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PRESIDENT(UCASA)

THE CONVENTION FOR A DEMOCRATIC SOUTH AFRICA (CODESA) : WORKING GROUPS :

The Urban Councils Association of South Africa (UCASA) congratulate (CODESA) in combating the problems of long standing of apartheid in this country of South Africa to bring together all groups to peace treaty.

Therefore, Urban Councils Association of South Africa (UCASA) submits its proposals to the Working Groups of (CODESA) as Interest Group.

(UCASA) is committed to peaceful reform and negotiation of Good Local Governments. We say in our submission and good wishes to CODESA. Ending apartheid, sanctions and disinvestments and creating a constitutional democratic Republic that allows the people to direct, protect and correct themselves. Is a blessing.

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C.M. KOEKOE(MR)
President (UCASA)

THE URBAN COUNCIL ASSOCIATION OF SOUTH AFRICA (UCASA)

Is a long standing Organisation representing all leaders, Councillors in Black Local government. It is my belief that (UCASA) as Legal representative Organisation of all Black Councillors of Local Authorities Established under the Act 1982 (Act No. 102 of 1982) though apartheid structure.

Local government is a democratically elected, autonomous tier of Government, which within its own area of jurisdiction is in each case vested with legislative executive and fiscal authority, and must be laid down in the constitution and entrenched. A national Local Government Act, which must be a product of the (National) constitutional negotiation process must establish the broad principles and structural framework of local government. Not to be exposed to vandalism and attacks, unceremoniously.

Urban Councils Association of South Africa (UCASA) is registering as interest group that the terms of reference of working Groups to investigate and report upon all proposals, as follows. It is our submission to (CODESA) that because of this feud between Blacks has not only rendered inactive but has also lost touch with the real issues at hand, not recognition but to work for national unity through co-operation to break the barriers of tribalism and ethnicity, not only among the population but also among the different member groups.

We say the earth is the Lords' and He is the giver of every good and perfect gift. And God is the impeccable integrity and total commitment to the definition and purpose of man. When we say we know God loves us, we are saying we know that God has impeccable integrity and total commitment to our definition and purpose. Others may not have it but God does. This is why we put our total trust in God. We obey and serve Him with our spirits, minds, emotions and bodies, because when we please him, He is pleased to give us our freedom and every perfect thing that we need. When we do not please Him we are not in the superior position and we can not guarantee our people their freedom.

(UCASA) say how do we end apartheid? Not by murder, not by sanctions but by confessing our errors. In the first place those who erected apartheid obviously didn't know the truth and those who obeyed the rules and regulations of apartheid obviously didn't know the truth either. For freedom is a two way street. We should never allow ourselves to be lifted up in pride and put our privilege advantages wants and desire above the health, interest rights and needs of others. On the other hand we should neither demean ourselves and allow others to put their privileges, advantages, wants and desires above our health, interests, rights and needs.

Apartheid was /...

Apartheid was an agreement of the Governors, who didn't know the truth or who didn't live it. However, it can not be radicated by punishment pressure or murder. The Black Local Authority Councillors are assimilated into the structure by Act of Parliament. We say as (UCASA) Black Local Authorities as structure of apartheid are also negotiable. We would like not to lose our identity as equal partners in the co-ordination of Local Authorities not as a "dormitory", towns in Black communities.

LOCAL GOVERNMENT REFORM :

The Urban Councils Association of South Africa (UCASA) wholeheartedly supports the processes of reform and nation-building in a new South Africa. (UCASA) commits itself to the ideal of a negotiated new constitutional dispensation and pledges its full co-operation to realize this ideal. (UCASA) insists that any new constitutional dispensation at both the national and local levels of government, must accommodate the values, interest, and beliefs of the citizenry (the governed).

(UCASA) say, and commits itself to the standpoint that the environment in which Black Local government functions (viz. its social, physical, economic, and political environment in racially segregated communities without viable financial bases) is unjust and an insult to the South African Society.

(UCASA) holds the view that the establishment of racially intergrated structures of Local government for racially segregated communities, which the political system and governmental structures at the national level are still racially segregated, is a highly controversial, conflict prone, and complicated issue which would relegate Black Local authorities of the status of junior partners in the negotiation for local reform.

(UCASA) say, is especially concerned about the fulfilment of the political aspirations of a citizen who enjoy no political rights at the national level; whether such aspirations can be realized and accommodated at the local level; and effect this could have in a joint system of local government in which the other parties enjoy full rights and participation at the national level.

(UCASA), therefore commits itself to fully intergrated system of local government once fully intergrated local communitive (in the political economic, and social sense) and especially full political rights at the national level, have been realized, as an essential pre-requisite for an acceptable, equitable and workable system of local government.

Urban Councils Association of South Africa:

(UCASA) opts for an evolutionary approach to reform, a radical intervention in and transformation of the existing systems prior to the emergency of a constitutional framework at the national level could indeed enhance the potential for conflict.

(UCASA) commits itself to a transitional phase of a "federal" option at the local level (or dual-level local government) based on combined or linked mechanisms of joint structures to accommodate the values interests and beliefs of racial groups.

We say and insists that the discriminatory system grading of Black Local Authorities (vis-avis white, coloured and Indian local authorities) resulting in the lower status and bargaining power of Black Local Authorities. Councillors and staff, be corrected before entering into negotiations with other local authorities. (If this basic issue of blatant discrimination cannot be resolved immediately serious doubts will remain about the sincerity of the Government in respect of Justice and equitability).

(UCASA) say and insist on full participation by Black Local Authorities in the processes of identifying local interest group leaders to be involved in the negotiation process.

We say and insist that check and balances be build into the negotiation processes and ensure that democratically elected Councillors are not dominated by "appointed" interest group leaders whose local interest are already represented by the elected Councillors in terms of Act 1982 (Act No. 102 of 1982).

We say that surplus capacity, staff, equipment and other assets be carefully analysed and specified and the sharing of such assets be determined before entering into agreements for joint Local Government. Furthermore that the financial benefits and costs for Black Local Authorities entering into agreements for joint systems of local government be thoroughly analysed and spelled out beforehand.

(UCASA) say and insists that the sharing of social cultural, economic, health, educational and other amenities be formally agreed to before entering into agreement for joint system of local government.

(UCASA) urges Working Groups of (CODESA) to take note of the needs for traditional administrative skills (with the emphasis on officeholding, routine services and control functions), in developed white towns on the one hand and the

special skills /...

special skills (the management of economic development, social change, the redistribution of wealth, status and conflict resolution, etc.) required to manage and develop underdeveloped "dormitory" towns in Black Communities, on the other hand. Joint systems of administration dominated by officials of the first mentioned type are recipes for frustration and conflict in Black societies the record of white local authorities administering Black Urban Communities is not an exemplary one.

(UCASA) say that government reform at the local level should be guided by the principles and criteria of good Local Government and not by political expediency.

A NEW DISPENSATION FOR LOCAL GOVERNMENT

Many arguments have been put forward concerning the envisage new dispensation for local government - good ones and bad ones. Most of these arguments are based on two premises or considerations, viz. dismantling of apartheid and resolving the financial crisis in local government.

The intentions are highly commendable, but they are based on false premises.

The ultimate test for local constitutional reform and change is GOOD local government. And good local government is determined by the extent to which local government reflects and accommodates the values, interests and beliefs of local citizens.

The arguments for reform in local government fail this test. They do not address the fundamental issues, viz. the criteria for GOOD local government, inter alia :-

- promoting local interest
- promoting citizen participation (quantitatively and qualitatively)
- promoting democratisation at the grassroots level
- bringing the government closer to the people
- bringing the people closer to government
- ensuring basic freedoms (within the context of community life)
- dispersing political power

- accommodating communal differences
- promoting local identity as essential building blocks for nation building.
- eliminating discrimination (in the more subtle and hypocritical sense)
- preventing domination
- protecting local community life
- promoting the devolution of power to the grassroots level
- facilitating decentralisation
- promoting political socialisation
- promoting legitimacy
- optimising citizen - leadership communication
- promoting administrative efficiency
- promoting localisation (Africanization) etc.
- promoting political stability
- generating support and allegiance (for the political system)

The arguments reflect a basically elitist and Western approach to local government. They ride roughshod over the values, interests and beliefs of local Black communities. They fail to take into account that Black local government is of very recent origin. They fail to take into account that Black local government functions in a constitutional vacuum in the sense that political representation is in effect limited to third tier government.

Another factor which warrants serious consideration is the system of local administration. Will a unified administrative system be tailored to the needs of developing societies? Are we moving away from a system of law-and-order - administration, which so often overemphasized outdated routines, rules, regulations, procedures etc.) towards a system of development administration (emphasizing development, reform and nation-building processes?) How relevant are classical

Western concepts/...

Western concepts and methods to administrators in developing societies who are called on to foster economic development, promote equality in the distribution of opportunities, wealth, power and status, to mediate and regulate conflict, to shape development policy choices, to guide and plan programmes of action, to promote social change, etc.

A stereotyped Western system of administration can indeed become a major retarding factor in the processes of development, reform and nation-building.

The relevancy of existing and future administration principles, practices and procedures in the context of the administration of developing societies warrants serious consideration - especially if it is to reflect the needs, values, interests and beliefs of developing societies.

Our aim is not to emphasize differences for the sake of differences. They are facts, they exist. They cannot be wished away or swept under the carpet. They must be taken into consideration in the planning of a new dispensation in local government.

Surely we strongly support local government reform and the elimination of discriminatory practices and eventual joint local government. We also strongly support the evolutionary path to reform. We do care about the values, interests and beliefs of our people. Our objective is GOOD local government.

In addition, I want to refer to the great author Peter H. Merkle in Political Continuity and change when he says "I quote : democracy and equality in modern times. There is, perhaps, no other word in the political science vocabulary which is as frequently used, as crucial, and yet as ambiguous as the word "democracy" As a label for what system various nations possess or to what they aspire it has been immensely popular, at least since the days of Jean Jacques Rousseau.

Even Adolf Hitler at one time claimed to favour a system he linked to call "German democracy": leaders were to be freely Elected but, once elected, would enjoy absolute authority. There have since been many other such unlikely champions of democracy. Before Rousseau, and especially among political philosophers since Plato, democracy was very rare and generally condemned as something closely akin to mob rule or anarchy.

The Urban Councils Association of South Africa(UCASA) say let us begin with the issue of freedom. Freedom is the right and responsibility of exercising the definition and the purpose for which one was created. How is this freedom attained? You shall know the truth and the truth shall set you free.