The Native Council System in S. A.

Van Hulle: The Native Council System
Hogarth: Native Administration in S.A.
Burston: History of Native Policy, pp. 252-276.
Local Staff. Service in Native Areas

Macdonald District. The Council System.

The Council System had its origin under the Canada Act 35 of 1876, becoming effective in the District of the Island in 1878. The Act provided for the election of a local authority: namely,

(a) a resident from each individual location in the Macdonald District,

(b) a District Council for the administration of local affairs in the District as a whole.

Formation of Council

Each location was to have a resident council of three persons appointed by the Manager of the location, with the object of the location in the future making of all location in the location. The council of three held office for one year, but were eligible for reappointment.

Object of Council:

(a) Control of construction of roads, canals, and bridges;

(b) Control of local force;

(c) Declaration of emergency; control of trade licences.

District Council

The District Council, three members, is the whole district in council to be elected with the approval of the Governor in Council. Councils are nominated by the Minister or the local council for appointment by the G.O.C. The council of three held office for three years. The council is

(a) Control of government;

(b) Control of police;

(c) Control of finance.

Finance

The Local Government Act 35 of 1874, in virtue of which the Council is elected, is provided for the Finance of the District.

(b) The Constitution provided for a General Council for the whole District.

The Council consists of one member for each location nominated by the Manager, ex officio, nominated by the Minister, ex officio, nominated by the Governor in Council, ex officio. Quarterly meetings are held.

Council Consists of:

(a) A member from each district council nominated by the Governor in Council, ex officio.

(b) A member from each district council nominated by the Governor in Council, ex officio.

Revenue:

(a) Surplus of rates, property, and land sales, and interest on investments.

Finance:

(a) Income from the sale of land and other real estate.

Constitution of the Canadian Districts

Constitution 227 of 1872 made provision for the election of the Town of Macdonald and territory to Multnomah district. The establishment of local boards in the District.
Gedetelgings of Bakoiling Chief.

The labo-ship was applied to Repository Terms in 1922-1924, and
in 1860 the Bakoiling Council was established in Korin by Prostra 39, 1880.

In 1900 the District Council was established in the District of Bakoiling, Reykjavik (Batoauv).

The District Council was established in 1860 by the General Council of Iceland.

V. The Council was the chief organ of the District Council, and was responsible for the administration and control of the District Council.

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Situation of Council by the Brook Farmers

The Water Bill Act 23 of 1920 made provision for extension of Council System beyond Framsham. Section 5 provides for the establishment of Local Councils on recommendation of Water Affairs Commission, each such Council to consist of 9 members, with object to closures. Council has statutory power to make by-laws regarding local affairs such as roads, waste disposal, the staffing of works, the direction of works, maintenance, inspection, enforcement of regulations, etc. For the exercise of these objects, Local Councils are authorised to acquire a whole or a part of any land free of charge subject to the approval of the Local Authority. Regulation provided the Council can authorise (a) to provide sewerage, (b) to provide for various purposes required by it (1) because the land to be so used under Act 51 of 1875;
(1) a larger part of a drain than 1 ft or a drain measured within its area of jurisdiction.

The Regulation journeys provide qualification of members electors to an extent in: S. 50 of 1920 on account of S. 51 of 1922.

Under S. 11 of the Water Affairs Act provision is made for the establishment of Local Councils and confirms that as soon as possible, the recommendation of the Water Affairs Commission. As for the number of Local Councils established under the Water Affairs Act are:
(1) 2 in the Borough
(2) 2 in the City.

By no means Council has power for the establishment, namely, the Brook Council, which contains all the City local Councils in the Borough, but does not include the Westminster Council.

Expansion of Framsham & Council System & Council System provided for under the Water Affairs Act
1. The Framsham Council are not less number existing; they may obey from resolutions on the basis of which proclamation may be made by the Brook Council. The 12th Act Council as no scope purely existing, but as confounded to make levy laws on the subject within their jurisdiction subject of course, to the approval of the SS. In other words, the Framsham Council are adhering to the Chief Magistrate, but the Westminster Council as independent within their own affords.
2. While the Westminster System Surface Officers as definite members of the local or the Local Councils; under the 12th Act System, Surface Officers as not members of council but to in the ordinary respect (sections 1-7).
3. In the Westminster system, the Local Council are early organs of the Council Council.
All other provisions of the Council are subject to laws made in or by the Council Council. In the 12th Act Council, Local Council retain their independence within their own sphere & whose part of them which belong to the Local Council Council are as controlled.
Limitations of the Council System

1. The Council system can only be applied in Native areas, leaving the many Native in non-
   Native areas without a voice even in their local affairs.
2. The Councils are confined in their powers to purely local matters and therefore do not give
   the Native people in non-local matters affecting their welfare, thus they cannot give an
   all Native focus of care on many questions of general interest.
3. Membership of the people with local and general councils cannot be the picture of giving
   them representation in the highest legislative bodies if the lands of the Councils or parliaments.
4. The local Councils must act not to maintain for self-government, but they are merely a
   form of local government.
5. In effect, the membership of a local or Council council depend upon acceptation by the
   lower-level

6. The functions of the Native American Commissioners in the Councils mean that the
   Commission is engaged in the administration of their cities, the Bureau, Central office, which, in one
   way or another, is a kind of political arm.
7. In the future of the Councils, they must be viewed with the same concern as wealth for the
   Nation, as their officers.

Advantages of the Council System

1. They associate the people with the control of local affairs.
2. They give the people a voice in local matters affecting their interests.
3. They look to people in a representative manner for decision on major local policy.
4. They keep government officials in touch with Native places.

What steps have been taken to meet the limitations of the Council System.

1. In regard to Native living outside areas for which Councils may be established
   these fall into two categories, namely in the Board of Native Affairs.
2. In regard to giving the Native a voice in local affairs in combined, the one of the
   Nation is made by the establishment of Native Advisory Boards, in urban areas
   under the Board (Native Trust) Act 21 of 1923. Under 1.23 of the Native
   Trust Act, the provision is made for the establishment of Native Advisory
   Boards, which form the basis of the representation of Native people with
   a Council. The manner of forming this Council is made by the Board in consultation with the Native
   Board or other conference, it must be consulted in Case
   regulatory matter by the local authority to the Native location or Village
   Member of an Advisory Board or officer elected by registered occupiers of land
A day may come when the word Bunga ("talk") will be as honoured in the mouths of the Hottentot as Witanemogis is in that of the Anglo-Saxon. Dimly conscious as they may be of the goal to which they are being led, the members of the United Transkei General Council are learning as surely as did the fore-runners of Simon de Montfort the first principles of democratic government.

For such an experiment the Transkei, the native reserve in South Africa, was well chosen, and the conditions upon which this experiment hinges are more than the people are encouraged to speak with African councillors on useful lines, speaking in accordance with these findings of recommendations to the Council. In April all roads lead to Umtata. In that month the Chief Magistrate summons to the capital the magistrates and three elected native councillors from each of the twenty-six districts of the reserved territory to hold conference on its government.

Umtata, with its background of lofty mountains, with its wide, wooded streets, is a pleasant little town and the Bunga buildings are well planned to suggest their aim. The dome above the parlic facing is designed like a native hut, the Hall of the Council, in which the lounge of the white magistrates and that of the native councillors are exactly alike, and committee-rooms are at present under construction in which the members will hear the administrative routine.

The session lasts for three weeks and the report of its proceedings, published another interesting reading. The councillors, who have already served their apprenticeship in village and church, have already as did our hundred-moot and shire-moot, debate on subjects as varied as the King's press-gangs to the protests of the Nomakatoto, the Statu Bill and the founding of people's banks, on new briar, of the kind that is most urgent. The settlement on native divorces, on the combating of soil erosion and the levying of taxation. This African Hansard tabulates the findings of the committee of the month, which, when sent back to the district councils and to the people for discussion was carried on the ground that, as one speaker declared, "It would not be the poor alternative to legislation without having tried to use our influence with the people. The man who practices these primitive customs sees no evil in them until he becomes enlightened.

Taxation was the genesis of the Ministry of Parliament, and the levying of taxes and their expenditure are a main topic at the present time. Before the councillors and fully discussed by them are reports on the three agricultural schools and two experimental farms, on the holding of farmers' days and shows, on the tourist of the agricultural, on the spreading of the seed, on the issue of a "Farmers' Weekly," on veterinary work, on the provision at advance of terms of fertilisers, stock, and implements, on the construction of dams, roads, bridges, and clinics, on afforestation and the introduction of grasses and food crops.

As in all human affairs, there is an ebb and flow. A beneficial measure welcomed by the Bunga in one year is cold-shouldered in the next; attendance at the instructional courses and shows fluctuate, the people grow weary in following when noxious weeds and pests have to be destroyed. At every meeting of the Council the serious menace of overstocking is brought up and remedial measures recommended. But as the holding of stock is the native's chief occupation and the security of credit, the basis of marriage settlements, and the centre of their communal existence is so deeply embedded in the life of the people.

"You, the leaders, must take the initiative." proclaims the Chief Magistrate. That is the keynote on which the Bunga begins and ends, and which should be remembered by the councillors as they send their way back to their kraals to meet the stolid indifference of the people, but it appeals to their backward neighbours.

It is in this respect that during the session the public galleries are always crowded with eager listeners and that already a strong desire to correct misunderstanding, occasion-sly to divert the argument to more useful lines, to give information on point of law, or to support a specially enlightened opinion.

"At every time there are curious revelations. A motion is made that a stop be put to inhumane slaughtering of animals, and one of the speakers says, "I wish to explain that native people have a higher idea of the animal when they do this. The reason why a beast is slaughtered in that way is to make it bellow. The reason for making it cry out is to obtain a response from the spirits of the dead, to whom the animal is being sacrificed. When the beast is made to cry out it is done at the behest of the witch doctor. I know that the complaint of the people is that the Council is stop-ping practices by which the people are able to help the sick. Even if it is unpopular with the people yet it is just, and I support the motion."

An amendment that the matter should be referred to the district councils and to the people for discussion was carried on the ground that, as one speaker declared, "It would not be the poor alternative to legislation without having tried to use our influence with the people. The man who practices these primitive customs sees no evil in them until he becomes enlightened.

A notable venture in the future of government, the future of a great territory is bound up with its success or failure.