Community participation and empowerment within the realm of local governance in South Africa: An assessment of current practice and possibilities for strengthening participatory local governance

Input paper for the **dplg** review of the White Paper on Local Government

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Note: This paper was commissioned by the **dplg**. The opinions expressed herein do not necessarily represent those of the Department.

Contents

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1. Introduction

This paper is about community participation and empowerment in the context of local governance in South Africa. Almost a decade on since the 1998 White Paper on Local Government first defined the vision and aspirations for local governance in the country, it is an apt moment to examine this theme. That local governance should be participatory, that is, that it should go deeper than representative democracy, is a central pivot of the notion of developmental local government described in the White Paper. Beyond merely voting in elections every five years, citizens should be involved in their own governance on a more sustained basis, through a range of participatory mechanisms, processes and structures. The empowerment of communities, in other words, achieving the means to secure their own socio-economic development, is a core policy objective of the new system of developmental local government. In the years since the White Paper was published, a far-reaching legislative and regulatory framework has been instituted to guide the nature of the relationship between citizens and the local state and how the two parties can work together to achieve key developmental outcomes.

The central argument of the paper is that the largely absent and unproblematised theoretical grounding of participatory local governance in the 1998 White Paper gave rise to a legally entrenched, generally technocratic and procedural practice of citizen participation in local governance, which has been confined to a narrowly prescribed set of structures and processes, to the exclusion of a more open and inclusionary practice of citizen participation.

The paper starts by setting out a conceptual grounding for the analysis of the South African situation. It then describes the policy, legislative and institutional context for community participation and empowerment, focusing on the White Paper on Local Government's vision. The next section provides a review of practice publication of the White Paper in 1998. Finally, the paper ends by setting out some of the key implications for future practice, policy and further research.

2. Key concepts

Globally, in the last decade the notion of "deepening democracy" has become an important concern for political theorists and policy practitioners. The 2002 edition of the UNDP's Human Development Report, sub-titled *Deepening democracy in a fragmented world*, notes, for example, that the best way of achieving sustained poverty reduction and various other human development objectives is "by building strong and deep forms of democracy at all levels of society."[2] In part, the interest in deepening democracy has been prompted by concerns around newly democratic governments, and some well-established ones, slipping into increasingly undemocratic practices, and the negative effects this has on human development.[3] There has also been a concern about what has been termed the

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"democratic deficit" in developing, Southern, countries but also in many established, Northern, democracies, where electoral participation has shrunk as a result of citizen disillusionment with government and perceptions that the institutions of government are distant, unaccountable, unresponsive to the needs of the poor and corrupt.[4]

In recognition that representative democracy on its own is insufficient to address these concerns, in various parts of the world there has been a surge in participatory and deliberative[5] approaches to local governance, driven by both government and civil society, designed to deepen democracy by creating new local spaces that link citizens and states in new ways. This has "led to a proliferation of councils, committees, panels, public hearings, stakeholder fora and other 'new democratic spaces.'[6] Experience has shown that while some arise from efforts to strengthen participation and others focus on responsiveness on the part of policy makers and service providers, the most successful initiatives often combine the two approaches.[7] Classic examples of experiments in generating 'new democratic spaces' at the local level include the participatory budgeting programmes run in many of Brazil's cities and municipalities, where every year thousands of citizens convene at neighbourhood level to discuss and deliberate local development priorities and to elect representatives to participate in budget negotiations (see box 4).[8] In Bolivia, The Law of Popular Participation resulted in the creation of citizen oversight committees in each municipality, with the power to freeze the municipal budget if expenditure departs from what was originally planned. In India, the *panchayati raj* local governance reforms have created a system of elected authorities as far down as the village level.[9]

A reading of the literature on good governance and democracy indicates that there a number of core, interrelated concepts encompassed within the notion of participatory local governance. These are: participation, inclusiveness, accountability, responsiveness and transparency. These concepts are elaborated in more detail below:

Participation
Ongoing citizen participation is considered the key to better governance and a remedy to the democratic deficit. It is also viewed as an instrument to bring about better-targeted and more efficient service delivery. Participation can thus be considered as both an end in itself as well as a means to realise other developmental goals. There are degrees to which participation is actually achieved, ranging from, on the one end of the spectrum, manipulation and pure tokenism, to delegated power and citizen power at the other end.[10]

Social equity
Social equity refers to everyone, regardless of race, gender, income status, age, disability status, minority status, or religion having an equal opportunity to participate in governance and in the benefits society has to offer. In this sense,

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[4] Shankland, A et al. 2006. "Making Space for Citizens: Broadening the 'new democratic spaces' for citizen participation," *IDS Policy Briefing,* Iss. 27, IDS: Brighton; Gaventa, J. 2004. "Strengthening Participatory Approaches to Local Governance: Learning Lessons from Abroad," National Civic Review, Winter 2004: 17.
[5] "Deliberation is an approach to decision-making in which citizens consider relevant facts from multiple points of view, converse with one another to think critically about options before them and enlarge their perspectives, opinions and understandings." (www.deliberatve-democracy.net/deliberation/ accessed on 19 October 2007).
[6] Shankland et al, 2006.
[7] Ibid
[8] Gaventa, 2004:16.
[9] Shankland et al, 2006.
[10] Sherry Arnstein's now famous "Ladder of Participation" (1969) is widely used as the benchmark for assessing degrees of (non-) participation.

inclusive governance requires particular attention to be paid to enhancing the participation and empowerment of those within society who hold the least power. Thus it is important that all participatory processes proactively ensure that all participants are able to have their say. This means that issues of language, information being presented in non-technical and accessible formats, cultural and gender sensitivity all need to be taken into account.

Accountability
Inherent in the concept of accountability is the idea that those in positions of power – whether they be elected representatives or officials – report to a recognised authority and are held responsible for their actions.[11] The *Human Development Report 2002[12]* notes: "Accountability is about power – about people having not just a say in official decisions but also the right to hold their rulers to account. They can demand answers to questions about decisions and actions. And they can sanction public officials or bodies that do not live up to their responsibilities." There are two implied notions here: *answerability* (providing and account for actions undertaken) and *enforceability* (punishment or sanctions for poor or illegal performance.[13] On a political level, accountability can be promoted through regular elections to elect those who yield political power. However, it has been noted that elections have a limited ability to promote accountability because of their infrequent nature.[14] Thus, it is important that there be a host of other mechanisms to keep those in government accountable to citizens.

Responsiveness
The state should be responsive to the needs and concerns of citizens. This means being able to listen, process inputs, and act on them in a timely manner.

Transparency
Transparency is widely recognised as a core principle of good governance. At its most basic level, transparency means "sharing information and acting in an open manner."[15] Transparency is important for a number of reasons. It "allows stakeholders to gather information that may be critical to uncovering abuses and defending their interests."[16] In addition to reducing the scope for corruption, transparency instils greater citizen confidence in the institutions of governance. Transparency also fosters greater accountability through all stakeholders having the information they require to hold others to account.

With regard to each of the above concepts, there is a need to articulate a clear normative framework, against which practice can be assessed. For example, what are the indicators of good practice with regard to participation, responsiveness, accountability etc., and how can they be measured? Time and space constraints did not allow such a framework to be developed as part of this paper. However, this would be a valuable task for further research at a later stage of the White Paper review process.

3. A conceptual model of participatory local governance

The diagram below offers a model for conceptualising the relationship between citizens and the state. Where the two circles in the middle intersect represents

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[11] McGee, R et al. 2003. *Legal Frameworks for Citizen Participation: Synthesis Report*, LogoLink: Brighton:12.
[12] United Nations Development Programme. 2002:65.
[13] McGee et al, 2003:12.
[14] UN-Habitat. 2004. *Tools to Support Transparency in Local Governance*, UN-Habitat & Transparency International: Nairobi & Berlin:10.
[15] UN-Habitat, 2004:8.
[16] Ibid

the space of engagement between the political and public spheres (or the local state and civil society). The intended outcome of this intersection is participatory local governance. The key question becomes how the intensity or effectiveness of this interaction might be improved and/or the extent of it increased.[17] Bringing more civil society representation into the government sphere is one approach; another is to bring more government actors into closer interaction with civil society.[18] What is clear though, is that the capacity and responsiveness of both government and civil society need to be attended to if the benefits of closer engagement are to be reaped. As pointed out by Nierras[19], "[f]or local governance to prove democratic and socially just, work is needed on 'both sides of the equation' – enabling civil society to exercise voice in local governance processes, while simultaneously strengthening accountability and responsiveness of local government institutions and policies."[20]

It is important to note that this space is dynamic – it is continuously being (re)constructed through engagement between civil society and government actors.[21]
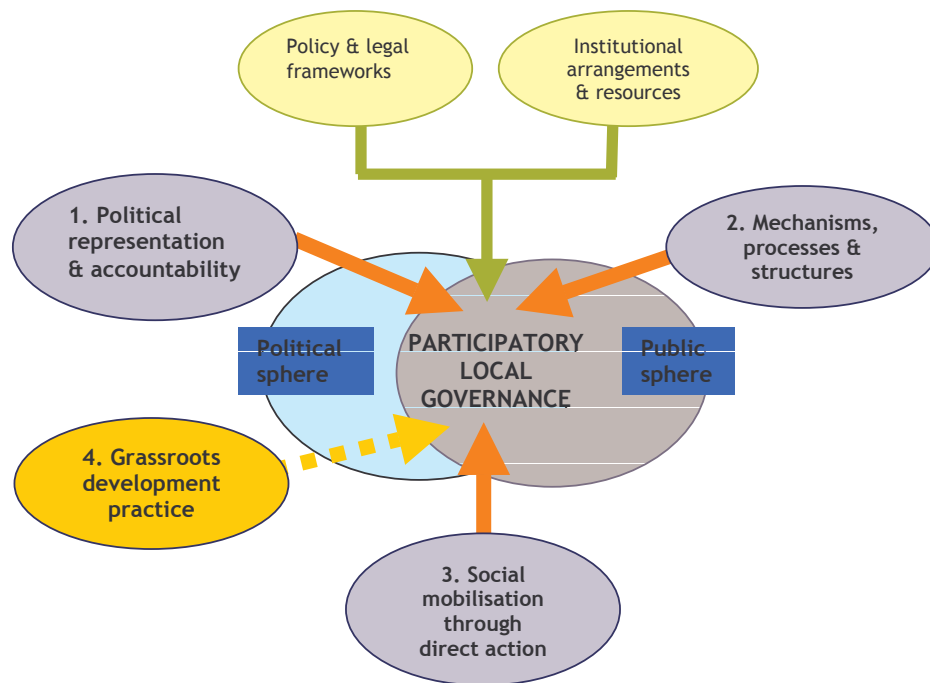
Figure 1: Schematic model of participatory local governance

Adapted from McGee et al, 2003:2; Pieterse, 2000:71

Within the space of engagement between the local state and citizens, four different domains of engagement can be discerned. The first is the formal political realm, in which representative democracy is played out. The second has to do with a variety of mechanisms, processes and structures that go beyond representative political participation to direct citizen participation in local governance and development processes. The third domain relates to the ways in

[17] McGee et al, 2003:2.
[18] ibid
[19] Nierras, R. 2005. *International Workshop on Resources, Citizen Engagements and Democratic Local Governance*, LogoLink:Brighton:2.
[20] Ibid
[21] Pieterse, E. 2003. *At the Limits of Possibility: Working Notes on a Relational Model of Urban Politics,* Dark Roast Occasional Paper Series, No. 14 (2003), Isandla Institute: Cape Town:6.

which citizens, either individually or collectively, engage with the state through channels other than those formally provided for by the state. Social protest is the most pertinent example of this. Finally, the fourth realm of involvement of citizens in public life is the arena in which citizens organise themselves to address local pressing development challenges. These efforts may or may not involve some engagement with the state. These four domains are used to structure the discussion of current practice in South Africa in section 5 of the paper.

While a useful starting point, it should be noted that the above model is necessarily crude. There is the temptation to treat both the state and civil society as homogenous, undifferentiated entities, whose engagement with each other happens in a linear, uncomplicated fashion. Clearly, however, there is a considerable diversity of interests, capabilities and power that exist within and across the state, as well as within the vast array of actors within civil society.

Policy and legal frameworks for participation are an important mediator in the intersection between civil society and the state.[22] As McGee et al[23] note,

> "[t]hey make it possible for these actors to interact, regulate the terms of their engagement and affect the nature of their relationship by increasing the scope for one group to enter the other's arena and, in some cases, introducing joint actions of governance that the two groups undertake together."

Legal frameworks also help to guard against the potential vulnerability of participatory initiatives to changes in government and the vagaries of politics.

Institutional arrangements within the state at different levels may also enable and facilitate greater engagement between citizens and the local state, or they may serve as a barrier. Potentially enabling arrangements include community participation officers or units within municipalities, with dedicated resources to promote community participation.

4. Policy, legislative and institutional context

4.1 The White Paper vision

Section B of the White Paper on Local Government describes four main characteristics of developmental local government, including, of most resonance for this discussion, "[d]emocratising development, empowering and redistributing" and "[m]aximising social development and economic growth." It notes that "[m]unicipal councils play a central role in promoting local democracy. In addition to representing community interests within the Council, municipal councillors should promote the involvement of citizens and community groups in the design and delivery of municipal programmes." It further comments that the dominant mode of interaction between local government and citizens in the past was control and regulation. As part of developmental local government, regulation must be supplemented by "leadership, encouragement, practical support and resources for community action." The White Paper further notes that "[m]unicipalities can do a lot to support individual and community initiative, and to direct community energies into projects and programmes which benefit the area as a whole. The involvement of youth organisations in this regard is particularly important." As an example of how local government can support poverty reduction at community level, the White Paper suggests that

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[22] McGee et al, 2003:2
[23] ibid

municipalities "could assist with the provision of support services, such as training to small business or community development organisations."

The White Paper recognises that communities are not homogenous: "Municipalities need to be aware of divisions within local communities, and seek to promote the participation of marginalised and excluded groups in community processes." It points out the particular barriers to equal participation encountered by women and calls for municipalities to "adopt inclusive approaches to fostering community participation, including strategies aimed at removing obstacles to, and actively encouraging, the participation of marginalised groups in the local community."

At the same time, the White Paper also cautions against participatory processes themselves becoming obstacles to development, and of the danger of narrow interest groups 'capturing' development processes: "It is important for municipalities to find ways of structuring participation which enhance, rather than impede, the delivery process."

One of the specific tools and approaches for developmental local government described in the White Paper is referred to as "[w]orking together with local citizens and partners." It states that "[b]uilding local democracy is a central role of local government, and municipalities should develop strategies and mechanisms (including, but not limited to, participative planning) to continuously engage with citizens, business and community groups."

According to the White Paper, citizens may participate in local governance in four capacities: (1) as voters; (2) as citizens who, through various stakeholder associations, express their views in policy processes in order to ensure that policies reflect community preferences; (3) as consumers and end-users of government services; and (4) as organised partners involved in the mobilisation of resources for development via businesses, NGOs and CBOs.

Based on the preceding brief summary of the contents of the White Paper as they relate to community participation and empowerment issues, it can be argued that the notion of participatory governance is under-theorised in the White Paper. There is an affirmation that notions of participation and empowerment are important, but to a large extent, the conceptual underpinnings are not elaborated or problematised. In a positive sense, the White Paper allowed a wide scope for subsequent interpretation and conceptual development. However, in pactice, what happened was that subsequent laws, in particular the Municipal Structures and Municipal Systems Acts, were confined the scope to a largely technocratic and procedural interpretation of participatory governance. In part this can be explained by the context at the time, where there was an overriding concern amongst law-makers with giving substance to municipal functioning and with ensuring compliance by municipalities to a national set of legal prescriptions. In hindsight, it could be argued, the cause of participatory local governance would have benefited from a clearer and more sophisticated conceptual foundation articulated in the White Paper and would have enabled a more expansive environment that encouraged a wider range of options for promoting participatory governance.

4.2 Other policy and legislative imperatives for community participation and empowerment

The overarching legislative imperative for community participation and empowerment is contained in the Constitution, which mandates local government to provide "democratic and accountable government for local communities" and

to "encourage the involvement of communities and community organisations in the matters of local government" (section 152(1)(a) & (e)).

Building on from the Constitution and the White Paper, there is a well-developed legislative and policy framework that gives substance to the goals of community participation and empowerment (see table 1). Key amongst these are the Municipal Structures Act (1998) and the Municipal Systems Act (2000).

In addition to laws and policies, a number of resources in the form of guidelines and handbooks have also been developed to assist municipal and community stakeholders to better understand their roles and functions with regard to community participation issues.

The **dplg's** Strategic Plan for 2007-2012 identifies community participation as one of the key focus areas of the plan, but is largely silent on how community participation is to be enhanced and promoted.

Box 1 : Draft National Policy Framework for Public Participation

The **dplg** is in the process of finalising a policy framework for public participation in South Africa.[24] The framework sets out, amongst other things:

- The roles and responsibilities (incl. legal obligations) of municipalities and other stakeholders with regard to public participation
- Strategies for promoting public participation, including ward committees and IDP Representative Forums
- Strategies for institutionalising public participation, and resource and budget implications

One of the concerns that arises from a reading of the draft framework document is that it currently pays attention to only a few channels for community participation, namely ward committees, IDP Representative Forums, community complaints systems and citizen satisfaction surveys. In a sense, a "bottom line" set of more or less compulsory structures and systems is presented. Ideally, however, municipalities should be presented with a diverse range of options for structures, approaches and tools for encouraging community participation to select from, according to their local circumstances and capacities, resources available and so on. In this regard, international experience could be especially valuable in broadening the scope of options open to municipalities.

Institutionally, there are structures within all three spheres of government focused specifically on guiding, regulating, monitoring and enforcing policy prescriptions for community participation in local governance. The effectiveness of these structures varies considerably, and further research is required to gauge the extent to which they have clearly defined mandates and are implementing these mandates.

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[24] According to a senior manager in the Public Participation and Empowerment Chief Directorate within **dplg**, the intention is to have the policy finalised for submission to the Cabinet committee in November 2007.

Table 1: Policy, legislative and institutional frameworks for community participation and empowerment

Policy	Legislation	Regulations/ Guidelines/ Guides	Programmes	Institutions
White Paper on Local Government, 1998; Batho Pele, 1997; Draft National Policy Framework for Public Participation, 2007; KZN Public Participation Framework, 2006	Constitution, 1996 Municipal Structures Act, 1998 Municipal Systems Act, 2000 Municipal Finance Management Act, 2003 Promotion of Access to Information Act, 2000	Guidelines for the Establishment and Operation of Municipal Ward Committees, 2005; Handbook for Ward Committees, Dec.2005; Handbook on CDWs in SA; Handbook for Municipal Councillors, Mar 2006	Ward committee system; Izimbizo; Community-based planning; Community Development Workers	**National** Dplg (Public Participation and Empowerment Chief Directorate) **Provincial** Departments of Local Government **Local** Public participation units Speakers' offices IDP units

What is clear from foregoing description is that South Africa is not lacking in legislative and policy prescriptions for how community participation in local governance should take place. However despite this (or perhaps because of this) the realisation of participatory local governance since 1998 has largely not measured up to many observers' aspirations. Fundamentally, this paper argues, this is because the White Paper did not expressly define what the expectations were with regard to participatory local governance, which left the interpretation thereof to be expressed in legislation in mostly narrow, prescriptive terms.

5. Review of practice since the 1998 White Paper

5.1 Political representation and accountability
This domain of citizen participation in public life has to do with the legally constituted formal mechanisms for citizens to elect political representatives and to hold them accountable for their actions. South Africa's system of local government provides for a mixture of proportionally elected (PR councillors) and directly elected representative (ward councillors).

5.1.1 Voter participation
The first observation that can be made about citizen participation within this domain is that political participation is the lowest for municipal elections compared to elections for the national and provincial spheres of government. Voter turnout in the last three municipal elections was 49% in 1995/6, 49% in 2000 and 48,4% in 2006.[25] In contrast, voter turnout for the national and provincial elections was much higher at 76% in 2004, 88% in 1999 and 86% in 1994. While compared to other countries, even many established democracies such as such as the United Kingdom, the lower turnout for municipal elections is not unusual, it could nevertheless ideally be higher. The reasons for lower levels of public interest in participating in formal local democratic processes need to be understood. Part of reason would appear to lie in generally low levels of awareness amongst the public about the technicalities of how local government

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[25] While relatively low, one positive aspect is that voter turnout has remained consistent.

works and of political decision-making processes at local level. Civic education needs to take place on a more sustained basis, and not merely around election time.

Another concern which, although there appears not to have been any rigorous research[26], anecdotally appears to be undermining public confidence in local politics and their motivation to vote is floor crossing. While provision for councillors to cross the floor may have a legitimate democratic basis, in the manner in which it has been undertaken in South Africa, it appears to have been open to abuse for personal gain and other unintended motivations, with negative consequences for the perceived credibility of municipal councils and local politics. It has also resulted in a significant degree of upheaval and instability within municipal administrations, the effect of which has been to disrupt continuity and policy and service delivery implementation.

5.1.2 Election campaigns
A further concern is the nature of the election campaigns carried out by the major political parties. For the most part it seems local ward candidates have vied for votes on a national election platform, often with little direct reference to the particular issues and concerns of the public at local, ward level. Campaigns have thus generally not spoken to people's specific needs and concerns at ward level. This is compounded by voters usually having little direct exposure to election candidates (apart from faces on posters), and few opportunities to quiz them about their plans at ward level. Another issue is that certain major political parties have elected not to announce candidates for Mayor prior to elections, which severely undermines the democratic choice available to voters.

5.1.3 Election results
With regard to the results of municipal elections, at least two key observations can be made. The first is that the political landscape at local level is overwhelmingly dominated by political parties. Extremely few independent candidates are elected into office. The second observation is that, with some exceptions, particularly in the Western Cape, most municipalities are controlled by a single political party. While this in itself does not pose a threat to democracy – indeed in a number of established democracies such as the United States, United Kingdom, Germany and India there have been extended periods of one-party dominance in executive and/or legislative elections – what is a potential concern is the dominant governing party seeing less and less need to respond to public opinion because they are assured of re-election in the face of weak opposition.[27]

5.1.4 Political systems
The Municipal Structures Act (117 of 1998) provides for various types of municipality, one of which is the mayoral executive system, which confers executive powers on mayors and an appointed mayoral committee. The impact of this type of system on decision-making and development has been examined in a number of pieces of research.[28] While the mayoral executive system has its

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[26] For a research-based critique of floor crossing, see for example Idasa's *Word on the Street* Newsletter on Floor crossing and Local Government, 12 September 2007, accessible at http://www.wordonthestreet.org.za.

[27] Good Governance Learning Network. (forthcoming). *The State of Local Governance in South Africa*: *A civil society perspective*. GGLN: Cape Town.

[28] For example, Hollands, G. 2001. "Executive Mayor Municipalities – good for democracy?" Local Government Transformer, Afesis-corplan: East London; Smith, G. 2003. "Mayoral committees: The mayor appoints," *Local Government Bulletin,* Community Law Centre, University of the Western Cape: Cape Town; Foundation for Contemporary Research. 2005. "The impact of the Mayoral Executive System on Local Government Decision-Making," unpublished paper, FCR: Cape Town; Wooldridge, D. 2007 (forthcoming). "Political Systems and Capacity Issues," chapter 21 in M. van Donk, M. Swilling,

proponents, who argue that it results in streamlined decision-making and faster service delivery, critics charge that this is not necessarily the case, and that there is the innate tendency for mayoral committees to be overly centralised bases of power, non-transparent and unaccountable to the broader council, and the community as a whole. Unlike with executive committees, the members of the mayoral committee do not have to represent all political parties in council and may therefore exclude opposition parties. Another concern is that mayoral committees have typically chosen to convene behind closed doors, thus excluding non-executive councillors, the public, the media from overseeing discussions and decisions on key municipal functions.[29] The potential instability wrought by coalition politics and the need to rule via coalitions that is often the case, as seen in the City of Cape Town since the March 2006 municipal elections, is another concern frequently cited in relation to the desirability of the mayoral executive system.

The quality of decision-making by mayoral committees is a further issue that requires interrogation. Because of the centralised nature of decision-making under this type of system, the heavy workload on executive mayors and their "cabinets" results in reduced scope for extensive deliberation and consultation.

There is a need for a closer examination of the mayoral executive system and to enhance mechanisms to ensure greater oversight, transparency and accountability.

Another type of municipality that warrants particular attention is the sub-council participatory system, which allows for delegated powers to be exercised by sub-councils for different parts of metropolitan municipality. At present the only metropolitan municipality that has opted for this type of governance arrangement is the City of Cape Town. While no specific research was located as to the functioning and merits of the sub-councils in the City of Cape Town, such research could be useful to determine the extent to which the existence of sub-councils gives rise to greater levels of democratic participation, accountability and responsiveness.

The political-administrative interface is an arena with a number of important issues that require further elaboration, but which cannot be accommodated in this paper, save to flag some of the key questions that need to be interrogated[30]: Do politicians intervene in the appointment of senior officials? Does the influence of senior politicians unreasonably constrain the administrative and strategic direction of senior managers? Do skilled municipal bureaucrats manipulate expert advice and information to constrain political choices?

5.1.5 Quality of representation and accountability
The quality of representation through elected councillors is another issue of relevance to this discussion. Partly this has to do with the kind of individuals who political parties nominate to become councillors. There is thus a heavy onus on political parties to develop and select individuals whom they believe have the requisite skills and personalities to be effective councillors. Parties vary in the degree to which their internal systems for selecting candidates and political education are capable of delivering quality councillors. The extent to which

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E. Pieterse and S. Parnell (eds) *Consolidating Developmental Local Government: Lessons from the South African Experience,* UCT Press: Cape Town.
[29] Hollands, G. 2001.
[30] Adapted from Hollands, G. 2007. "Relationship and oversight between elected representatives and officials," section 1.5 in Good Governance Learning Network. (forthcoming): *The State of Local Governance in South Africa: A Civil Society Perspective*, GGLN: Cape Town.

internal party processes are democratic has a further bearing on the political education of candidates prior to their becoming candidates for councillors.

Important progress has been made in terms of women's representation on municipal councils. The number of female councillors elected rose from 29% in 2000 to 40% in the 2006 municipal elections. Women now constitute 37% of ward councillors and 43% of PR councillors.[31] It is commendable that some political parties actively promoted equal representation in the fielding of candidates for councillors in the 2006 municipal elections. All parties should be encouraged to do likewise.

The quality of councillors has been partially addressed by means of the training newly elected councillors receive. Many municipalities seek to build the capacity of councillors, across all political parties, through funded training. The provincial offices of the South African Local Government Association also arranges training for new councillors. While there appear to be adequate opportunities for councillors to develop their knowledge of their roles and their skills, the question is whether the training is having the desired outcome. In particular, to what extent has training emphasised councillors' roles as representatives of communities and mobilisers and negotiators for their interests, rather than, as currently appears to be the predominant mode, as the focal point of responsibility for bringing about service delivery?

The role of councillors in representing communities also needs to be considered in relation to the functions of the different spheres of government. Currently, the scope of councillors' representation and influence extends almost exclusively to the functions of local government. However, some observers argue that councillors should be engaged on the full range of functions that affect citizens at local level – for example, policing, schooling, health, social welfare. Currently there is a gap in terms of the direct representation of citizens with regard to these functions, which, arguably, councillors, in particular ward councillors, are well positioned to fill (with the appropriate capacity building).

What is clear is that there is a need to improve contact between councillors and citizens. Anecdotal accounts suggest that most citizens are unlikely to even know the name of their ward councillor, let alone know how to reach him or her, or have had any contact with them. Part of the responsibility lies with municipalities to make information about councillors and their contact details as accessible as possible to the public. The public also need to be better informed as to what the roles of councillors, in particular ward councillors, are, and what assistance they can be of to citizens.

Particular attention needs to be paid to district councils, as representation of community interests on district councils appears to be a weak and poorly defined area. While 40% of district councillors are directly elected, the question is how well these councillors represent the needs of communities within the district, and what mechanisms are in place for them to receive input from communities. In general public participation in the affairs of district municipalities appears to have received less attention than local and metropolitan municipalities. There appear to be few specific channels that provide for public participation in the governance of district municipalities, apart from directly and indirectly elected councillors.

Also related to district councils, is an issue of accountability of councillors to citizens. Unlike local municipalities, which derive an average of 85% of their

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[31] Baatjies, R and Jordan, J. 2006. "Edging towards 50/50: The final score," Local Government Bulletin, Community Law Centre, Cape Town, May 2006.

income from local sources, district municipalities are largely, if not entirely, dependent on national financial transfers. There is the threat that this may encourage upwards accountability, to national government that holds the purse strings, rather than to communities, who voted councillors into office.

There is a need to find ways of enhancing the accountability of councillors to citizens. Currently, there are no structured mechanisms that allow for this, apart from, in some municipalities, systems for receiving complaints from members of the public about councillors and confidential reporting hotlines. Greater accountability needs to be built into the system, however, especially in the context we have where the only form of recall of councillors is municipal elections. The role of ward committees in this regard could potentially be explored, although, as discussed later on, this is an issue that there appears to be some reluctance to engage with on the part of senior politicians.

Some municipalities have sought to expand the exposure of citizens to the workings of council through taking council meetings out of council chambers an holding them in different parts of the municipality. Such initiatives need to be encouraged as they promote a deeper relationship between those who govern and citizens.

5.2 Processes & mechanisms for participatory local governance

This sub-section provides a review of some of the key processes, structures and mechanisms that have emerged in the course of the past thirteen years to give effect to the notion of participatory local governance in South Africa. The key piece of legislation that seeks to realise the White Paper's vision of participatory local governance is the Municipal Systems Act, which has an entire chapter (chapter 4) dedicated to community participation. The chapter starts by calling for the development of a "culture of community participation," and then proceeds to describe a set of mechanisms, processes and procedures for community participation. The Act specifies that citizens are expected to participate in the preparation and review of Integrated Development Plans, municipal budgets, performance management and decision-making around service delivery.

It is important to note that the onus for promoting public participation rests heavily on councillors, in particular ward councillors, and officials. The Act does, however, also call for the capacity of the local community to be built to enable it to participate in the affairs of the municipality.

While a few of the key mechanisms and processes provided for public participation are briefly described below, it is worth re-emphasising the point that what appears to have happened in South Africa is a pre-occupation with a limited number of formal structures and processes for public participation, in particular ward committees. While these are necessary and have the potential to contribute meaningfully to creating "a culture of community participation," there is a need to go beyond these mechanisms and to pilot and experiment with other innovative ways of achieving citizen participation. There is a wealth of experience internationally that can be drawn upon, some of which is briefly mentioned in this document. Municipalities need to be exposed to these practices and encouraged to experiment. Part of the challenge is to create an enabling environment for municipalities to do this, which includes issues of capacity, institutional arrangements and resources.

5.2.1 Ward committees
Ward committees were introduced in 2001 as the principal mechanism for community participation in local government. It has to be said that they are the

subject of much contestation and debate. While within government there is very strong political commitment behind ward committees, which is increasingly being matched with the commitment of resources for training and building the capacity of these structures, there is a vehement view amongst some quarters, especially within civil society, that ward committees serve little constructive purpose. Some go as far as to claim that ward committees do more harm than good, and serve to further undermine what was once a vibrant local culture of public participation in local governance that once existed in South Africa, which manifested in a diverse array of community-based committees and structures. Rather than taking a position in relation to either view, which is beyond the brief of the present paper, what is presented below is an attempt at a synopsis of what is known about ward committees from available research, and to highlight some of the key issues that warrant further interrogation.

Establishment
According to data supplied by **dplg**, by March 2007 ward committees had been established in all wards in six out of the nine provinces - Eastern Cape, Gauteng, KwaZulu-Natal, Limpopo, Northern Cape and North West. The Western Cape accounts for the lowest establishment rate, at 66.4%; ward committees are outstanding in the 105 wards of the City of Cape Town[32], and 12 wards in Mossel Bay. In the Free State the establishment rate stands at 84.7% and in Mpumalanga all but one of the 365 wards has ward committees.

Table 2: Ward committee establishment

Province	No. of Wards	Committees established	
		March 2007	*% of wards*
Eastern Cape	636	636	100
Free State	300	254	84.7
Gauteng	423	423	100
KwaZulu-Natal	771	771	100
Limpopo	513	513	100
Mpumalanga	365	364	99.7
Northern Cape	174	174	100
North West	365	365	100
Western Cape	348	231	66.4

Source: **dplg**

Most municipalities have established ward committees in terms of a council resolution. Some opted for a by-law to establish ward committees, and some used both.

According to a senior official in the Community Participation and Empowerment Chief Directorate within **dplg**, a study is currently underway to update the department's database on the current status of ward committees throughout the country, and what systems municipalities have in place to monitor the functioning of ward committees (including, for example, how many municipalities have public participation units).

Roles and responsibilities of ward committees
Lack of role clarity appears to be a significant issue impacting on ward committees. Part of the problem is that the roles and responsibilities of ward committees in themselves are not specifically defined. The Municipal Structures Act (Section 74(a) & (b)) states that a ward committee may make

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[32] The City of Cape Town has elected instead of establishing ward committees to establish "ward forums," which function in a similar manner to ward committees but have some differences, such as that they are made up of 20 members, and are chaired by a PR councillor rather than a ward councillor.

recommendations on any matter affecting its ward to the ward councillor and has the duties and powers delegated to it by the municipality. The *Guidelines for the Establishment and Operation of Municipal Ward Committees*, released in 2005[33], suggest some of the duties that may be delegated to ward committees. In the main these are about serving as a conduit for communication and information dissemination between the municipality and the local community and assisting the ward councillor with identifying community needs within the ward. The guidelines state categorically that no executive powers should be delegated to ward committees. Without any real powers, the status of ward committees is confined to that of an advisory body. Some observers have argued that this is a critical shortcoming of the ward committee system as it severely limits the extent to which ward committees have a meaningful role in decision-making about local development priorities and resource allocation, which is where the tangible benefits of ward committees should be realised. Over time, this may lead to ward committee members feeling increasingly powerless and frustrated. As one of the studies on ward committees observed in 2004, "[t]hey experience ward committees as 'talk shops' because of the limited powers and functions assigned to them."[34]

Another perspective which links to issues of the powers and functions of ward committees is that the ward is an inappropriate scale for optimal engagement around the host of service delivery issues with which ward committees are expected to be involved. According to this analysis, in urban areas sub-councils provide a better governance arrangement for engaging with local service delivery issues as they exist at a suitable scale at which powers can be usefully devolved. In large rural municipalities, reducing the number of wards should be considered as one way of achieving a more optimal scale of planning and decision-making.

The oversight role of ward committees in relation to municipal performance within the ward, and of the performance of ward councillors, is not clearly spelled out in the guidelines. The latter is a particularly contentious issue[35] but one that needs to be dealt with since currently ward committees with poorly performing ward councillors have little recourse to any remedial action. There is one reference to this issue in the Guidelines: A ward committee may express dissatisfaction in writing to the municipal council on the non-performance of a ward councillor."[36]

The draft *National Policy Framework for Public Participation* puts forward a number of suggestions that can give ward committees more of a defined role with respect to key municipal processes, in particular IDP, budgeting, performance management, and service delivery. It further suggests that ward committees should be "required" to be represented on the municipal audit committees, and that municipalities "must" assign each ward committee an annual budget to spend on community projects. For all these functions, the document correctly notes, ward committees will require both administrative support and training.

Box 2: Ward Key Performance Indicators Project

Afesis-corplan is an NGO based in East London that works to promote good local governance and community driven development. Over the last few years the organisation has pioneered a methodology to enable ward committees to play a more clearly defined oversight role with regard to governance in the municipality and development at ward

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[33] Government Gazette, Vol. 480 No. 27699. June 2005. *Guidelines for the Establishment and Operation of Municipal Ward Committees,* Ministry for Provincial and Local Government, Pretoria.
[34] Idasa and Afesis-corplan. October 2004. *Ward Committees Status Quo Report*; dplg: Pretoria
[35] This emerged quite clearly at a conference on ward committees organised by the dplg in March 2005 (see Hollands, G. 2005. "Local participation scrutinised," *Local Government Transformer*, Vol. 11, No. 2, April/May 2005, Afesis-corplan: East London).
[36] Government Gazette. 2005:9.

level. A matrix of indicators was designed that is aligned to legislative provisions for performance management, with a strong emphasis on accessible indicators that empower community representatives to play a role in assessing municipal performance. The matrix encompasses a wide range of issues, including credit control and debt collection, representation of community needs by the ward councillor, gender equity within council, consultation and communication about the municipal IDP and budget, the municipality's response to HIV/AIDS, and local economic development. The Ward KPI Matrix has so far been piloted in the Buffalo City and Blue Crane Route Municipalities in the Eastern Cape, and the Drakenstein Municipality in the Western Cape.

Source: Information supplied by Afesis-corplan

Functioning
A number of reviews of the operation of ward committees have been carried out in recent years.[37] However, it should be noted that these studies are a few years old now. A review of the current functionality of ward committees across the country is being commissioned by the **dplg**.

The reviews consistently reveal that ward committees are not functioning effectively. Some of the common problems that have beset ward committees have been found to be the following:

- Some ward committees do not have the required number of members and cannot achieve a quorum at meetings;
- In some instances a lack of interest by members has meant that meetings have not been held;
- The chairpersons (ward councillors) not being available to attend meetings or failing to call meetings;
- Poor working relationships in some cases between the ward councillor and the ward committee, with ward councillors sometimes feeling threatened by the perceived political power of the committees;
- A lack of interest in participating in ward committees has been noted, specifically amongst members of the white population group;
- A lack of incentives for ward committee members, in the form of reimbursement for out of pocket expenses or a small stipend[38];
- Insufficient capacity building training as well as administrative and other resources allocated to ward committees to enable them to function effectively;
- Wards comprising vast areas, especially in rural areas;

Inherent to the value of ward committees is the notion that these committees represent the communities of the ward. Ideally, the composition of the committees would be such that the members are drawn from all geographical areas within the ward and all the major sectors and interest groups. However, in reality this is seldom the case, and a concerted effort is required in the process of nominating and electing new ward committees to ensure that they are as representative as possible. A fundamental problem plaguing the ward committee system is the tendency for committees to be made up of supporters of the political party of the ward councillor. Anecdotally it appears to be the case that ward committee members are in many instances nominated and selected on the basis of their party affiliation. This politicisation of ward committees goes against the grain of the original intent of the system and severely undermines the value

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[37] See for example, Idasa and Afesis-corplan. October 2004. *Ward Committees Status Quo Report*; dplg: Pretoria; dplg. December 2004. *Survey on the establishment and operation of Ward Committees,* dplg: Pretoria; Idasa and Afesis-corplan. March 2005. *National Ward Committee Survey 2004/05.* dplg: Pretoria.
[38] It is worth noting that the draft National Policy Framework for Public Participation proposes that ward committee members should receive a stipend of R50 per month and be compensated for costs incurred in the performance of their duties.

of the committees as bodies representing a cross-section of interests within the local civil society of the ward.

Further issues of representation have been raised in relation to the number of members permitted on ward committees, which is currently restricted to ten (plus the ward councillor). It needs to be recognised that a committee of eleven is unlikely to encompass the wide diversity of interests and perspectives within society. Hence it is critical that ward committees be considered but one of a host of structures and mechanisms for tapping into the voices of communities. The Municipal Structures Act and the *Guidelines for the Establishment and Operation of Municipal Ward Committees* are clear that there needs to be geographical and/or sectoral representation on ward committees. With regards to gender equity, the Guidelines state that gender equity must be considered in the composition of the ward committee. Some municipalities have gone as far as having policies that requires 50% representation of women on committees. It is also important to ensure that political interference in the election of ward committee members is prevented, as in some cases there are perceptions that the membership of committees is aligned to the particular political party of the ward councillor.

In some municipalities, ward committees have established sub-committees with their own portfolios, which is one way of obtaining broader representation of the local community on the ward committee.

The issue of ward councillors being the automatic chair of the ward committee, as is currently legislated by the Municipal Structures Act, needs to be examined carefully. In some instances it has been found that ward committees have been all but paralysed due to the non-availability or lack of interest from ward councillors. Ward councillors being the chairs of the committees has also been blamed for ward committees taking on an overtly party political character. The alternative would be for another member of the ward committee to be assigned the role as committee chair. However, the danger involved in following this route would be to potentially create two centres of political power within the ward, which is likely to further aggravate tensions between ward councillors and committees and the dysfunctionality of the committees.

The term of ward committees is important as a balance needs to be struck between a sufficient period to allow members to settle in to their roles and to develop their experience and capacity, and a reasonable expectation of the time members should serve on the committee. There is a strong argument to be made that the term of ward committees should be aligned to the five-year term of councils, for the sake of continuity and to reduce the burden of having to capacitate new members every couple of years. As a compromise, perhaps a five-year term should be encouraged, with the understanding that some members may choose to terminate their membership in the interim. In such cases, due provision will need to be made to capacitate new committee members who are elected.

The *Councillors Handbook*[39] identifies a range of pre-conditions for strong, functional ward committees:

- Ward committee members see their participation as meaningful
- It is clear to all parties who makes the final decision
- Resources are allocated to support ward committee participation

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[39] SALGA & GTZ South Africa. 2006. *Councillor Induction Programme: Handbook for Municipal Councillors,* SALGA & GTZ South Africa: Pretoria.

- Relevant information is presented to communities in an accessible form, including making it available in local languages
- Clear distinctions between providing information, consultation and participation are understood
- Feedback on the participation process and final decisions is provided

A national training programme for ward committees is in the process of being rolled out. The Local Government Sector Education and Training Authority (LGSETA) has introduced an NQF level 2 certificate in Ward Committee Governance that deals with the following competencies[40]:

- Conducting or participating in formal and informal meetings to achieve ward committee objectives;
- Informing municipal projects;;
- Facilitating community participation in implementing municipal objectives and overall objectives of local government by displaying an understanding of core municipal functions as they relate to a ward committee context;
- Facilitating relations between local government and citizens to effectively support the implementation of local government objectives;
- Facilitating service delivery from a ward committee context.

Beyond issues of the composition and functioning of ward committees, the key test of the value of these structures is whether they are proving to be an effective conduit for relaying community concerns and aspirations to council, and whether any follow-up action is then taken. That ward committees are seen to have preferential access to council, from which concrete actions arise, is ultimately the measure of credibility of these structures used by members of the community. The extent to which this is happening has not been sufficiently assessed. One measure would be the number of recommendations from ward committees that are tabled in council, and the number that are adopted and budgeted for. There is no current research on whether this is happening, although older studies (from 2004 and 2005) suggest that it is occurring on a very limited scale.

Box 3: International case studies of tools and mechanisms for building participatory local governance

People's Planning Campaign in Kerala, India
Among the various provisions for strengthening village governance (Panchayati Raj institutions), the 73rd Amendment in India called upon the Panchayati Raj institution to conduct local programmes for planning for social and economic justice. Local planning has been most fully implemented in the State of Kerala, where the State Planning Board began the People's Planning Campaign in 1997 to empower local Panchayats to draw up plans based on a highly participatory, village-based planning process. Planning mobilised neighbourhood groups and used training camps to involve thousands of resource persons from state, district and local levels – as well as retired experts such as teachers and former government workers. The state allocated 40 percent of its budget to support projects planned and implemented locally.

Source: Goetz and Gaventa, 2001, quoted in Mangado, M. 2005. *Resources, Citizen Engagements and Democratic Local Governments (ReCitE): A Topic Guide*, LogoLink, Institute of Development Studies: Brighton:32.

Report Cards on Public Service in Bangalore, India
This initiative first began in 1993 and was supported by a small advisory group of local leaders and funded through local donations with the help of a market research company. It initially consisted of a survey of client satisfaction with public services. Respondents were asked about the quality and appropriateness of a range of urban services. Since then, this informal exercise has been institutionalised by the Public Affairs Centre, and the

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[40] LGSETA government gazette SAQA Certificate in Ward Committee Governance : NQF Level 2

experience has been replicated in other cities in India, including Mumbai and Calcutta. These report cards are used to put pressure on elected officials by demonstrating the extent of public dissatisfaction in the hope that this will result in heightened responsiveness on the part of public servants responsible for the service area identified. Public awareness on issues of quality, service delivery and corruption has substantially increased following heavy coverage of the report findings in the mainstream media.

Source: Songo, 2001, quoted in Mangado, M. 2005. pg. 43

Children's participation in the governance and municipal budget of Barra Mansa, Brazil
The children's participatory budget council started in Barra Mansa as part of a special project established in 1998 to promote citizenship among children and adolescents aged between 9 and 15. Eighteen boys and 18 girls are elected by their peers in a public assembly in which all children between 9 and 15 can participate. The objective of the council is to ensure that the municipal council addresses their needs and priorities. Each year since 1998, more than 6000 children have taken part in discussions and assemblies to elect their child councillors and discuss their own priorities. This council determines how a proportion of the municipal budget is spent on addressing children's main concerns, and its child councillors also have additional opportunities to engage with the government, through attending regular city councillor meetings, raising their concerns to city hall and discussing their priorities with the mayor.

Source: Guerra, 2002, quoted in Mangado, M. 2005. pg 35.

Citizens' Juries, United Kingdom
A Citizens' Jury is typically made up of 16 people, selected as far as possible to be representative of the community, with a balance of men and women and an appropriate mix of ethnicity, employed/unemployed, etc. The topic for deliberation might be controversial, such as what to do about drugs in the community, or on an issue on which suggestions are sought, such as how to regenerate a particular area. A jury usually lasts for three to five days. The jury hears presentations from witnesses, who give different sides of the argument. The witnesses might be local authority officers, scientific and professional experts, representatives of pressure groups, members of the public with special knowledge/concerns etc. There are one or two moderators to help the jury run smoothly. The jury sometimes has its own advocate or jurors' friend to assist the questioning and discussion. After debate, the jury draws up its conclusions in a report presented to the commissioning body.

Source: New Economics Foundation. 1998. *Participation Works! 21 techniques of community participation for the 21st century,* New Economics Foundation:16.

Ciudadanos por Municipios Transparentes, CIMTRA (Citizens for Transparent Municipalities), Mexico
The Centre for Municipal Studies in Mexico (CESEM), together with other organisations, initiated the programme, Citizens for Transparent Municipalities, to offer a constructive tool to make municipal government in Mexico more accountable and transparent. As of July 2004 the methods have been used in 24 municipalities throughout Mexico.

CIMTRA has a survey of 32 questions covering three different issues:
a) Citizen information: These questions seek to ascertain what governments tell their citizens
b) Citizen attention: These questions focus on service delivery
c) Spaces for communication: This section explores the forms of communicating citizens and governments use in their relationship with each other.

Source: CESEM, 2004, quoted in Mangado, M. 2005. pg 39.

GOFORDEV Index, Philippines
Developed by the Philippine Centre for Policy Studies, the GOFORDEV Index is a set of indicators that measures the quality of governance at municipal/city level. It is also a process for promoting local development. The index comprises three sub-indices:

- Development Needs Index: This is the people's assessment of how well the local government meets public service needs

> - Development Orientation Index: This indicates the expenditure priorities of the local government
> - Participatory Development Index: This measures the degree of people's participation in local planning bodies, particularly in Local School Board and Local Development Councils.
>
> The scores are generated based on a household survey and public documents such as the minutes of the local consultative bodies and the annual audited financial report of the local government. The data are then analysed using specially developed software. In 2003 the Index had been adopted in 41 cities and municipalities in the Philippines.
>
> Source: Philippine Centre for Policy Studies, www.e-works.com.ph/pcps/gofordev.asp

5.2.3 Ward meetings

Ward councillors are expected to convene regular meetings of the community within their wards to discuss such issues as the IDP, the municipal budget, municipal performance issues and to give feedback on municipal policies and projects. The **dplg** currently does not collect data on the extent to which these meetings are being convened, and how effective they are.

5.2.4 IDP Representative Forums

IDP Representative Forums (Rep Forums) are structures mandated by the Municipal Systems Act (32 of 2000). The purpose of IDP Rep Forum is to encourage inclusive community participation in IDP processes, and specifically to[41]:

- Provide an opportunity for stakeholders to represent the interests of their constituencies;
- Provide a structure for discussion, negotiations and joint decision making;
- Ensure proper communication between all stakeholders and the municipality;
- Monitor the planning and implementation process.

The composition of IDP Rep Forums may include[42]:

- Councillors, including members of the executive committee of the council and district councillors;
- Traditional leaders;
- Ward committee members;
- Heads of departments and senior officials within municipalities and other government departments;
- Representatives from organised stakeholder groups;
- Resource people or advisors;
- Community representatives.

Table 3: Community participation during the phases of the IDP processes[43]

Planning phase	Methods for participation
Analysis	Community meetings organised by the ward councillor
	Stakeholder meetings
	Surveys and opinion polls
Strategies	IDP Representative Forum
	Public debates on what can work best in solving a problem
Projects	Meetings with affected communities and stakeholders
	Representation of stakeholders on project subcommittees
Integration	IDP Representative Forum

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[41] Toolkit on Integrated Development Planning for Local Government
http://www.etu.org.za/toolbox/docs/localgov/webidp.html
[42] SALGA & GTZ South Africa. 2006:70.
[43] SALGA & GTZ South Africa. 2006:74.

Approval	Public discussion and consultation with communities and stakeholders
Monitoring & Implementation	IDP Representative Forum

No data was available from **dplg** as to how many municipalities have established IDP Rep Forums and how many are functioning effectively.

5.2.5 Community Development Workers

The Community Development Workers programme was initiated by government in 2003. The rational for its introduction was the need to narrow the gap between government service delivery initiatives at all three spheres and citizens' knowledge of and access to the benefits of these initiatives. The programme seeks to achieve the following results:

- Assisting in the removal of development deadlocks;
- Strengthening the democratic social contract;
- Advocating and organised voice for the poor;
- Improved government community network.

The table below provides a summary of the deployment of CDWs at municipal level up to March 2007.

Table 4: Deployment of CDWs

Province	No. of Wards	Number of CDWs deployed	
		April – September 2006	October 2006 – March 2007
Eastern Cape	636	376	235 CDW learnerships
Free State	300	89	252
Gauteng	423	194	423
KwaZulu-Natal	771	400	410
Limpopo	513	381	381
Mpumalanga	365	321	327
Northern Cape	174	179- 163 still in training	312
North West	365	286	289
Western Cape	348	200	200

Source: **dplg**

Research into the functioning of the CDW programme points to a number of challenges, namely that[44]:

- not all CDWs who have completed learnerships have been employed by the provinces;
- there is generally insufficient awareness and confusion amongst members of communities and councillors and officials about the existence of CDWs and their specific roles and responsibilities;
- there are reports of the relationships between CDWs and other stakeholders, such as councillors, ward committee members and officials often being acrimonious and strained. Tensions between CDWs and ward committees appear to stem from the perception that ward committee members do the same work as CDWs but, unlike CDWs, are not compensated for their efforts;
- there appears to be a lack of clarity with regard to responsibility for employing CDWs and lines of accountability – do CDWs report to municipal Speakers, or to provincial officials, for example?

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[44]Mackay, K and Davids, I. 2006. *Unpacking the relationships between Community Development Workers and municipal stakeholders in the Western Cape Province.* Foundation for Contemporary Research: Cape Town.

- there are perceptions about CDWs being party-politically aligned;
- there are perceptions of CDWs playing a watchdog role with regard to local government on behalf of provincial and national government.

5.2.6 Izimbizo

The izimbizo programme was initiated by government in 2000. The programme is described on the Presidency's website as follows:

> The Imbizo programme of The Presidency forms part of Government's Imbizo Programme which is an initiative to take Government to the people. In the programme, the President, the Deputy President, National Ministers, Provincial Premiers and Members of Executive Council (MECs) do regular visits in an interactive programme with ordinary South Africans to communicate Government's Programme of Action and the progress being made.

> It gives ordinary people a platform to raise issues or problems with those in authority and also gives the ordinary people direct access to the President and Deputy President so that they may voice their concerns and say what they feel about Government and service delivery. In this way The President is able to identify blockages to service delivery and make interventions through the relevant spheres of government.[45]

In 2006, 12 Presidential Municipal Izimbizo were held, covering a total of 70 municipalities.[46] To date in 2007, four Presidential municipal Izimbizo have been undertaken.

Table 5: Izimbizo 2006-07

	2006	2007
Eastern Cape	3	1
Free State	2	
Gauteng		1
KwaZulu-Natal	1	1
Limpopo		
Mpumalanga	1	
Northern Cape	2	
North West	2	
Western Cape	1	1
Total	**12**	**4**

Source: **dplg**

Besides the Presidential Izimbizo, many municipalities also convene their own izimbizo. However, the **dplg** does not maintain a database on these izimbizo.

Izimbizo would appear to be primarily geared as forums for enabling government to communicate its programmes and plans, and for citizens to raise problems and concerns. As such, izimbizo potentially fulfil a useful function, although they are clearly not configured as deliberative structures. However, some observers argue that izimbizo are little more than carefully staged government public relations exercises, where the locations for the events are chosen for strategic political reasons, and access to the events by the public is carefully controlled. Some commentators argue that izimbizo serve primarily to advance the political agenda of the ruling party. On a positive note, however, what izimbizo do provide are rare opportunities for ordinary citizens to have some direct engagement with high-level figures of authority.

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[45] http://www.thepresidency.gov.za/main.asp?include=izimbizo/main.html
[46] Department of Provincial and Local Government. 2007. *Annual report 2006/07,* dplg: Pretoria.

More rigorous research is required to interrogate the nature and value of izimbizo. A key issue to be included in such an investigation is the extent to which there is sustained follow-up on and resolution to the specific concerns and problems raised in these fora. The degree to which marginalised voices within communities are heard at izimbizo also warrants consideration.

5.2.7 Community-based planning
Community-Based Planning (CBP) is an approach to development planning which is intended to enable community participation in planning and to promote community action to address their local development challenges. CBP entails a participatory action research approach based on the Sustainable Livelihoods Approach (SLA), using a variety of PRA tools. It is implemented by means of a series of workshops at ward level, involving a range of participatory exercises that enable communities to identify development challenges, existing resources and livelihoods strategies, and develop objectives, strategies and projects/activities.[47]

The following have been stated as the objectives of CBP:[48]

1. To improve the quality of integrated development plans by including perspectives from local communities;
2. To improve the quality of services delivered (through local and sectoral plans) by incorporating input from community members;
3. To promote community control over development processes by increasing community participation in decision-making and in directly managing development; and
4. To increase community action and reduce dependency on government and other external agencies, through identifying and making use of resources available within communities.

One of the key features of the CBP model is that the planning process is backed up by the allocation of funds ("seed funds") to wards to use to take forward the action plans they produce. The amount of these funds has ranged from R10 000 to R50 000.

CBP has been piloted in South Africa in seven local municipalities, namely Mangaung, Nkonkobe, Tzaneen, Bela-Bela, Msunduzi, Maluti-a-Phofung and Mbombela, and one metro, eThekwini Municipality.

An evaluation of the impacts of CBP was conducted in three sample municipalities – Nkonkobe, Mbombela and eThekwini in 2005. The report on the evaluation notes that community participation in IDP has historically been weak. One of the challenges is that community participation has often been limited to soliciting endorsement for IDPs prepared by consultants or officials. It has also tended not to deliver realistic, implementable plans – it quotes the report on the Portfolio Committee on Provincial and Local Government's study tour of municipalities in 2003:

> "…several municipalities said that community meetings often led to the production of "wish lists" to be included in the IDPs, and raised expectations that the

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[47] Hollands, G, Maree, R, Smith, T, Losch, A and Seti, S. 2005. *Report on the Evaluation of the Impacts of Community-Based Planning (CBP) in Selected Pilot Municipalities,* report submitted to German Agency for Technical Cooperation (GTZ), September 2005, Afesis-corplan: East London.
[48] Goldman, I and Abbot, J. 2004. "Overview: Decentralisation and participatory planning," *PLA notes 49,* IIED; AICDD and Development Works. 2005. *Guide 1: Guide for Decision-Makers in considering Community-Based Planning linked to the IDP.*

municipalities simply could not deliver on. They found it difficult to balance the priorities and especially the targets that emerged from these meetings with practical and realisable plans and strategies based on such key considerations as funds, resources, capacity, and the extent of cooperation from provincial and national government…"[49]

One of the primary aims of CBP is to enhance community participation in IDP processes. The report on the evaluation of the impacts of the three pilot projects notes, however, that "[l]inkages with IDP are currently one facet of CBP most in need of further development," with generally weak linkages between CBP planning processes and the mainstream IDP process.[50]

Another key challenge that has hampered CBP is the generally poor functionality of ward committees, which lie at the core of the planning methodology.

Following the piloting phase of CBP, there is a process currently underway within **dplg**, with funding from the European Union, to roll out CBP more widely. The target is for 150 local municipalities to receive capacity building to implement CBP by 2012. The LGSETA has developed an accredited training programme on CBP, that will be used as the basis for capacity building in the roll-out of CBP nationally.

Box 4: Participatory budgeting, lessons from international experience[51]

Over the past two decades, a substantial number of experiments with participatory budgeting (PB) at local government level have been conducted internationally,[52] many of which have been well-documented and analysed as case studies. Some of the most well-known examples come from Brazil, particularly the pioneering work done in the city of Porto Alegre. Other often cited examples include Belo Horizonte, Santo Andre, Recife and Barra Mansa in Brazil, Villa El Salvador (Peru) and Montevideo (Uruguay).

PB has been defined as "a kind of a bottom-up contract which combines structure and process, based on direct participation and social justice criteria, for the public budget formulation and its expansive co-management."[53]

Some of the motivations for introducing PB by local governments include the need to bring about a more equitable distribution of resources to poorer areas and people in cities, a desire to build awareness amongst citizens about government, policy-making and citizens' rights and responsibilities, and aspirations to reduce corruption, clientelism and inefficiency in local government.[54]

While across the wide range of experiments with PB the specifics may differ, the core format of the process remains largely similar in most cases. Participatory budgeting is a process through which structures known as Regional Assemblies and the Participatory Budget Council participate in allocating resources and monitoring how they are used. The council is composed of delegates elected from regional meetings, from thematic working groups, which deal with issues such as transport, culture and leisure, healthcare, economic development and city management, from the municipal union and neighbourhood associations, and from representatives of local government. The Council representatives

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[49] Portfolio Committee on Provincial and Local Government. 15 April 2003. "Report on Study Tour of Municipalities," National Assembly: Cape Town:18.
[50] Hollands, G. et al. 2005:78.
[51] The contents of this box are adapted from a section written by the author contained in the report by Hollands, G. et al. 2005.
[52] There were over 200 cities in Brazil alone implementing participatory budgeting in 2003 (Cabannes, Y. 2003. "A lesson on Participatory Budgeting in Latin America," *Habitat Debate,* Vol.9, No.1).
[53] Baierle, S. 2002. "Transformation and empowerment through the Participatory Budget," paper presented at the LogoLink International Workshop on Participatory Planning Approaches for Local Governance, Indonesia, 20-27 January 2002.
[54] Wampler, B. 2000. "A Guide to Participatory Budgeting," accessed at www.internationalbudget.org/resources/library/GPB.pdf

are responsible for organizing ongoing consultation meetings and representing district priorities to the municipal governments. In collaboration with government representatives they establish and monitor the local budget.[55]

One of the defining characteristics of PB programmes is that a proportion of the total municipal budget is allocated to the PB programme. The proportion of total budget set aside for participatory budgeting can vary from year to year but is normally 12 – 15% and rarely more than 20%.[56]

Assessments of PB programmes have indicated many positive impacts, including the following:

- Socially excluded groups have gained a greater capacity to influence decisions related to the allocation of resources, with tangible benefits resulting – for example, improved access to basic services. Budgets have also reflected more closely the priorities of the poor as people from low-income areas have been given the opportunity to decide on the investment priorities for their communities.[57]

- Significant improvements in equity and efficiency of service delivery service have been recorded in some cases. Service delivery has also become more responsive to citizens' needs.[58]

- Social justice goals have also been furthered through thematic decision-making assemblies, which may have had an influence on generally higher levels of social spending in many municipalities that have implemented PB.[59]

- While actual resources transferred through PB may be relatively small, it has been argued that argued that PB has been an important mechanism for "transforming public investments from favours into rights."[60] Poorer citizens, especially, have been empowered to claim citizenship rights to resources and decision-making power. In this regard, one of most significant benefits of many PB programmes has been a reduction in the clientelism and patrimonialism that characterised many municipal administrations, especially in Brazil, in the past.[61]

- PB has promoted transparency in decision-making and opened up knowledge of government budgets and resource allocation issues beyond government officials.[62]

- In some programmes, citizens have been involved in monitoring service delivery, thereby promoting greater accountability in public expenditure and performance.[63]

- PB has improved communication between civil society and municipalities in many cases. Citizens have also become more understanding of the limitations and pressures faced by municipalities.[64]

- Personal empowerment of participants in PB programmes has been reported, which has increased their self-esteem and self-reliance.[65]

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[55] Goetz, A and Gaventa, J, 2001. "Bringing Citizen Voice and Client Focus into Service Delivery," *IDS Working Paper 138,* IDS: Brighton.
[56] Wampler, 2000; Souza, M. L. de. 2003. "Alternative Urban Planning and Management in Brazil: Instructive Examples for Other Countries in the South?," in P. Harrison, M. Huchzermeyer and M. Mayekiso (eds) *Confronting Fragmentation: Housing and Urban Development in a Democratising Society,* University of cape Town Press, Cape Town.
[57] Souza. C. 2001. 'Participatory budgeting in Brazilian cities: limits and possibilities in building democratic institutions,' *Environment and Urbanization,* Vol.13, No.1, April 2001; Acioly, C. Herzog, A. Sandino, E and Andrade, V. 2002. *Participatory Budgeting in the Municipality of Santo Andre, Brazil: the challenges of linking short-term action and long-term strategic planning,* Institute for Housing and Urban Development Studies, The Netherlands; Gaventa, J. 2002. *Towards Participatory Local Governance: Six Propositions for Discussion,* Institute of Development Studies, IDS: Brighton.
[58] Acioly et al, 2002.
[59] Wampler, 2000.
[60] Souza, 2001:161.
[61] Wampler, 2000.
[62] Souza, 2001.
[63] Acioly et al, 2002; Cabannes, Y. 2003. "A lesson on Participatory Budgeting in Latin America," *Habitat Debate,* Vol.9, No.1; Gaventa, 2002.
[64] Acioly et al, 2002.
[65] ibid

- Citizens participating in PB obtained new perspectives on the realities and needs of the city as a whole and could compare conditions where they live to other areas. As Souza[66] puts it, PB "encourages programme participants to move from individualistic views to solidarity and to see city problems in universal rather than personal terms."

The following are some of the limitations of PB programmes commonly identified in the literature:

- In some cases, the "very poor" have not been as able to influence resource allocation decisions.[67]

- Despite some material improvements for poor communities, PB programmes are inherently limited by the enduring problem of local government remaining constrained in its ability to meet all needs. For this reason, some observers contend that the most important benefit of PB is the extension of participation and decision-making power to formerly excluded groups, rather than the tangible benefits it may deliver to the poor.[68]

- As with most participatory processes, in PB programmes the burden of participation tends to fall most heavily on the poor, while other groups may enjoy the luxury of not having to participate.[69]

- PB has tended to focus on specific public works projects, at the expense, some argue, of public learning and empowerment.[70] In many cases, citizens have been more focussed on the tangible benefits of service delivery than on learning about governance and their rights.

- Sustaining the participation of citizens in PB programmes is more difficult once the immediate goal has been achieved i.e. securing some kind of tangible neighbourhood or social policy improvement.[71]

- Dependence of the PB process on the Mayors' office means that local government remains the principal actor, responsible for organising meetings, providing information, implementing projects etc. Without strong political commitment, it is therefore difficult to sustain the process. There is also the danger of the process being manipulated by politicians as a result of the controlling role of the Mayor's office.[72]

- Long-term strategic city planning is ambiguous in many PB programmes. Most citizens' interests appear to lie in shorter-term public works projects.[73]

- PB programmes concentrate on the local level, with the consequence that less attention may be paid to other regional, national and global factors that impact on the social and economic exclusion of people at local level.[74]

- In many programmes, some degree of tension between PB delegates and municipal councillors has been reported.[75] Elected councillors may feel that the process takes away their power.[76]

- It has been noted in a number of PB programmes that certain groups don't participate or are under-represented in the process, such as the very poor, young people, middle-class citizens, professionals, private entrepreneurs, community sport organisations and women.[77]

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[66] Souza, C. 2002."Is the Participatory Budgeting Process in Brazil Over-rated?," *Habitat Debate,* Vol. 8, No. 1, p.17
[67] Souza, 2001.
[68] Wampler, 2000.
[69] Souza, 2001.
[70] Wampler, 2000.
[71] ibid; Souza, 2002.
[72] Wampler, 2000.
[73] ibid; Cabannes, 2003.
[74] Wampler, 2000.
[75] Cabannes, 2003.
[76] Souza, 2001.
[77] Acioly et al, 2002, Souza, 2002.

5.2.8 Other modes of interaction

Some municipalities have Mayoral listening or "council meets the people" campaigns. In most municipalities, for specific development projects, project steering committees are established. Local newspapers, municipal newspapers and special leaflets have also been employed by most municipalities as channels for communication with local residents. Community radio as a channel for communication and interaction between municipalities and citizens has been used to some extent. Many municipalities also use websites as a communication mechanism. The use of other technologies, such as sms, is also starting to be experimented with. There is significant potential for sms to be used to communicate notices about various municipal processes such as, for example, council meetings, ward meetings, izimbizo, as well as to solicit feedback from the public.

It is important to note that there is a range of other structures which citizens may participate in, some of which are less directly concerned with local governance issues than others. Examples include health committees, community policing forums, water committees, school governing bodies, and catchment management agencies.

Box 5: South African civil society initiatives to promote good local governance

Good Governance Surveys[78]

For the better part of the past decade, Afesis-Corplan has been undertaking surveys of good governance in various municipalities in South Africa. The surveys have been a culmination of a process of designing and refining assessment and monitoring tools over time to ensure that they remain robust and relevant to a dynamic local government environment. It has emerged as one of the few alternative instruments for appraising local governance practices and many of its key features are lacking in mainstream evaluation instruments like the *Institutional Scorecard* approach. Its uniqueness lies in its ability to offer a non-technical and civil-society inclusive approach to municipal performance that is able to compare both quantified and perceptions-based data.

The survey methodology entails interviews with officials, councillors, ward committee members, representatives from civil society organisations and members of the general public. The questionnaire covers the full spectrum of issues related to good governance, including decision-making, public participation and consultation, transparency, disclosure, corruption, service delivery, and systems and structures.

"Building community-based capacity for monitoring local government financial accountability" project

Another project being piloted by Afesis-corplan and the Project for Conflict Resolution and Development (based in Port Elizabeth) seeks to assist citizens and community groups to better understand how public money is managed and spent at municipal level. The objectives of the project are to:

- improve municipal financial reporting to the public as per policy framework by utilizing and adapting proven monitoring and assessment tools developed by the project partners;
- identify and equip civil society groupings with the necessary monitoring and analytical tools to engage with municipal finance reporting conventions;
- engender a sense of ownership and responsibility for municipal finances in local civil society;
- establish a local contract of governance between civil society and local government where transparent municipal financial management is matched by increased citizens' compliance with credit control and tariff/rates policies.

To date the project has been piloted in two local municipalities (Ndlambe and Kouga) in the Cacadu District in the Eastern Cape.

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[78] Information for this and the next project example was supplied by Afesis-corplan (www.afesis.org.za)

> **Civil Society Budget Watch, eThekwini Municipality**[79]
> The Civil Society Budget Watch is an initiative that started in early 2007 that involves some sixteen local civil society organisations in eThekwini Municipality who monitor and give input to the budget process in the municipality. Members of the Civil Society Budget Watch attended budget hearings at the City Hall as well as community meetings in April 2007. The group had bright orange T-shirts made, which gave its representatives a visible presence at these hearings. After the budget meetings, a small committee was tasked to write a comprehensive submission, which was submitted on the 26 April to the Mayor, Deputy Mayor, Municipal and Deputy Municipal Managers. Copies were also sent to the Community Participation Unit, since many of the group's comments were about the participation process. A Council meeting was held on the 30 April to pass the municipal budget. In his budget speech, the mayor responded to the group's submission. A response was also received from the Municipal Treasurer.

5.3 Social mobilisation through direct action

This sub-section deals with the ways in which citizens participate in public life and seek to have their voices heard outside of the formally designated structures and channels for public participation.

The most obvious example of this is social protest, which has become a dominant feature of the local government landscape over the past four years. Over the period 2004-05, it has been reported that there were 881 illegal and 5085 legal protests in municipalities across the country.[80] The usual refrain is that these protests are about poor service delivery. While at face value this may be true, research suggests that the underlying motivations for social unrest are far more complex. A report by Botes et al[81], describes in some detail twelve different reasons behind the protests:

- Poor governance
- Individual political struggles
- Poor communication
- Ineffective client interface
- Ineffective management
- Housing administration and management
- The economic impact of poor service delivery
- Affordability issues
- Regional identities at local municipal level
- Strategic planning
- Intergovernmental relations: powers, functions and unfunded mandates
- The lack of appropriate youth development

While in some instances it is clear that protests have been instigated in pursuit of narrow political interests, in other cases they have been an expression of legitimate community grievances, and reflect a lack of responsiveness by the local state. While in many cases the impacts of these protests have been destructive (e.g. ranging from damage to community infrastructure, injury and even death) and have not yielded the desired outcomes, protest should be taken seriously by authorities as a legitimate form of community participation. Often the response to protest action is a key determinant of how destructive they become. In cases where government has responded timeously to grievances there has usually been

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[79] Information supplied by the Democracy Development Programme, Durban (www.ddp.org.za)
[80] Johnston, 2. 2007. *Voices of Anger: Protest and conflict in two municipalities*. Centre for Development and Enterprise, Johannesburg.
[81] Botes, L, Molefi, L, Marais, L, Matebsi, Z, Sigenu, K. 2007. *The Cauldron of Local Protests: Reasons, Impacts and Lessons Learned,* Centre for Development Support, University of the Free State, Bloemfontein.

a peaceful resolution to the conflict. It has to be said that here have been many instances where government's response to protest action has been to use force to close them down, sometimes in breach of legislation governing public gatherings. This points to an underlying need to create a deeper culture of democratic politics, in which voices critical of government are engaged with on a more open, less conflictual basis.

A more positive reading of the protests is that they represent an opportunity for government, insofar as they are made up of citizens who are asking for their voices to be heard. The challenge for government is to find a way to engage with these citizens in such a way that the energy driving protests is used constructively to resolve the underlying conflict.

There are many lessons to be learned from the protests. Key among these is the need to develop effective early warning mechanisms to pick up nascent conflicts and to prevent them escalating into serious protest action. The interface between councillors and ward committees and local residents is a critical space in which emerging issues should be identified and responded to. Municipalities also need to build their capacity for conflict resolution and mediation. In many cases, sensitive and competent mediation could have diffused conflicts.[82]

Another instrument citizens may resort to in order to influence the local state is the courts. There have been a number of instances where groups of residents have instituted legal actions to get municipalities to make provision for access to basic socio-economic rights or to prevent them from threatening these rights. The seminal test of the government's obligations to citizens was the Grootboom case (see box 6), although there have been many other instances where communities have used the courts to uphold their rights.

Box 6: Citizens using the courts to advance socio-economic rights

Government of the Republic of South Africa and Others vs. Irene Grootboom and Others (Constitutional Court, 2001)
In September 1998, 900 people, including 510 children, from the overcrowded informal settlement of Wallacedene in Cape Town moved out and occupied a nearby vacant piece of privately-owned land. The landowner obtained an eviction order, and in May 1999, the informal dwellers were evicted. The residents returned to Wallacedene, where they were forced to live on the sportsfield. The community took the then Oostenberg Municipality, part of the Cape Metropolitan Municipality, and others to court in an attempt to ensure that the municipality meets its Constitutional obligations and provide temporary accommodation. The Cape High Court ruled in favour of the community and ordered the municipality to provide temporary accommodation to the households on the basis of Section 28(1) of the Constitution – the right of children to shelter – until such time as the households are able to provide shelter for the children themselves. The National government and the other respondents appealed to the Constitutional Court, which rejected the Cape High Court's ruling that Section 28(1) conferred a minimum core entitlement, and focused on Section 26(2), using a test of "reasonableness." The Court decided that, although the housing programme satisfied most of the requirements of the reasonableness test, it was nevertheless unreasonable in that "no provision was made for relief to the categories of people in desperate need." The state was therefore found to be in violation of Section 26(2), which included the obligation to devise, fund, implement and supervise measures aimed at providing relief to those in desperate need. Because the case was argued on the grounds of Section 26 and 28 of the Constitution, the relief was ordered on these grounds only. A voluntary commitment by Oostenberg Municipality and the Western Cape Provincial Government to provide basic services and temporary accommodation was also made part of the court order (it took almost a year for the community to actually be provided with basic services).

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[82] Botes et al. 2007.

Source: Smit, W. 2003. *Expanding Socio-economic Rights and Access to Housing*, paper prepared for USAID by the Urban Sector Network: Johannesburg.

Joe Slovo informal settlement community challenges eviction, Cape Town

In Langa, Cape Town, more than 3500 residents of the Joe Slovo informal settlement brought one of the biggest class action cases in South Africa in September 2007, when they lodged objections at the Cape High Court to being removed by the government from the land they live on, which is earmarked for a bond housing development as part of the N2 Gateway housing project. The residents are fighting a plan to move them to temporary housing in Delft – some 20km outside the city - which, they argue, is too far from their places of work and children's schools. In early October 2007, the Cape Judge President John Hlope ordered a nine-week postponement of the case, the outcome of which will implications for the approximately 6000 households currently living in the Joe Slovo settlement.

Source: Joubert, P. 2007. "We don't want to live in Delft," *Mail and Guardian,* 5 October 2007; Joubert, P. 2007. "Victory for Joe Slovo residents," *Mail and Guardian,* 28 September 2007.

5.4 Grassroots development practice

This fourth domain of citizen participation in public life has to do with the range of ways in which citizens, in particular poor people, organise themselves at local scale in order to achieve an improvement in the quality of their lives and secure socio-economic rights. Examples include savings clubs (stokvels), community gardens, neighbourhood watches, soup kitchens, shelters for the abused, religious clubs, HIV/AIDS home-based care groups, community crèches and sports clubs.[83] These initiatives may be autonomous, or they may have some degree of involvement by the state.

The most recent available major study on associational practices in South Africa, entitled *The Size and Scope of the Non-Profit Sector in South Africa*, found that the country has a very large and vibrant non-profit community, cutting across a wide spectrum of sectoral activities. More than half of the 98 920 non-profit organisations counted in the study were classified as less formalised, community-based NPOs, largely staffed by volunteers.[84]

Pieterse[85] argues that, beyond the material improvements in the quality of life that may arise, there at least three beneficial aspects of grassroots development action. Firstly, experiences of participating in community-based associations can expand social citizenship and voice and socialise citizens into democratic values such as accountability, transparency, deliberation, inclusivity and majority decision-making. In a sense, then, grassroots development can be seen as a breeding ground for more informed citizens and, potentially, new community or political leaders. Secondly, Pieterse notes that "participation in development projects often also enables people to see the bits and pieces of the state and how they function in contradictory ways at different scales." For example, through engagement with national government agencies people learn that the social development objectives of a national government department may be very different to the social development initiatives of local government. Understanding and capitalising on these kinds of contradictions is key to moving the agendas of grassroots organisations forward, and to ultimately bringing about a shift in government's priorities towards the interests of the poor. Thirdly, and finally, Pieterse holds that "grassroots projects can be invaluable sites of experimentation with alternative ways of doing development." Unlike state bureaucracies, which

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[83] Pieterse, 2003.
[84] Swlling, M and Russell, B. 2002. *The Size and Scope of the Non-profit Sector in South Africa,* Graduate School of Public and Development Management, Johannesburg, and Centre for Civil Society: Durban.
[85] Pieterse, 2003.

tend to be rigid, hierarchical and conformist institutions, community-based associations can be more creative, flexible and innovative and, in some instances come up with important alternative approaches to development which can be absorbed by the state and in theory lead to more equitable development outcomes. Pieterse uses the example of the influence of the Homeless People's Federation in relations to the adoption of the "people's housing process" approach to housing delivery.

A key question arises as to the relationship between local government and grassroots development initiatives, and what role municipalities can and should play in supporting community-driven development. Firstly, it is apposite to note that the White Paper includes "communities" in its definition of municipalities, which places an obligation on municipal councils and administrations to play a role in supporting the development of communities.

A key observation is that where municipalities fail in their obligations to deliver basic services and other developmental interventions, the burden falls more heavily on communities to provide for themselves, particularly in terms of meeting their most basic needs. The capacity of municipalities is therefore directly related to the scope of action required by communities themselves. It also means that where municipalities do fill their obligations, the burden on communities is lifted, and space is created for them to engage in the pursuit of other social development objectives.

The sustainability of community-based development interventions, particularly in relation to access to funding, is a perennial concern. Local government is generally able to provide limited financial assistance, for example, through grants-in-aid. Municipalities can, however, play other useful roles. An important one is to create an enabling environment for grassroots action, through regulatory measures or providing a facilitating role in bringing different actors together to support each other. Municipalities can also offer expertise, training or infrastructure, such as land or buildings, to NGOs or CBOs, which could be utilised for their work. In some cases, it is possible to find a number of different kinds of support brought together in partnerships between municipalities and local communities and organisations (see box 7).

Box 7: Case studies of municipal-community partnerships for development

Msunduzi Municipality HIV/AIDS Strategy Partnership
Initiated in 2001, the Msunduzi Municipality's HIV/AIDS Strategy brings together the municipality and a range of local NGOs and CBOs in a partnership to provide a comprehensive response to HIV/AIDS. The strategy encompasses activities across three key areas: Education, awareness, openness and prevention; treatment and care for people living with HIV/AIDS; and care for vulnerable children, including orphans. While the implementation of the strategy has not been without its challenges, its innovative nature lies in the way it harnesses the contributions of both government and civil society in a concerted effort to deal with the HIV/AIDS epidemic locally. The municipality plays a key role in leading and co-ordinating the strategy, and has also provided material support to NGOs and CBOs in the form of, for example, making available unutilised municipal properties for use by local faith-based organisations providing hospice care and home-based care training.

Source: Smith, T and Stanford, P. 2003. *The Msunduzi HIV/AIDS Strategy: A Partnership Response at Local Government Level,* Built Environment Support Group: Durban.

Masikhule Municipal-community Partnership Project, Theewaterskloof Municipality
The Masikhule Municipal-Community Partnership project is a small-scale mini-tunnel farming project in the small rural town of Botrivier in the Theewaterskloof Municipality in the Western Cape.

The project is a partnership between a community group consisting of the most vulnerable women-headed households in the town, a local CBO, the local municipality, a private sector company, the Western Cape provincial government and the National Development Agency (NDA).

In line with the sustainable livelihoods approach, the project seeks to promote poverty alleviation by building on the capabilities, assets and resources of the people of Botrivier through a small-scale vegetable farming project that aims to create jobs and provide food security for the poorest residents of the community.

As part of the partnership arrangement, the Theewaterskloof Municipality offered a piece of land for the project, as well as provided other forms of assistance, such as preferential rates and service charges.

So far six women have been employed on the project. Plans to expand the farming operation, through the construction of a process and packaging plant, will see a further six local women benefiting from the project.

Source: Foundation for Contemporary Research, www.fcr.org.za

6. Implications for practice, policy & further research

This final section of the paper outlines some of the main implications from the review of current practice for future practice, policy development and further research.

Institutional arrangements
There is a need to review the current institutional mechanisms in place for promoting and monitoring community participation in local governance, across the three spheres of government, to assess whether they are adequate, are sufficiently resourced, have clearly defined mandates, and are effectively executing their mandates.

Political systems and practices
The mayoral executive system requires a thorough review and effective instruments for generating greater transparency and accountability within mayoral committees need to be developed. One obvious recommendation is for mayoral committee meetings to be required to be open to the public and the media, except in the case of certain specific circumstances.

All political parties should also be encouraged, if not compelled, to declare candidates for top political positions within municipalities prior to elections. Parties should also be encouraged to direct their campaigns to a much more localised municipality- and even ward-specific level.

Floor crossing needs to be seriously reviewed, with a view to either scrapping it entirely, or making amendments to current legislative provisions to neutralise some of the more perverse consequences that have arisen.

Qualitative research could prove useful in generating a better understanding of what makes a good ward councillor, and the qualities and capacities required for councillors to execute their functions effectively.

There is a need to understand better the ways in which the public may participate in the affairs of district municipalities specifically. At present this appears to be a particularly weak area.

Processes, mechanisms and structures for community participation
It should also be useful to conduct a review of the policies, mechanisms and structures municipalities have in place to encourage community participation, how they are functioning, and what influence they are having. With regard to structures, there is a need to understand more about how inclusive they are – to what extent do they take into account issues such as language, illiteracy, culture, gender, special needs of people with disabilities, and ensuring that both urban and rural communities have equal opportunities to participate. It would be useful to also identify and document innovative and creative ways of promoting community participation that have been undertaken by municipalities (e.g. community theatre). Institutional arrangements to facilitate community participation at municipal level also need to be investigated – for example, how many municipalities have community participation units and dedicated resources for promoting community participation, and to what extent are these advancing the cause of participatory local governance?

A thorough review of the ward committee system is required with a view to answering some fundamental questions about the value of ward committees and whether they are the most appropriate vehicles for citizen participation in local governance at scale.

As an element of such a review, the composition of ward committees needs to be examined very carefully. The nomination and election procedures are key to ensuring that the members of ward committees are representative both in terms of geographical coverage of the ward and sectoral interest groups. It is also critical to minimise, as far as possible, party political considerations in the election of ward committee members. Gender representivity on committees also needs to be promoted, whether it be through policy guidelines, or more rigid instruments such as by-laws. The number of members of ward committees should also be reviewed. More flexibility in the number of members that can be allowed would assist to address concerns around the size of wards and securing adequate representation from all areas with the ward. This may require a change to be effected to Section 73(2)(b) of the Municipal Structures Act.

Still on ward committees, there is a need to examine whether councillors being the automatic chairs of ward committees is in the interests of the optimal functioning of the committees. Consideration should be given to alternative arrangements to ensure that ward committees are not hamstrung in situations where councillors are not available, or willing, to fulfil their obligations as chairs. Again, this would require a change to the relevant legislation, which is Section 73(2)(a) of the Municipal Structures Act.

Most importantly, a review of ward committees should assess what impact they are having on council decision-making and what value they add to deepening democratic processes at local level.

An assessment of the extent to which all municipalities have IDP Representative Forums, and how these structures are functioning, would be valuable in terms of gaining insight into how effectively community participation in IDP processes is occurring.

There is a need to deepen our understanding of the effectiveness of izimbizo as a format for participation (or consultation) between citizens and government. There does not appear to have been any qualititative research done regarding the functioning and value of izimbizo.

The community-based planning programme should be pursued more vigorously as it holds significant potential to deepen public participation in planning at a sub-municipal level. It will be important to recognise that not all municipalities will have the capacity to implement CBP as it is by nature a skills and resource intensive enterprise and requires a number of preconditions to be in place, including enabling institutional institutional arrangements. The *Report on the Evaluation of the Impacts of Community-Based Planning (CBP) in Selected Pilot Municipalities* (2005) contains a number of useful recommendations for strengthening CBP.

International lessons
The is a need for more in-depth research and reflection on international practices with regard to processes, mechanisms and structures for enhancing citizen participation in local governance. There is a great deal to be learnt from these experiences, some of which could be adapted and replicated in the South Africa context. A synthesis of appropriate international experiences could be a valuable tool for municipalities to broaden the range of approaches and methodologies they use to foster public participation.

Social protest, responses and conflict resolution
There would appear to be an urgent need to build the capacity of municipalities to respond to community grievances and for early warning mechanisms to be put in place to prevent localised conflicts from escalating into full-blown community protests. Conflict mediation at local government level also appears to be an area requiring further development.

Supporting grassroots development action
There is a wealth of community-driven development initiatives that needs to be documented and reviewed in order to understand better what role local government can play in supporting and empowering communities in their efforts. There are some useful case studies of innovative partnerships that have been forged between community groups and municipalities to extract lessons from. As part of creating a more enabling environment for such partnership, there may be a need to review certain pieces of legislation, in particular the MFMA.

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