



## CAPE TOWN CIVIC ORGANISATIONS - IN SEARCH OF MEANINGFUL PARTICIPATION

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The South African White Paper on Local Government (1998) enshrines the principles of participation and democracy as a means to involve communities and civic organisations in the matters of local government. Since the inception of the White Paper in 1998, communities and organisations emerged as partners with local government in influencing policy and meeting key development objectives.



AS part of its work with local communities, the Development Action Group (DAG) conducted a city-wide review of developments which were being contested by civic organisations (community representative groups) in Cape Town. The review highlighted that civic organisations were unable to influence development processes and local government policies through traditional participatory mechanisms. Current methods of public participation are accused of lacking transparency and accountability on behalf of local government,

and are mere 'tick-box' exercises done in order to meet legislative requirements. The perception from civic organisations is that local government imposes but does not engage, resulting in people's heritage, livelihoods and natural environment being undermined.

This In Profile submission provides a brief overview of the difficulties citizens and civic organisations have in influencing participatory processes, the common tactics used to hold government to account, and how civic

organisations are attempting to frame a new model of participation.

### THE RIGHT TO PARTICIPATE, IS NOT A RIGHT TO INFLUENCE

A city-wide review of participatory processes in Cape Town highlighted that citizens are required to participate, but this does not mean they can influence decision-making. The review included 25 cases in which civic organisations were contesting developments across the city, from the Atlantic Seaboard to the Cape Flats. Three factors limited the influence of citizens in participatory processes:

#### A TICK-BOX EXERCISE

Citizens feel that public participation is a 'tick-box exercise' for local government to tick legal boxes in the approval of development applications. The idea behind a 'tick-box exercise' is that a decision has been pre-made before participation takes place, and that the process is only done for government to remain compliant with legislation. In addition, civic organisations also reflected that meetings were poorly attended by community members due to poor advertising – this often meant that developments could be approved in spite of poor community representation at meetings.

#### LACK OF INFORMATION

Citizens shared their frustration on the limited information made available before and during a participatory process. For example, in one of the

larger development projects in Cape Town, citizens were asked to vote between two development scenarios for a 300ha land parcel outside the inner city. The two scenarios lacked important information related to building heights, building typologies, building footprints, and new road networks. This resulted in participants being unsure on what this meant for the future of the land parcel, and on the type of decision that needs to be made.

#### TECHNOCRACY AND EXCLUSION

Many citizens found it difficult to engage participatory processes due to the technical nature of the reports, and language used by facilitators. This situation was particularly true with regard to environmental impact assessments (EIA) where participants needed to comment on scoping reports which were often filled with engineering jargon and scientific data. Due to this technocracy, many citizens were excluded, especially in neighbourhoods where education and employment levels were low.

The three aforementioned factors limit the ability of citizens to influence decision-making in participatory processes. In addition, these processes exclude many important voices who feel they do not have the expertise or capacity to participate. Secondly, 'participation fatigue' tends to settle in, as participants begin to feel their participation will not change the outcome of the decision.

### THE RIGHT TO HOLD GOVERNMENT TO ACCOUNT

In light of this frustration, many civic organisations have resorted to using a range of strategies and tactics to hold government to account, and influence decision-making. These strategies and tactics include objection, litigation, and mobilising or public awareness.

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## OBJECTIONS THROUGH SUBMISSIONS

Participatory processes are often characterised by a series of meetings with interested or affected parties. There is also a space for citizens to engage with the process by providing written submissions stating their concerns and their objections to the development. Objections through written submissions is one of the primary strategies used by citizens and civic organisations, however, it is also becoming increasingly unpopular and is considered by civic groups to be ineffective and a ‘waste of time’. For example, a proposed development in Bo-Kaap in the inner city of Cape Town was open for public submissions. Over 1000 objections were made by the public, however the development was still approved. Experiences like these have left many civic organisations and citizens feeling that public participation is a pointless exercise.

## LITIGATION

Litigation is a popular tactic used by civic organisations in higher-income neighbourhoods. A resident from a more affluent suburb in Cape Town mentioned that the ‘only way to stop the City is to take them to court’. While litigation is commonly used, it has largely been unsuccessful with civic groups losing large sums of money in the process. Civic organisations who have taken local government to court often complained that ‘dirty tactics’ were used by the City. One of these tactics included the unnecessary prolonging of legal procedures by the City in order to ‘wear civics organisations out’ resulting in a loss of money.

## MOBILISING AND RAISING AWARENESS

Of all the tactics used by civic groups, mobilising and raising awareness appeared to be more effective. At a DAG event in 2017, a participant mentioned that ‘when civic [groups] engage and collaborate with

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one another the chances of success are greater’. The Princess Vlei Shopping Mall development is one example where heightened public awareness had a greater impact on decision-making. Through collective efforts between local communities, scientists, environmentalists, academia, and NGOs, the group managed to halt the development of the shopping mall on a land parcel which had both heritage and spiritual significance. While reasons for halting the shopping mall development is multi-faceted, mobilisation and public awareness played an important role in the final decision.

## FRAMING THE PRINCIPLES OF GOOD PARTICIPATION

In light of the limitations in influencing decision-making, and the limited success of tactics, civic organisations are forming coalitions with the aim of redefining the shape and form of public participation to ensure that processes are inclusive, and people are placed at the centre of development. DAG, in partnership with a group of six civic organisations, embarked on a process to define the principles of good public participation. In 2017, the Civic Action for Public Participation (CAPP) was formed out of a collective dissatisfaction with participatory processes which they felt were ‘problematic, unproductive, and tokenist engagements’ leading to a loss of trust in public participation. The loss of trust described by CAPP can be attributed to the three reasons mentioned under the ability of citizens to influence

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decision-making – participation as a tick-box exercise, lack of information, technocracy and exclusion.

As a means to frame a new form of participation, the civic-led initiative hosted a series of workshops in 2016 to co-create a manifesto for public participation which will govern engagements between local government and the community. The manifesto lays out 'principles of participation' that include transparency, information, inclusivity and accountability, and that aim to address the issue of 'problematic, unproductive and tokenist engagements'. In addition, the manifesto also includes a set of mechanisms which would ensure that public participation is successful. One of these mechanisms focused on 'capacity-building' whereby CAPP believes that in order for citizens to effectively participate in a process, their capacity should be built on the subject matter (for example municipal budgets, development applications, EIA etc.). CAPP also believes that conflict of interest should be minimised,

and that adequate budgets should be made available to ensure public participation is effective. In 2018, CAPP intends on using the manifesto principles as a tool to develop a citizen-led bylaw as a tool to lobby local government to focus on participation reform.

### CONCLUSION

There is a genuine consensus from civic organisations in Cape Town that current participatory processes are ineffective in influencing decisions that ultimately affect the local community. The White Paper on Local Government (1998) positioned local communities as partners, but current trends highlight the 'loss of faith' in participatory processes, which were intended to strengthen this partnership. While it may not necessarily be the intention of local government to exclude local communities from participatory processes, the traditional participatory mechanisms which are currently in place, limit the ability of citizens to influence decisions which affect them. As citizens and civic organisations have been engaging with each other on the meaning of 'good participation', the driving vision is that participatory processes should be inclusive and place people at the centre.