefdoms, those matters found to be of common interest to and affect neighbouring other chiefdoms are forwarded to the *Tinkhundla* for discussion and joint determination. The chairman of the meetings that take place at the *Tinkhundla* is the *Indvuna Yenkhundla* (headman). Under the current dispensation, an *Indvuna Yenkhundla* is elected by local citizens at the local level during national elections. The winner in the elections represents the residents of the *inkhundla* in Parliament and the runner up in the parliamentary elections becomes the *Indvuna Yenkhundla*.

The meetings at the local level are expected to expedite the identification of priority projects based on the needs of the rural residents, as well as facilitate the transmission of the proposed projects to national government for consideration and possible implementation; and facilitate the implementation of national government policies and projects at the local level.

With regard to their socio-economic functions, *Tinkhundla* are required to play a pivotal role in the implementation of government policies, programmes and

projects at the regional and *Tinkhundla* levels; co-ordinate national activities of a cultural or traditional nature and *Tinkhundla* levels; co-ordinate national activities of a cultural or traditional nature, liaise with the Swazi National Council on matters affecting Swazi law and custom, identify and initiate priority development programmes and projects at the regional and *Tinkhundla* levels. In formulating the *Tinkhundla*, its architects envisaged a non-party and decentralised institutional framework that would lead to a shift by central government away from making decisions and issuing orders to helping people at the grass-roots level make decisions through the familiar traditional administrative structures.

Accordingly, the official view is that the *Tinkhundla* political system is the embodiment of a unique blend of Swazi democracy, which unlike any other system empowers people at the local level to take full responsibility for their lives and destinies while at the same time enabling them to actively participate in the socio-political and economic development of the country. However, this view is arguable, given the multiplicity of problems and challenges facing the country's system of governance, such as confusion and overlap of functions, lack of understanding of the role and functions of *Tinkhundla*, inadequate financial resources, including the inability of the political system to guarantee good governance, transparency, accountability and participatory democracy through a multi-party political dispensation.

2.7.2 Urban Government

The country, as already alluded to, has three categories of urban local government - city councils, town councils and town boards. To a large extent, this categorization serves to distinguish between local authorities on the basis of the stage of development and/or maturity they have reached. City councils are those found in the two higher order towns of Mbabane and Manzini and town councils exist in the intermediate towns of Piggs Peak, Siteki and Nhlanguano whilst town boards, the lowest category of urban local government, are found in the country's smaller towns of Matsapha, Hlatikulu, Mankayane, Vuvulane, Ezulwini and Lavumisa.

The Urban Government Act, 1969 does not seem to draw a clear distinction between a municipal council on the one hand and a town council on the other. The Act defines *council* to mean a municipal or town council, as the case may be, established under the provisions of Part 2. Section 5(1) provides that "in every municipality there shall be constituted by the Minister...a municipal or town council". It is clear that the Act envisaged that there would be municipalities and that there shall be different types of such municipal authorities such as, for example, city councils, town councils and town boards.

As for the composition of municipal authorities, the Urban Government Act, 1969 originally provided for the appointment of councillors by the Minister and did not

provide for elections. The Act was subsequently amended in the 1990s to allow for the direct election of councillors and the appointment of some of them by the Minister responsible for local government.

2.8 NEW DEVELOPMENTS

For the period during which this research was conducted there are two developments taking place in Swaziland that are likely to impact on local government administration in both urban and rural areas in the future: (a) the coming into effect of the new constitution and (b) the strengthening of the decentralisation programme through the enactment of a decentralisation policy.

The new constitution is a product of several years of a consultative exercise – an exercise that was, by and large, managed by the government – during which a constitutional review commission, established by the King, enlisted and received submissions from individuals (but not organised formations) around the country for the purpose of formulating a constitution that would reflect the popular will. The constitutional review commission, having received submissions, eventually gave way to a constitutional drafting committee, which was tasked with drafting the country's constitution based on the submissions made to the constitutional review commission and also based on further submissions made to it by individuals. The constitution was ratified in 2005, whilst this research was ongoing, and comes into effect in 2006. The ratification was done using both

modern and traditional methods i.e. through Parliament and the Swazi National Council. With the coming into force of the Constitution in 2006, it is envisaged that new structures formed by the constitution, including those for local government would be established, al-be-it, gradually.

It is noteworthy, though, that the approach that was adopted in producing the country's Constitution triggered serious debate in the country and protest from organized groups in society (civil society) who observed that the consultation process had not been inclusive enough (did not allow individuals to organise themselves or articulate their views around common political positions) and was being stage-managed, conducted as a government project, to guarantee a particular outcome that would be favourable to the ruling regime, especially the traditional authorities, rather than to produce a document that reflects the popular will. An illustration of this point is that the Constitution that comes into effect in 2006 does not provide for pluralism and the election of a government through political parties. Whilst the Constitution provides for freedom of association, there is no clarity as to how the freedom can be exercised by those who wish to elect a government of their choice or those who want to change the government that is already in power. Notwithstanding, the above weaknesses of the Constitution, observers have noted that some of the provisions of the new Constitution are progressive and not at all dissimilar from those of leading democracies e.g. the provision relating to the bill of rights and the independence of the judiciary.

Apart from the Constitution, and concerning the second development, it is noteworthy that in 2005, the national government produced a decentralisation policy with the support of outside agencies, particularly the United Nations, which was tabled before Parliament for approval as government policy. It is obvious that the decentralisation policy is intended to influence the approach to local government administration countrywide. At the time of conducting this research, the national government was considering the modalities of implementing this policy, enacting a new statute that would replace the Urban Government Act, 1969, already referred to above.

At this point it is appropriate to comment briefly about the provisions of the constitution and the decentralisation policy that are of relevance to this research and their implications for local government administration in the country.

2.8.1 New Constitution

The new Constitution replaces the 1968 independence Constitution, which was repealed through the King's Proclamation to the Nation of 1973. There are a number of provisions in the new Constitution relating to local government. It can be argued that as in other countries, the Swaziland Constitution espouses the values of public administration that have to be given effect through the enactment of laws and the creation of the relevant structures that would in turn deliver services that meet the needs and aspirations of the people.

As an illustration, Chapter V of the Constitution, subsection 58 (1) and (2), articulates the values of public administration:

"Swaziland shall be a democratic country dedicated to the principles which empower and encourage the active participation of citizens at all levels in their own governance.... In the conduct of public affairs the state shall be guided by the principle of decentralization and devolution of government functions and powers to the people at appropriate levels where they can best manage and direct their own affairs".

According to the Constitution, the system of government for Swaziland is to be a democratic and participatory system, which emphasises devolution of state power from central government to *Tinkhundla* areas, and individual merit as a basis for election or appointment to public office.

2.8.1.1 Local government system

The Constitution provides that Parliament shall provide for the establishment of a single-country wide system of local government, which is based on the *Tinkhundla* system of government, hierarchically organised according to the volume of the complexity of service rendered and integrated so as to avoid the urban/rural dichotomy. It is suggested that the primary objective of the *Tinkhundla*-based system of government is to bring government closer to the people so that the people at sub-national level or local community level progressively take control of their own affairs and govern themselves. Local government is expected to be organized and administered, as far as practicable,

through democratically established regional and sub-regional councils or committees. This provision is to be interpreted to mean that there will be local government institutions established in accordance with the provisions of the Act governing local government matters.

2.8.1.2 Local government areas

The constitution provides that Parliament shall provide for the division of Swaziland into as many local government areas as the Elections and Boundaries Commission may from time to time recommend. In defining local government areas the Commission may integrate urban and rural areas where necessary; take into consideration – the population, the physical size, the geographical features, economic resources, the existing or planned infrastructure of area with a view to ensuring that a local government area is, or has the potential for becoming economically sustainable; a town may be divided into two or more areas of local government; such local government areas maybe rural or urban or partly rural and partly urban subject to the recommendations of the Commission; (Swaziland Constitution, section 219).

2.8.1.3 Duties of a local government authority

The constitution (section 221) provides that the following will be the functions of a local government institution:

- to ensure in accordance with the law the efficient management and development of the areas under jurisdiction
- to protect life, public property, improve working and living conditions, promote the social and cultural life of the people, raise the level of civic consciousness, preserve law and order within its area, and generally preserve the rights of the people of that area
- organise and promote popular participation and co-operation in respect of political, economic, cultural and social life of the area under its control.

2.8.2 Decentralisation Policy

As noted, whilst the study was in progress, the government initiated a new policy on decentralisation. The country's decentralisation programme requires the enactment of a new statute or statutes that must be in conformity with the country's new Constitution. It is envisaged that to bring the policy into effect, two pieces of legislation – the Local Government Act and Local Government Planning, Budgeting, Finance and Audit Act – will have to be promulgated.

The government policy on decentralisation accepts the need for commitment to participatory approaches and methods and capacity building to facilitate and

enhance efficient and effective quality service delivery at the decentralised levels within a good governance framework embedded in the management culture at all levels. As stated in the policy document:

" the goal is to provide an enabling environment for promoting and enhancing sustainable and participatory local and national economic political and social development within a decentralized governance framework and is based on the fundamental principles of subsidiarity, empowerment, responsibility, partnership, connectivity, accountability, transparency, effectiveness, participation, consensus, democratic representation, and respect for the rule of law" (GOS: Decentralisation Policy, 2006:8).

The writers of the policy noted that the new policy which amounts to a promise to ensure efficient service delivery and equitable development amongst communities in the region is premised on the fact that authority, responsibility, resources, decision making, and service delivery mechanisms and processes were and still remain centralised and not immediately accessible to the majority of the population, particularly in the rural areas. Furthermore, there is inadequate and inequitable distribution of resources mainly between the urban and rural communities and populations (GOS: Decentralisation Policy 2006:).

According to the policy, devolution is to be effected gradually and incrementally to local government. There are four levels (types of institution) mentioned in the policy – the regional, *inkhundla*, chiefdom and urban government levels. It is envisaged that a number of co-ordinating bodies shall be established to facilitate the implementation of the decentralisation programme. The Regional

Administrator is expected to assume greater responsibilities similar to that of Provincial Premier. The Local Government and Decentralisation Act mentioned above is expected to articulate the following broad legal provisions: (Decentralisation Policy:2006).

- ❑ definition of local government,
- ❑ determine the home ministry for local government
- ❑ factors to be taken into account in the demarcation of local government
- ❑ objections to demarcation proposed
- ❑ local government elections to coincide with the national elections
- ❑ devolution of functions from central government to decentralised institutions
- ❑ powers, election, membership, vacation, qualification and regulations, accountability, auditing, control and supervision of local government authorities.

In summarising this section on new developments, it is worth highlighting the fact that the social and political environment in Swaziland as in any other country is in a state of flux, always changing, al-be-it in a gradual and incremental fashion. In this case, research therefore must be cognisant of the changes particularly those that take place in the political environment (new policies on decentralisation) and those that take place in the legal environment (constitutional and statutory changes), since those changes will inevitably have a bearing on the future of local government.

The following observations can be made about the implications of the new Constitution. The new constitution imposes an obligation on the government to effect legislative amendments. Thus, if the Constitutional provisions are given effect, there will in the future possibly be two new statutes, replacing the current one. The first will deal with the issues already mentioned in the foregoing paragraphs, e.g., functions, powers of local government, elections, demarcation of boundaries and so on. The second will deal with the financial aspect of local government. An observation that can be made is what appears to be a central contradiction in the Constitution about the nature of the proposed local government. It would appear from the provisions of the constitution that the framers of the constitution were obviously aware of the problems associated with the dual nature of the system of local government and hence they articulated, as part of the provisions of the Constitution, the need to create a single countrywide system of local government. At the same time the Constitution provides for both types of local government – urban government and local government in rural areas.

The decentralisation policy adopted by the government contemplates a higher level of devolution. Regarding the devolution of power, the present research will comment only about situation up to the end of 2005. It is beyond the scope of the present research to determine whether the government will succeed in sharing power with local government in the urban areas.

The constitutional provision section relating to administration of local government areas states clearly that local government in the country is to be: *rural* or *urban* or *partly rural* or *partly urban*. Thus, both types of local government (urban and rural) are provided for. Given the nature of the constitutional provisions as well as the political and cultural realities of the country, local government in Swaziland will continue, for the foreseeable future, to be dual in nature, consisting of both urban government (municipal authorities) and local government in rural settings.

A significant provision of the Constitution relates to the composition of local government. The Constitution provides that an area shall be administered by an elected or appointed or partly appointed council or committee, as Parliament may prescribe; and subject to re-election or reappointment, the term of office of a council or committee shall be similar to that for members of Parliament. It may be surmised that the provision relating to elections, will be taken on board in the new Acts still to be formulated, and that the election of council members (councillors) will apply specifically to local government in the urban areas and not the rural areas (Swaziland Constitution, section 220).

In addition given the socio-political and economic realities of the country, the provisions relating to power to raise revenue, to levy and collect taxes, rates, duties and fees (Swaziland Constitution, section 222) can be understood to refer

to urban government given that the Tinkhundla cannot at least for the foreseeable future be expected to perform these tasks.

2.9 PROFILE OF THE RESEARCH SITES

2.9.1 Manzini City Council

The city of Manzini is situated at the centre of the country, in close proximity to the industrial site of Matsapha, and 40 km away from Mbabane, the capital city. Manzini serves as the regional Head Quarters of the Manzini region as well as the major commercial centre in the country. Because of its strategic location, Manzini has, since independence grown in leaps and bounds witnessing rapid development in terms of infrastructure.

The Manzini region is the most populous of the four regions in Swaziland, with 30,3% of the country's population and is also the most urbanised, with 32% of the population resident in the urban areas. The population of Manzini including the adjacent communities is 70 000, whilst the population of the urban area (the Manzini municipality) stands at 31 382. The city covers an area of 2 447 hectares.

The city of Manzini has most of the characteristics of an urban area as stated, for example, in Cloete and Thornhill (2005):

- ❑ parts of it, known as suburbs, are reserved for division into building stands which are numbered and on which houses, churches and shops are built;
- ❑ parts are reserved for streets and pavements
- ❑ parts are set aside as parks, sports grounds and cemeteries;
- ❑ parts are zoned as business areas, and there is a central business districts (CBD)
- ❑ parts are divided into industrial sites on which factors may be built; and
- ❑ parts are set aside for the construction of public buildings such as schools, municipal facilities, government buildings such as police station, prisons, magistrate offices and railway stations.

In the vicinity of the city of Manzini are peri-urban areas and informal settlements, with large populations. This population is considered to impose a heavy burden on the inhabitants of the urban area under the jurisdiction of the Manzini City Council because it, directly or indirectly, benefits from some of the services offered by the City council of Manzini.

2.9.2 Nhlngano Town Council

The town of Nhlngano is located in the southern part of the country, close to the border with South Africa. The town of Nhlngano has an estimated population of 4 000, a figure which is multiplied six times during the day when people from the rural and peri-urban areas visit the town for commercial and other reasons. The

building blocks of a town at Nhlanguano were laid during the colonial period. Then, the town was given the name Goedgegun. Under colonial rule, Goedgegun was not one of the strategic towns because unlike Manzini, which was a central urban area and a major European settlement, the former was a peripheral town in the south.

The single most important historical event about this town is that it was the site for the landing of King George VI of Britain, the Queen, and their daughters Elizabeth (presently the reigning Queen of England) and Anne during their tour of Southern Africa in 1947. As part of his tour, the King of England and his entourage came to Swaziland, then a British protectorate, where they met Sobhuza II, the King of the Swazis, at Goedgegun. At independence the town was renamed Nhlanguano, which means 'the meeting place', to honour and celebrate the above royal visit.

The Urban Government Act, 1969 paved the way for the minister to appoint town boards. Accordingly, town boards were created for the town of Nhlanguano along with other towns in Swaziland (Hlatikulu, Piggs Peak, Mankayiyane, Lavumisa, Siteki). As pointed out earlier, the Urban Government Act replaced the Town Management Proclamation, which had applied mainly to the bigger towns in Swaziland, Mbabane and Manzini. In 1993, the town of Nhlanguano, shed its 'board' status and assumed that of 'council', along with Piggs Peak, and Siteki.

The distinction between town council and town board is one based on the degree of autonomy enjoyed by the urban local authority i.e. town councils have a degree of autonomy whilst town boards are mere agents of national government. The example of this would be that town councils have a measure of discretion to recruit junior staff without reference to central government whilst town boards often rely on staff seconded from central government ministries. Thus, in the normal course of events, town boards must evolve to assume the status of 'town councils' and town boards may be created in new towns. Indeed some of the towns that were designated as town board areas in 1969 (such as Nhlango) have, over the years, evolved to assume the status of town councils and new town boards have been created in areas recently declared as towns (such as Ezulwini).

2.9.3 Mankayiyane Town Board

Mankayiyane, a small town located in the Manzini Region and run by a town board, exhibits features that are distinctly different from those of the other two urban areas already described above. It is a town that is very much at an embryonic stage. There is no major activity that drives the local economy, such as for example factories or agro- business. There is, however, some commercial activity such as shops and a few government buildings such as a hospital and police station.

A significant feature of the town of Mankayiyane is its location in a predominantly rural setting. The small town is surrounded by a number of chiefdoms, communities which are outside the town's jurisdiction and which are administered under the country's *Tinkhundla* system. The town of Mankayiyane serves as the best example of an urban environment in Swaziland where the country's modern and traditional institutions of government converge. This is because the town board of Mankayiyane has to manage its affairs in a modern manner, using Western systems, in a locality where adherence to culture and traditional systems is still a dominant way of life.

2.10 FUNCTIONS AND RESPONSIBILITIES OF LOCAL AUTHORITIES

Local government has been recognized in the Constitution of the Kingdom of Swaziland. In terms of section 222 (1) - (5), a local government authority is expected to ensure the development of the areas under its jurisdiction, promote popular participation and co-operation in respect of the political, economic, cultural and social life of the area under its control; and depending on its level of development, determine, plan, initiate, and execute policies, taking into account the national policy or development plan. From this it can be deduced that local government in Swaziland is in the forefront of service rendering. The responsibility of meeting the objectives of local government, set out in the Constitution, rests with the 12 designated urban local authorities in the country, of which two are city councils (Mbabane and Manzini), three are town councils

(Nhlangano, Piggs Peak and Siteki), and seven are town boards (Mankayiyane, Hlatikhulu, Lavumisa, Matsapha, Ezulwini, Ngwenya, and Vuvulane).

2.10.1 Functions and Responsibilities

The following illustrates what the functions of local government in Swaziland are. The specific functions and mandate of the municipal authority derive from the provisions of the Urban Government Act No. 8 of 1969.

Box 2.1 Functions and responsibilities of a municipal authority

- ❑ controlling, managing, and administering the council,
- ❑ maintaining and cleaning all public streets and open spaces vested in the council or committed to its management and restraining all public nuisance,
- ❑ safeguarding public health and providing sanitary services for the removal and disposal of all kinds of refuse,
- ❑ establishing or taking over and maintaining, subject to the extent of its resources, all public utilities service which it is authorized or required to maintain under any law and which are required for the welfare, comfort or convenience of the public,
- ❑ managing and developing, all land/property owned or leased by the council,
- ❑ creating an environment conducive to private sector investment and development
- ❑ establishing or taking over and administering, subject to the extent of its resources, housing schemes for the inhabitants of the municipality, and
- ❑ generally promoting public health, welfare and convenience, sanitation, and the amenities of the municipality.

Source: Urban Government Act, No. 8, 1969

The above are services that need to be tailored to the needs and circumstances of the urban residents. Whilst it is possible for these services to be provided centrally, it is considered that local authorities, are well placed to strike the balance in terms of meeting national policy goals and fulfilling the particular needs and aspirations of the locality precisely because local government is the level of government that is closest to the people, and therefore is in a stronger position to act in a more efficient, effective, responsive and accountable manner than national government.

An observation that may be made about the above functions is that local government in Swaziland does not perform many of the functions that are widely accepted in developed countries as core local government functions, such as education and health. In Swaziland these functions are discharged by the national government.

A critical examination of these functions also reveals the outdated nature of the Urban Government Act, 1969 in the sense that many of the responsibilities outlined above have since been taken over by public enterprises. Public utilities, for instance, are the domain of public enterprises such as the Water Services Corporation, the Swaziland Electricity Board whilst the Swaziland National Housing Board is responsible for housing. Thus, the growth of public enterprises in the post-independence era in Swaziland witnessed the gradual erosion and

depletion of some of the functions of local government. This is a particularly significant point because the functions that would potentially generate more income are performed by public enterprises and not by local government. This is considered as the main reason why local government is unable to generate sufficient income.

2.10.2 People in local government

The Urban Government Act, No. 8, 1969 of Swaziland and the Constitution of the Kingdom of Swaziland (section 221) provide for local government elections, a process whereby the urban community elects, as councillors, individuals from the locality who have been nominated and have agreed to stand as candidates. In terms of the aforementioned section of the constitution, a local government is to be administered by an elected or appointed, or partly elected and partly appointed council or committee as Parliament may prescribe (through the relevant legislation). It may be noted at this point that a new statute will, in all probability, be enacted in the future to replace the Urban Government Act of 1969, as required by the Constitution. However, it is expected that any future local government legislation will, in keeping with the letter and spirit of section 221 of the Constitution, continue to provide for elected councillors, and quite possibly for appointed ones as well, for this level of government.

The elected and/or appointed councillors represent the political component of the council. In addition to councillors, the Urban Government Act, 1969 and the municipal authorities' policies and procedures provide for the employment of members of staff to perform a variety of administrative roles as part of the responsibility of serving the community. The members of staff represent the administrative wing of the municipal authority.

The Town Clerk or Clerk to Council is the administrative head of a municipality and is supported by other members of staff who report to him. The size of the workforce of a municipal authority varies according to the size of the organisation. Thus, city councils have more staff than town councils whilst the latter, invariably have more staff than town boards (Annual Reports: Manzini, Nhlanguano, Mankayiyane. This position will become clearer in the discussion of staffing in the three selected municipal authorities of Manzini, Nhlanguano and Mankayiyane, which will follow shortly. At this stage the research turns to a consideration of the functions of local government, drawing from the experience of the three selected municipal authorities.

2.10.3 Functions of major role players

Municipal bodies as corporate bodies, when constituted become juristic persons with specific powers and capacities. They are under the direction and control of an elected council (in Swaziland the council also includes a small number of ministerial appointees). The activities within the different municipalities can be

classified into four distinct categories. The activities are – political executive, administrative, and operational.

Box 2.2 Functions and activities in a typical local authority

- a. The political area - embodies the senior local officials who formulate policy and are directly accountable to the community for all decisions made in respect of that policy.
- b. The executive area - embodies the senior local government officials within the municipalities, including the clerk and departmental heads who act as policy adviser on policy initiatives and amendment to existing policy.
- c. The administrative area – embodies those municipal officials who hold middle-management positions and are primarily responsible for the administrative functions
- d. The operational area - embodies the officials at the lower levels of the hierarchy that have a responsibility to give effect to the designated work in order to achieve the objectives and resolutions of the political representatives and executive officials.

Source: Cloete, 1997:46-51; Fourie, L. 2000:37-38

It can be deduced from the foregoing observations that in Swaziland, as in other countries, there are three main role players in local government administration and management.

- *Councillors* - they represent the political wing of a municipal authority. At present the majority of councillors are elected by the electorate in the various constituencies, which are referred to as wards;

- *Staff* - they represent the executive, administrative and operational wing of a municipal authority. As the local government employees, they are to be appointed on merit and in accordance with the procedures set out in the municipal authorities' terms and conditions of employment; and

- *Community* - this refers to the inhabitants i.e. the customers of local government. They are the inhabitants of the areas designated as towns and include all ratepayers (individuals, companies etc).

It is important to briefly consider the responsibilities of the major role players in local government, drawing from the experience of the city council, town council and town board of Manzini, Nhlengano and Mankayiyane respectively.

(a) Role of Councillors

Whilst serving their term as the elected representatives, which currently stands at two years, councillors are expected to provide policy guidelines for and govern the local authorities. This places councillors in a unique position to respond to the needs and aspirations of their community, ensure that public services are delivered efficiently and effectively. In addition to this, whilst in office, councillors have an important role to play in terms of providing the kind of leadership that assists in developing and sustaining thriving urban communities.

The new orientation towards performance requires that councillors focus on achieving results and search for innovative ways to improve the quality of services in order to achieve excellence and value for money. Councillors have a responsibility to ensure that wherever their clients live (which in this case are the areas designated as urban and falling within the authority's jurisdiction) they have access to good quality services, delivered in a responsive, equitable and accountable manner.

(b) Role of Staff

The council has an administrative component headed by the Town Clerk. The Town Clerk leads a team (executive) composed of heads of department. In Manzini, for instance, the council currently has the following departments: clerk to council, human resources, environment and health, planning and community development, engineering and treasury. The members of staff in the various departments (constituting the administrative wing and operational wing of the municipality) must, just like their political masters, the councillors, work towards the realisation of the goal of service delivery. However, the town council of Nhlangano has fewer positions compared to Manzini. It is noteworthy that some of the staff e.g. the town engineer for Nhlangano had been seconded by the national government due to problems of capacity in the town council. There were even fewer positions in the Town Board of Mankayiyane.

2.11 CONCLUSION

This chapter has reviewed the decentralisation process, in particular the initiatives taken by the national government to meet the desired objective of sharing power with local government. This chapter considered at length the experience of Swaziland. The discussion reveals that a major feature of public administration on the African continent immediately after political independence was the tendency towards centralisation of governmental administration. In British territories, the colonial government's attempt to introduce some form of decentralisation had not yielded the expected positive results such that at independence, by and large, government administration was centralised. Upon the attainment of independence, new factors emerged to warrant a review of the way governmental structures were organised.

The decentralisation process derived impetus from at least three forces: firstly, from disillusionment with the results of centralism; secondly, from the growing realisation that as societies became more complex and government activities continue to expand, it becomes increasingly difficult to administer all the affairs of the state as well as deliver services effectively and efficiently from the centre; and thirdly from the implicit requirements for new ways of managing development that takes into account the need for good governance, including popular participation in decision making to empower people at the grassroots level.

The discussion shows that to a large extent, Swazi society is predominantly traditional and conservative in that traditional norms and values permeate almost the entire fabric of the society. Traditionalism is the cornerstone of the governmental system, an official ideology whose origins date back to the early beginnings of Swaziland and the nation.

The *Tinkhundla* system, at its core, is designed to facilitate the practice of both Western and traditional styles of government, in a country where development is pursued following the political philosophy of traditional leadership. The dualism that characterises the governmental system is an enduring legacy of colonialism; it derives from colonial policy in Swaziland, which permitted the existence of a parallel structure of administration consisting of the British colonial administration and the traditional authority system. At independence, the dualism was retained and it is likely to continue for years to come, as it has been the case for more than thirty-six years now.

Swaziland found it appropriate to adopt administrative reforms to improve service delivery. Decentralisation is the main strategy that was adopted to facilitate the efficient and effective delivery of services, promote local self-government as well as advance the goal of socio-economic development. Accordingly, a great emphasis has been put on developing local government in the country. In Swaziland, local government is the second level of government.

The dualism that is such a dominant feature in the political landscape in the country is clearly manifest in the local government system that emerged from the enactment of the Urban Government Act, 1969 and the Establishment of Parliament order 1978 as amended in 1992. The architects of the decentralisation programme in Swaziland constructed a system of local government consisting of the modern municipal authorities found in urban areas and *Tinkhundla*, which is the traditional system found in rural areas mainly.

The dualism that characterises local government is firmly entrenched in the country's political and constitutional dispensation and deeply embedded in the social and cultural values, such that it is unlikely to disappear even with the coming into effect of the Constitution. In fact the constitution is drafted in a way that provides for the diverse nature of the local government system, notwithstanding the reference to a single countrywide system of local government. The decentralisation policy document itself makes reference to four levels of local government - regions, *inkhundla*, chiefdom and urban government. In a unitary state this comes down to the simple fact that there are two levels of government, the national government and the local government. The latter is organised in such way that there are two types - rural and urban.

The importance of local government institutions in Swaziland as in other countries is derived from their responsibilities of service provision. Local government institutions, from this perspective, are the providers and administrators of basic services in specified areas or localities, intended to meet

