

EXECUTIVE SUMMARY

This report by the Good Governance Learning Network (GGLN) is the network's third publication providing a civil society perspective on the state of local governance. *Recognising Community Voice and Dissatisfaction* is broadly organised into three sections: 1) concepts of participation and democracy; 2) state-organised structures of participation ("invited spaces"); and 3) community-created spaces of participation, including protest action ("invented spaces").

The contributions are diverse and offer different ways to understand the challenges facing local government. They all, however, reflect an apprehension that technicist and state-centric approaches to democratic participation have become overly dominant and have served to delegitimise other expressions of community voice that fail to fit within these narrow modes of public participation, which ultimately subverts democratic participation. The ability and value of citizens' utilisation of pre-defined opportunities to voice dissatisfaction as well as the difficulty municipalities (and political parties) face when trying to engage with dissatisfied communities are considered using a number of theoretical approaches, research projects and case studies.

The contribution by the Project for Conflict Resolution and Development (PCRD) explores the underlying assumptions and ideas behind the concepts of democracy, equity and power. This paper seeks to go beyond stock critiques of poor service delivery that appeal to poor capacity and low public participation by considering the complexities of what is meant by equality, democracy and justice through the application of a historical analysis of these concepts. The author argues that government's steps to improve service delivery and promote equitable representation and participation have done little more than reduce equity considerations down to a set of procedures and indicators.

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One way in which the government has tried to promote improved service delivery and respond to the frustrations of disgruntled citizens is through the creation and implementation of an intergovernmental relations (IGR) system. This system is assessed in the contribution by Planact (with a particular emphasis on housing and informal settlements) who argue that the weaknesses of the IGR have resulted in the voice of citizens being ignored or significantly watered down, despite government's intention that IGR would enhance the ability of communities to positively impact the delivery of effective services.

The second section broad theme (invented, state-sanctioned spaces) begins with a paper by Afesis-Corplan, which is a reflection on the ways in which the South African government has institutionalised public participation through legislation. This paper provides an overview of how marginalised communities continue to be

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excluded in formal spaces, such as ward committees and integrated development planning processes, using two case studies to argue that legislated forms of participation are inadequate in ensuring social citizenship partially due to the dysfunctional nature of these spaces.

The contribution by the Institute for Democracy in South Africa (Idasa) continues this theme with a close examination of the efficacy and value of ward committees, including a historical perspective, concluding that the serious challenges of these structures provide an opportunity to rethink the traditional approach to public participation and to consider alternate approaches that will harness participatory democracy and contribute to good governance at the local level. The Impendle case study by the Built Environment Support Group (BESG) provides an analysis of how cooperation between institutionalised structures, such as ward committees and community development workers, and community-based organisations can improve community participation and satisfaction.

The role of traditional leadership as one component of state-sanctioned spaces for public participation is the subject of the paper by the Trust for Community Outreach and Education (TCOE). This contribution examines the dual system of rural local government, providing a historical and current perspective on how the abuse of power by many traditional leaders and the conflict between traditional authorities and local municipalities hamper rural development and community participation. The TCOE concludes that existing power structures cannot remain the same as a new political order in rural communities is needed if communities are to exercise their constitutional and legal right to participate in local decision-making.

The final paper in this section is from the Democracy Development Programme (DDP), which argues the government can do more to widen the framework within which communities are invited to participate. This paper explores different theoretical models for promoting participatory democracy, considering their applicability to South Africa, and argues that the managerial, techno-bureaucratic approach to democracy will always attempt to limit the impact of substantial and meaningful public participation.

The final section of this publication, which focuses on “invented spaces”, begins with a paper by the Community Law Centre (CLC). The CLC paper moves away from narratives which depict community protests as only occurring on the streets led and driven by people from low-income neighbourhoods by examining how the withholding of rates by more affluent communities is emerging as a new modality through which dissatisfaction is being expressed. The legality of rates withholding and the perceptions of those who participate in this form of protests are considered, and the paper concludes with concrete recommendations on how disputes between ratepayers and municipalities can be resolved. A different kind of protest is assessed in the case study by the Electoral Institute for the Sustainability of Democracy in Africa (EISA), which considers community protests in Balfour and includes an assessment of the reasons for the protests. The authors conclude that violent protests are often a consequence of frustrated communities who feel they are not being heard, and this is often exacerbated by municipalities’ responses which usually consist of sending law enforcement into a volatile situation.

This section concludes with a paper by Isandla Institute which turns its gaze to the organised non-profit local governance sector. It reflects on how the traditional intermediary sector has responded to both the inadequacy of “invited spaces” and the emergence of (more radicalised) “invented spaces”. Locating these in a broader analysis of the context in which NGOs find themselves, this paper considers the implication for the NGO sector, concluding with recommendations to enhance sector-learning, strengthen collaboration between NGOs

and with government and ensure the sustainability of the sector through diversified funding.

This publication is a compilation of thought-provoking and challenging reflections on the limits and potential of public participation in South Africa. Because the institutional framework for public participation limits participation outside structured spaces and processes, citizens are turning more and more to creating their own spaces to express dissatisfaction and dissent. While the government has taken various steps

to remedy the serious problems facing local government and poor service delivery, its narrow commitment to institutionalised forms of participation and its rejection of informal (but potentially more inclusive) spaces of democratic expression of voice has resulted in missed opportunities to gain insights into the complex and varied reasons behind community protests. “Invented spaces”, however, are not democratic utopias and can still marginalise people already on the fringes, particularly if they include violence.

The contributions in this paper collectively serve as a call to government and civil society to reinvigorate the system of public participation by reimagining what is meant by this term, and encourages the state, in particular, to recognise that diverse forms of community expression should be welcomed. This recognition would offer the South African government an opportunity to find out what problems they may not be aware of or to develop solutions to problems they are familiar with. Importantly, it would also contribute to the revival of citizens’ waning belief in the commitment of government to hear and respond to their concerns and frustrations.

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