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Partie II Villes secondaires, confins et métropoles : l'innovation au cœur ou à la périphérie ?

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The demarcation of the cities' jurisdictions. Lessons from the South African municipal boundaries delineation process Les confins : du handicap à l'innovation ?

The demarcation of the cities' jurisdictions
Lessons from the South African municipal boundaries delineation process[1]

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In a process of territorial restructuring, there are potential disputes, which often reveal both local and national geopolitical challenges and issues. Two related questions concerning provincial and municipal demarcation are frequently at stake, firstly, the issue of the extent of administrative cities' hinterlands in terms of jurisdiction; and secondly the issue of political administrative leadership between cities fitted in a single territorial unit.

After presenting the theoretical hypothesis, this paper will focus on the issue of municipal delineation around secondary cities and small towns in post-apartheid South Africa.

Cities and local government demarcation: three main patterns

The geographical impact of local government restructuring is evident in the "changes effected in terms of relationships between function and area, and changes in the centre-periphery patterns associated with administrative space" (Barlow, 1995:386). Barlow emphasises the difference between functional and spatial change in the process of territorial restructuring: functional change takes the form of transfers between levels of government, between general-purpose and special-purpose government bodies, or between the public and private sectors; spatial change involves an increase or decrease in territorial fragmentation, boundary

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modifications, or locational changes with regard to administrative centres and service facilities.

There are numerous and significant advantages for a city to remain or to become a provincial or a local capital city. Firstly, there is the allocation of public services, infrastructures and civil servants by the central state. However, with the worldwide decline of the state capacities the significance of this aspect has been reduced (Badie, 1995; Barbier et al, 1995; Olowu, 2001). Secondly, the leadership of the capital city can exert its political and economic hegemony over the periphery (Gottmann, 1980; Reynaud, 1981). And thirdly, the capital city has the ability to manage the relationship with international agencies or donors (NGOs, MNCs, International agencies: WB, UNDP, FAO…) as place of mediation within its jurisdiction (Giraut, 2000). This is why the interests of politicians, bureaucrats, business leaders and civic associations often coalesce in order to attract political and administrative functions to their own cities.

On the other hand, there are some disadvantages in centrality, namely the investment which is linked to the obligation to provide and sustain central infrastructures, and the obligation to share resources with the periphery. While the authorities responsible for demarcation would support the need to share resources, this could be rejected by local councils.

Against this background, three main methods of managing the territoriality of cities can be identified:

1) The City/hinterland separation pattern

The legacy of a previous unequal system from medieval or colonial origin can separate the city, formerly ruled by a free "bourgeois" council, and the country, formerly ruled by an aristocratic power (Anderson, 1996; Mandani, 1996). In some federal European systems (Germany, Switzerland) the existence of city-states encapsulated in a large state are examples of the survival of this pattern (Coulbois and Jung, 1994; Leresche and Joye, 1995; Claval and Sanguin, 1997). At local level the former English boroughs or the renovated but still existing German Stadt Kreise also reflect this pattern (Wollmann, 2000), as do the African urban municipalities surrounded by tribal authorities (Jaglin and Dubresson, 1993).

There has been a revival of this conception of asymmetrical territorial administration with the contemporary worldwide success of administrative metropolitan areas, which is an expression of territorial complexity and possibly post-modernity (Barlow, 1997; Moriconi-Ebrard, 2000). In South Africa, for example, there are six main metropolitan areas which have their own local government separated from their regional hinterland.

2) The rationalized territorial administration pattern

A "wall to wall" demarcation with a single and centered urban administrative centre per unit. This pattern was very useful during the period of setting up the territorial administration of the nation states. The French Revolution and the Napoleonian system adopted and promoted it systematically (Ozouf-Marinier, 1989; Godlewska and Smith, 1994). However, the success of this model has been extended beyond the French sphere of influence. Numerous post-colonial states have used the pattern in order to control and manage the national territory, for instance Bangladesh in the 1970's and Ghana in the early 1990's (Mawhood, 1993; Razin, 2000).

3) The multi-centred pattern: Sharing centrality

A variant of the previous pattern was used frequently by the British imperialists as one form of indirect rule. The practice was that in one territorial unit the administrative functions were distributed amongst several localities in order to avoid centralization at one point. This could be an application of the "divide and rule" principle (Spate, 1942; Raffestin, 1980).

The South African background: using the three methods simultaneously

The South African approach to territorial engineering (Christopher, 1994), has simultaneously used the three patterns. More specifically, a heterogeneous demarcation and the city/hinterland differentiation with a segregative goal was used at different scales: white municipality and black township (formerly "location"), and at another level, urban area and homeland (formerly "Native reserve"). At the same time the rational model was used permanently by the Magisterial District which was the spatial tool of state administration. The establishment of the Regional Services Councils towards the end of the apartheid era was a desperate attempt at a regional level to institute rational territorial administration despite the homeland policy (Seethal, 1991). Historically, sharing the administrative and political functions between cities is illustrated by the existence of double or triple capital cities which started in the middle of the nineteenth century in the Cape Colony. Significantly, as this paper

will demonstrate, even in post-apartheid South Africa combinations of the above models have been used in the process of territorial demarcations and socio-spatial restructuring.

In the debate on provincial demarcation, the issue of the choice of provincial capital was at stake and rivalries between cities could occur (Gervais Lambony, 1996 &1998; Khosa et Muthien, 1998). The issue is still acute, especially in KwaZulu-Natal, between Pietermaritzburg and Ulundi (Maharaj, 2001) and in Eastern Cape with the political and economic decline of Umtata, former capital of Transkei (Siyongwana, 2002).

In the municipal demarcation process, the issue of choosing the local headquarters has appeared less problematic, except for some places at district level, than it was for the issue of demarcating the urban areas.

Transitional Local Councils: Urban units between integration and exclusion

In the apartheid era, the dual system of white municipalities and black local authorities (or homelands administration) ignored the functional unity of urban areas (HRC, 1992). The Transitional Local Council (TLC) experiment was an attempt to merge the different parts of the fragmented functional cities. For instance in KZN, TLCs were constituted by the merging of urban spaces established in terms of four different statutes: a) Local Authority Ordinance: the former white cities; b) Section 30: areas of ownership authorized for black people e.g. Inanda or Clermont in the Durban area; c) Section 33: municipal townships with Black local authority; d) Regulation 293: townships of the homeland of KwaZulu, which could be contiguous (e.g. Kwamashu or Umlazi in the Durban area) or quite distant (e.g. Esikhaweni in the Richard's Bay and Empangeni area).

Although the duration of the TLC was very short (5 years), it provides a unique opportunity to study the merger of functional cities separated during the apartheid era. The majority of the TLCs were constituted by mergers of former white municipalities and their official black townships. It is useful to discuss some examples of such mergers.

In the Western Cape, the Hermanus TLC consisted of the merging of the original town, several large seaside suburbs and black and coloured townships. The local tourist map continues to ignore the township of Zwelihle despite its location between the old town and the residential suburbs, but the administrative amalgamation was done easily. In the Eastern

Cape, the Grahamstown TLC amalgamated the white, coloured and black areas without disputes. In the King William's Town and the East London TLCs there was an amalgamation of the inner cities with the huge black townships and black settlements developed in the former Ciskei (Zwelisha, Bisho, Mdantsane).

If the townships were quite far away from the city, the TLC could be constituted in different blocks. For instance in KwaZulu-Natal, the small industrial town of Estcourt and the township of Wembezi, ten kilometres away on the other side of the N3 highway, were both parts of a non-contiguous TLC.

However, in some cases there was exclusion of some parts of a single morphologically functional urban area. For example, a huge part (Murchinson, Nsimbini tribal authorities) of the Port Shepstone agglomeration (south of KwaZulu-Natal) was excluded from its jurisdiction because of opposition from the traditional authorities and the IFP to amalgamation (Guyot, 2001; Harrison and Naidoo, 2000; Harrison & Williamson, 2001). But an institutional alternative emerged with the establishment of the "Sibambene Development Board", which comprised TLC elected leaders, tribal authorities and community representatives in order to organize service deliveries at the level of the urban area. Similarly, in the North-West province, the Mafikeng-Mmabatho TLC did not include the area historically called "The Stadt" as well as the south-western peripheral settlements because the ruling tribal authority refused to accept local municipal authority in their traditional jurisdiction.

Bekker's (1997) study of five eastern seaboard towns also illustrates contradictions linked to rural/urban dichotomies in the local restructuring process. The study relates how 17 small nearby villages (the Healdtown complex) were excluded from the TLC of Fort Beaufort at the request of the white ratepayers and voters of the former city council with the help of representatives from the townships. The intention was to demonstrate the "rurality" of these settlements, despite the protestations on the part of the local residents.

In Somerset West and Howick, the previous city councils endeavored to stay independent from the Cape Metropolitan area and from the Pietermaritzburg area, respectively. In both these cases the reason for this was the non-metropolitan character of the periurban locality as claimed by the local leaders. It was successful for the second case (Howick) but not for the

first one (Somerset West). Simultaneously as non-metropolitan local councils, Howick and Somerset West tried unsuccessfully to include surrounding farms areas into their jurisdictional zones. In some cases displaced urban areas were excluded from TLCs.

TLCs and Displaced Urban Areas

The issue of the displaced urban areas, which developed due to the homeland policy was still more complex. The distance to the dependant city was often between 20 and 60 kilometres. With such a distance, the displaced urban area begins to develop a functional autonomy in terms of services, activities and identity (Allanic, 2003, see article in these proceedings; McCarthy and Bernstein, 1996). The borders of these displaced urban areas were also not clear because they were characterised by informal settlements, low densities and mixed rural and urban forms (Graaf, 1986). Furthermore, some of these displaced urban areas could have been functionally dependent on two formal cities. Thus, the TLC amalgamation ignored almost all the displaced urban areas.

For instance in KZN, eSikhaweni which was located far away from Empangeni and Richard's Bay was not included in either of the two TLCs. Significantly, because of its location, there is now a dispute over the issue of the place of the toll plaza on the road between Richard's Bay and Empangeni. If the toll plaza is located to the east or to the west of the T junction with the road to eSikhaweni, the road link will be free between Richard's Bay and eSikhawini (mainly daily work relationships) or between eSikhawini and Empangeni (mainly weekly shopping relationships). At risk is the cost of transportation for commuters from eSikhawini but also the orientation of the commercial flows from the township to the shops of one or the other city.

Loskop in KwaZulu-Natal is close to the industrial town of Estcourt (20 km by railway and road). Simultaneously Loskop is functionally linked to the rural borough of Bergville (25 km away by railway and road) and the medium sized city of Ladysmith (50 km by road). So due to this typical location the displaced urban area of Loskop did not appear in any TLC.

The much debated issue of local development in Stutterheim, in the Eastern Cape is also an interesting example. It has been evaluated as a success story (Nel, 1994) and as a failure by others (Bond, 1998). These contradictory evaluations of the process are related to the issue of TLC boundaries. Bond (1998) maintains that the local development process in Stutterheim cannot be assessed within the perimeter of the TLC. He argues that despite the alliance

between the official townships and the former white municipality, the majority of the Stutterheim functional urban areas do not benefit from local economic development strategies. With a less radical conclusion, Donaldson (2001) makes a similar case for the process of the amalgamation of Pietersburg and Seshego (a township in the former Lebowa homeland now in Limpopo Province) into a single TLC: "In contrast to other former Lebowa homeland towns, Seshego 'benefited' most from the integration process, to the detriment of the traditional rural transition zone adjacent to Seshego" (Donaldson, 2001:213).

The Groblersdal experience is also a very significant case study. This white city is surrounded by large and populous settlements approximately 20 km to the north east and to the south west which were formerly located in two homelands: Lebowa and KwaNdebele. The opposition to the municipal amalgamation came from both the previous white local council and the tribal authorities from the former homelands. The issue was complicated by the provincial demarcation between Mpumalanga and Northern Province. Each stakeholder used the argument of Provincial affiliation in order to oppose the TLC merger. The result was the failure of all attempts to merge the town with the fragmented displaced black urban areas (Ramutsindela, 2001).

New Municipal Demarcations and displaced urbanization

The new local government demarcation process has been driven by the "wall to wall" principle in order to form large sized municipalities. So the doctrine of the Municipal Demarcation Act of 1998 is at odds with, and a radical departure from, the Local Government Transitional Act of 1993, which proclaimed the administrative urban/rural dichotomy. A key issue was whether the functional urban units (including those that were displaced) now fitted into a single municipality.

The Demarcation Board in the first phase of the process (1999) identified 11 potential "metropolitan council nodal points", the 6 previous metropolitan council areas and 5 which could be "regarded as aspirant Metropolitan areas": Greater Vereeniging-Kopanong; Greater Pietermaritzburg, Greater East-London; Greater Bloemfontein and Greater Richard's Bay. They were presented as conurbations including all the high density enumerated areas within 25 km around the nodal points of each conurbation. This means that the municipal areas of

the five "aspirant metropolitan areas" are constituted of large conurbations including displaced urban areas.

This was the case for some new municipalities. For example, the new municipality of East London now includes King William's Town with all the townships and the numerous border towns of the former Ciskei, including Bisho the capital city of the Province and former capital of the 'independent homeland'. The Mangaung Municipality (formerly Bloemfontein) includes the displaced urban and industrial areas of Botshabello and Thaba N'chu, the former enclave of Bophutatswana, which are both separate black urban areas 50 km to the east.

This was also the case for smaller municipalities such as the new Maluti Phofung within Harrismith which is now amalgamated with Phuthaditjhaba (former QwaQwa Capital), which is located as a "cul de sac" against the Lesotho border with a direct access route to Harrismith. Groblersdal stands now in a Cross Boundaries Local municipality which includes the small white town, its separated township (Motetema) and the settlements of former Lebowa (Tafelkop) and KwaN'debele (Moutse 3) (Ramutsindela, 2001).

However, such mergers have not been the norm in KwaZulu-Natal, due to the municipal autonomy of displaced urban areas or informal peripheral settlement which were ruled by traditional leaders close to the IFP and who were opposed to the amalgamation with adjacent local councils, especially if it was controlled by the African National Congress. The resistance of traditional authorities to the demarcation process is an expression of the political opposition between regionalist and centralist parties with their rural and urban support base in Kwazulu-Natal (Crouzel, 1999; Ramutsindela, 2001). In fact the political survival of traditional leaders demands a demarcation that does not divide their jurisdictions and which does not include them in an area where traditional authority could be undermined.

The new municipality of Estcourt (Umtshezi Local Municipality, less than 50 000 inhabitants in 1996) is demarcated to the west by the township of Wembesi. All the western populous settlements at the foot of the Drakensberg mountains are functionally linked to the town, including the displaced urban area of Loskop station, are ruled by traditional leaders and they constitute an autonomous municipality (Imbabazane Local Municipality, more than 110 000 inhabitants in 1996). The two municipalities are ruled by the IFP and the official physical

address of the mayor of the Imbabazane Municipality is Ladysmith! These trends suggest that the rural/urban political opposition is actually quite complex.

Richard's Bay is another example of a very complex situation. The new municipality (uMhlathuze) is the amalgamation of two cities (Richard's Bay and Empangeni) and a displaced township (eSikhaweni) that constitutes the link between the two. The informal townships situated north of Richard's Bay are not included, because of the political issue of traditional areas and also because of the sharing of tax resources from the big companies in the town. This is due to the fact that the Richard's Bay Mineral mining site is located in the neighbouring rural municipality (Mbonambi). More generally, some peripheral industrial, mining or tourist places are thus not included in an urban municipality in order to provide some financial resources for a rural municipality. It is therefore evident that in this new phase of demarcation, the issue of rural/urban dichotomies still feature strongly, despite the fact that the principle of the amalgamation was accepted.

Many farmers' associations made desperate attempts to stay outside the municipal system and were against local government in rural areas. For instance, the Weenen and District Farmers' Association asked for the exclusion of all agricultural areas from the Weenen municipal areas because these farming lots do not receive any services. A key concern was the costs associated with municipal rates. Other farmers mobilized to stay outside the major metropolitan areas and preferred to be included in a simple local municipality. For instance, the United Farmers' Association of Cato Ridge pleaded for recognition of rural reality in terms of activity and type of service delivery. According to the Association "Category A[1] municipal services would be inappropriate and not affordable in these sparsely populated areas where the average annual income includes the poorest of the poor". Also, "urban and peri-urban by-laws are inappropriate in rural areas, and would be almost impossible to administer. e.g. The number of dogs/cattle/chickens etc allowed". The increase in crime contributed to the decline of industrial activity in the region and opportunity for development linked to agriculture and eco-tourism. The Association argued that "by-laws need to be aimed at rural development to facilitate agriculture and eco-tourism and would be complicated by category A municipal by-laws" (Letter from the United Farmers' Association to the Chairman

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1 Category A refers to the one tier system of metropolitan municipality, categories B & C refer to the local municipality and district municipality which constitute both a two tier local government system outside the metropolitan areas.

of the Municipal Demarcation Board, 30 September 1999). The entire area was presented as a rural complex, which was polarized in administrative terms by the Magisterial District headquarters of Camperdown far away, but the huge displaced urban area of Mpumalanga in the neighborhood was ignored. The struggle of farmers against metropolitan inclusion was similar to that of the tribal authorities.

So the new local municipalities mainly deal with the geopolitical issue of functional urban areas including or not displaced urban areas and rural periurban areas. The TLCs rather dealt with the geopolitical issue of morphological urban areas in trying to define the city as a whole with its different fragments. In both cases, the issue of competition between cities for political leadership is not crucial because the debates concern a functional area and its hinterland. Nonetheless, it could appear for few cities when they are included in the same local municipality: Richard's Bay and Empangeni (uMhlathuze Municipality); King William's Town and East London (Buffalo City); Welkom & Virginia (Matjhabeng Municipality), Nelspruit & White River (Mbombela Municipality).... But all these cases are in the process of constituting conurbations in the context of metropolization. According to this process, the Municipal demarcation board has created municipalities shaped for including these conurbations and not for including two different cities in a single municipality. So, for these places and few others, the Demarcation Board has planned to transform the actual local municipalities in metropolitan municipalities (Sutcliffe, 2002).
Actually, the study of potential rivalries between separate cities needs to shift to higher levels of local government.

The new district dispensation: looking for a new generation of headquarters?

The study of the new district demarcation and of the determination of their headquarters offers a third scale of analysis. It deals not only with rural/urban relationships but also with city to city relationships as the provincial demarcation process did at upper level.

In the new South African territorial dispensation, the district will be the tier for rural local development and the urban headquarter will certainly be the place of mediation and exchanges between local communities and external partnership (State services, NGO's, international agencies, international municipal cooperation...), a new perspective with new resources for some small or medium size towns. The potentially conflicting issue of the

choice of the new districts headquarters has been avoided by the Demarcation board and the official final choice or non choice depends now on the new councils.

The list of the places where the Demarcation board held its first meetings in each new district (in order to present the Municipal GIS SA Explorer in April 2001) give already an unofficial idea of the location of the headquarters. Some surprises occur. The main one is certainly the promotion of several former homeland capital cities without urban history. They supplant a range of old magisterial district headquarters. For instance, Thohoyandou lead the Vhembe District in front of Louis Trichard, Giyani lead the Mopani District in front of Tzaneen and Phutaditjhaba lead the Thabo Mofutsanyane District in front of Harrismith and Bethlehem. In KwaZulu-Natal, Ulundi lead the widest district including the far away city of Vryheid and a part of the coal mine fields. Some new disputes between cities of different generations are surely on the way; they would reveal now the rule of some general process and the dynamic of a post apartheid political geography.

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Annex

Maps from the Municipal Demarcation Board: local municipalities with former TCLs perimeters.

1) Mangaung (Bloemfontein), FS 172
2) Umtshezi (Estcourt-Wembezi, Weenen), KZ 234
3) Greater Groblersdal, CBLC 4
4) Buffalo City (King William's Town-East London), EC 125
5) Mafikeng, NW 383
6) uMhlatuze (Richard's Bay-Empangeni), KZ 282
7) Amahlati (Stutterheim, Keikammahoek), EC 124