ARE WARD COMMITTEES THE "VOICE" OF COMMUNITIES?

By Bongani Qwabe and Purity Mdaka, Institute for Democracy in South Africa (Idasa)

South Africa's local government legislation, promulgated in the democratic era, introduced a system which entrenched an enormous focus on participatory democracy and governance. This calls for a high level of public participation in the political processes of municipal councils through a wide range of institutional channels. Ward committees are one of the participatory mechanisms, that have been established to achieve this objective.

PHOTO: STRING COMMUNICATIONS

While the establishment of ward committees has been a positive move intended to contribute towards bringing about people-centred, participatory, democratic local governance, the system has had several challenges. These prompted the Institute for Democracy in South Africa (Idasa) to undertake two critical studies to evaluate local communities' perception of and experience of participatory processes at the local level. The Citizen Report Card study (CRC) and the Local Government Barometer project (LGB) have yielded important results that form the basis of this paper. The CRC evaluated citizens' perceptions of the overall performance of municipalities while the LGB measured the state of governance from the perspective of the key role-players in local government including traditional authorities, civil society, municipal officials, the business sector and councillors. The efficacy of ward committees therefore formed an integral part of both of these studies. Notwithstanding the challenges impeding the effectiveness and operation of ward committees, this paper proposes an inclusive approach to participatory democracy and governance and the vehicles needed to achieve this. On this basis, an enabling environment for effective participation and a process to refine the ward committee model is recommended. These efforts should culminate in a policy paper as envisaged by the Department of Cooperative Governance and Traditional Affairs (Cogta), aimed at deepening local democracy.

THE WARD COMMITTEE SYSTEM IN SOUTH AFRICA

The involvement of citizens in governance matters at local government level is gaining prominence internationally. In India, the Constitution (74th Amendment Act, 1992) provides for the establishment of ward committees to ensure citizen participation in local governance matters (section 243[S]). In South Africa, a plethora of legislative frameworks and policies which entrench the notion of participatory democracy and governance has been promulgated since the end of apartheid. These include the Constitution of the Republic of South Africa (108 of 1996), the Municipal Structures Act (117 of 1998) and the Municipal Systems Act (32 of 2000). Legally, municipalities are obliged to involve communities in the formulation of developmental priorities.

The Constitution compels local government to involve local communities in local governance matters with participatory democracy enshrined in sections 151(1)(e) and 151 (2) which requires local government to 'strive within its financial and administrative capacity to achieve this objective'.

The Municipal Structures Act, hereafter referred to as the Structures Act, is also unequivocal in its requirement that local government must 'develop mechanisms to consult the community and community organisations in performing its functions and exercising its powers' (section 19(3)). To give this effect to this the act provides for the establishment of ward committees to enhance participatory democracy at the local level.

The Municipal Systems Act, hereafter refereed to as the Systems Act, similarly demands the involvement of citizens in matters affecting local government. Section 16(1) requires the municipality to develop a culture of municipal governance that complements formal representative government with 'a system of participatory governance'.

Based on the Constitution and the White Paper on Local Government (Department of Provincial and Local Government: 1998), a new vision for local government was created. The concept of 'developmental local government' runs through all local government legislation and is defined as 'local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives'. Houston, et al (2000:77) note two consistent themes in local government legislation: the developmental role of local authorities – planning, implementing and monitoring, and the obligation imposed on local government to consult with the public in the performance of their tasks.

PARTICIPATORY GOVERNANCE AND LOCAL GOVERNMENT

Wampler in Shah (2007:21) asserts that citizen participation in governance matters is indispensable because it improves municipal performance and development and enhances the quality of democracy. Fox and Meyer in Kakumba and Nsongo (2008:109) define citizen or community participation as:

> The involvement of citizens in a wide range of administrative policy-making activities, including the determination of level of services, budget priorities, and the acceptability of physical construction projects in order to orient government programmes toward community needs, building support, and encouraging a sense of cohesiveness within society.

Brynard in Kakumba and Nsongo (2008:109) outlines the following as the objectives of citizen participation:

• providing information to citizens;

- getting information from the citizens;
- improving public decisions, programmes, projects, and services; and
- protecting individual and minority group rights and interests.

Southall in Nyalunga (2006:1) argues that participatory democracy entails a high level of citizen participation in political processes through a wide variety of institutional channels which in turn broadens the knowledge that citizens have of public affairs.

Buccus and Hicks in von Donk, Swilling, Pieterse and Parnell (2008:527) succinctly argue that citizen participation in governance processes at the local level has the potential to 'reduce poverty and social injustice by strengthening citizen rights and voice, influencing policy-making, enhancing local governance and improving the accountability and responsiveness of institutions'. Furthermore, this ensures community support for policy making and creates a sense of ownership of the government's products. Similarly, Folscher in Shah (2007:244) argues that meaningful and effective citizen participation in public choices improves trust in government and commitment to the tradeoffs made. Moreover, citizens have the best knowledge of their needs, their preferences and local conditions and this encourages a sense of social cohesion (Fox and Meyer in Kakumba and Nsingo 2008:109).

Steytler and Mettler (2001:2) reiterate the principle set out in section 16(2) of the Systems Act that 'participatory governance should not interfere with a municipal council's right to govern and to exercise the executive and legislative authority of the municipality.' They argue therefore, that formal representative structures, such as ward committees, should complement the politically legitimate and legally responsible structures.

Resulting from the legislative framework, the ward committee system emerged in 2001 as a key institutional mechanism through which communities can participate in municipal affairs. Mettler (2003:12) argued that ward committees are pivotal for the monitoring of municipal performance as this enables communities to set performance measures. This strengthens accountability measures and provides for oversight over municipal council performance. Furthermore, ward committee structures were meant to create a formal unbiased communication channel as well as a co-operative partnership between the community and the council and serve as a mobilising agent for community action, in particular through Integrated Development Planning (IDP) processes as well as the municipality's budgetary process (DPLG 2005:7). In the same vein the report on the State of Local Government in South Africa emphatically argues that representative government should be complemented by the citizens' rights to participate in local government affairs and in decision-making processes (Cogta 2009:13).

DEBATES AND CHALLENGES

While the establishment of ward committees has been a positive move intended to contribute towards bringing about people-centred, participatory, democratic local governance, the system encounters several challenges.

The question often asked is 'how effective are these ward committees?'

Nyalunga (2006:45) argues that ward committees are largely perceived as ineffective in advancing citizen participation. The State of Local Government Report in South Africa1 highlights similar perceptions by arguing that the functionality and effectiveness of ward committees remains an immense challenge. Some of the challenges highlighted in the State of Local Government Report include:

> The question often asked is 'how effective are these ward committees?' Nyalunga (2006:45) argues that ward committees are largely perceived as ineffective in advancing citizen participation.

- poor attendance of ward committee meetings by ward councillors;
- poorly resourced ward committees failing to comply with articulated expectations;
- ward committee issues not being prioritised in council meetings;
- poor working relationships between traditional leaders and ward committees; and
- tensions between ward committees, community development workers (CDWs) and councils.

These are critical challenges which not only impact on the functioning and effectiveness of ward committees but weaken the entire local government system, creating a situation which, we argue, requires immediate intervention. To this effect, Cogta has adopted key strategic objectives that will guide the Local Government Turnaround Strategy (LGTAS). The LGTAS is a strategy aimed at addressing the most crucial impediments to local government fulfilling its developmental role, which includes the weaknesses in the ward committee system. The LGTAS includes mechanisms for strengthening partnerships between local government, communities and civil society. Furthermore, municipalities are required to reflect in their own strategies how they will improve public participation and communication including effective complaints management and feedback systems as a means to enhance local government performance and service delivery (Cogta 2009: 21).

PROVINCIAL WARD COMMITTEE EXPERIENCES

CITIZEN REPORT CARD (CRC)

Idasa recently conducted a Citizen Report Card (CRC) exercise in 22 municipalities located across the four provinces of KwaZulu-Natal, Mpumalanga, Limpopo and the North West. The CRC is a simple tool that measures the level of satisfaction of citizens regarding the performance of their municipal council and the quality of the services provided. Emphasis is also placed on the efficacy of participatory processes at the local level. Citizens were asked a range of questions with an interview sample of 2 400 adults proportionately stratified across four provinces and 22 municipalities taking into account urban-rural divides. Due to this stratification, there is a 95% confidence in the research, with an allowance of 3% for a margin of error. This tool was designed by Idasa in close consultation with the various provincial ministries of local government.

The Citizen Report Card exercise revealed a number of challenges which impact on the functionality and effectiveness of ward committees. These challenges include:

- **Skills shortage**: the effectiveness of ward committees is severely constrained by the tremendous lack of skills amongst ward committee members. This is true in respect of even the most basic understanding of local government needed to make ward committees function. For instance, the survey found that the installation of ward committees has not contributed to meaningful engagement nor has it improved information supply to communities. In this regard, 38% which is an average score, thought the ward committees contributed to meaningful engagement. Limpopo scored the same as the average, Mpumalanga scored 44%, KwaZulu-Natal scored 37% and North West had the lowest score of
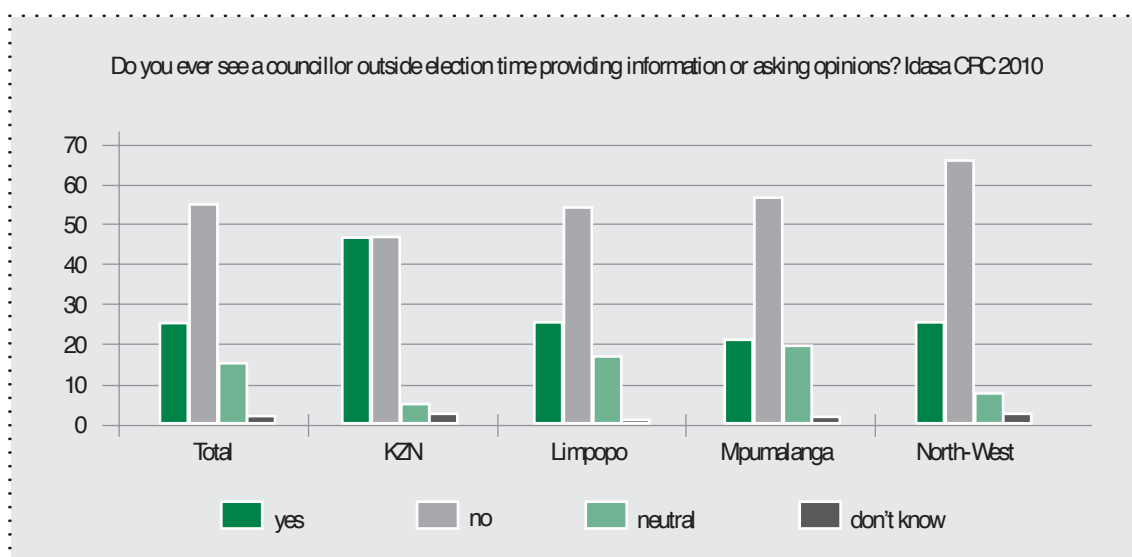
28%. Smith (2008:15) has argued that, 'a significant impediment to capacity building of ward committees appears to be a lack of funding at municipal level.'

- **Existence of Community Development Workers (CDWs)**: tension between CDWs and ward committees was reported during the Citizen Report Card exercise. The key point of contention relates to the payment that CDWs receive for their work. Whereas as ward committee members only receive a stipend for out-of-pocket-expenses, they believe that they should also be paid for the contribution that they make to the community. Overlaps in terms of the work that both CDWs and ward committees perform also contributes to tension. Furthermore, in most municipalities where the study was conducted it was clear that communities often receive conflicting information from CDWs, ward committees and councillors concerning municipal affairs including service delivery options available to the community.

- **Visibility of councillors**: according to the legislative framework, ward councillors are required to chair ward committees. The Citizen Report Card found that councillors as chairpersons of the ward committees are not visible to communities and they do not maintain the required contact and communication with the local people except prior to elections. If ward councillors do not convene regular meetings it paralyses the functioning of the ward committee. Consequently, this affects community development which is the ultimate objective of the ward committee structure. Perhaps there is some merit in the proposal to amend section 73(2) and 74(a) of the Structures Act to allow people other than ward councillors to chair ward committees. The low visibility of councillors outside of election time is depicted in **Figure 1** below:

Figure 1

Do you ever see a councillor outside election time providing information or asking opinions? Idasa CRC 2010
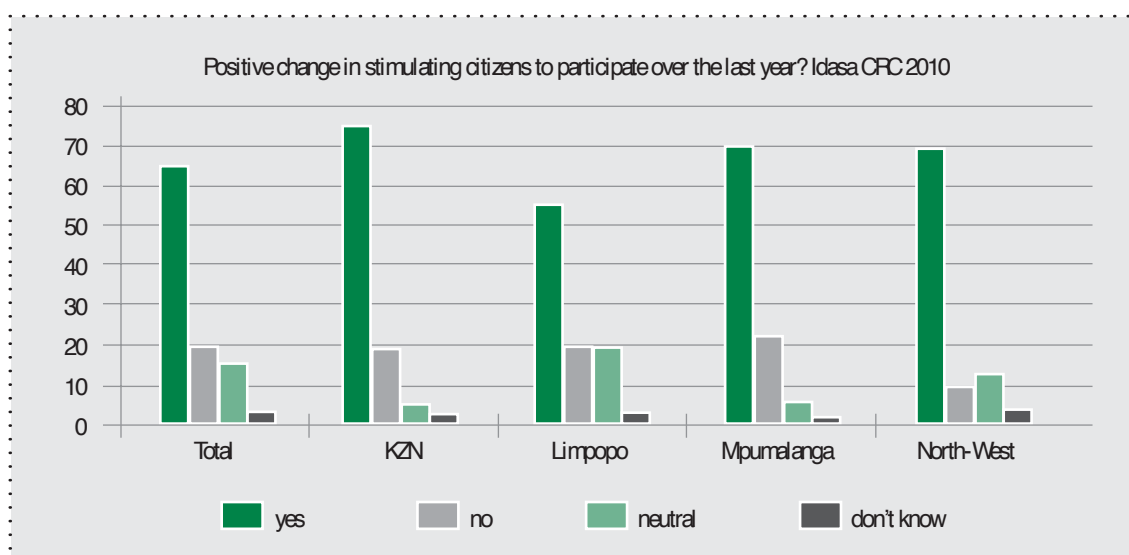
Source: Idasa, 2010

- **Citizens' input and poor participation:** it is critical that citizens' inputs are conveyed to the council and incorporated in final decisions taken. 57% of the respondents stated that consultation processes do not have any impact on decision-making processes and ward councillors do not recognise public inputs hence these are not conveyed to the councils. Consequently the public feels there is no need to attend public meetings.

The perception is that it is a useless exercise. 40% of the respondents from all provinces indicated that they have not attended any public meetings in the past 12 months. The respondents in all four provinces further indicated that there has not been any effort in the past year to stimulate improved citizen engagement in governance matters. This is depicted in **Figure 2** below.

Figure 2

Positive change in stimulating citizens to participate over the last year? Idasa CRC 2010

Legend: yes, no, neutral, don't know

Categories: Total, KZN, Limpopo, Mpumalanga, North-West

Source: Idasa, 2010

- **Working relationships between ward councillors and the committees:** a weak relationship between ward councillors and ward committees as well as a lack of appreciation for the potential role that the different stakeholders represented on the ward committee can play in the development of the municipality, hampers good cooperation and slows down the development process. The survey showed that there is a certain degree of tension between ward councillors and the committees,

with ward councillors sometimes feeling threatened by committee members. Smith (2008:12) has argued that 'where there are good relationships between ward committee members and where ward councillors are motivated and involved the performance of the committees is greatly enhanced'. An example of best practice emerged in the Local Government Barometer project. In certain wards it was observed that when ward committees raise developmental

issues with their ward councillors such issues are promptly taken to the council. In these instances ward committees feel recognised and valued.

- **Lack of resources:** across all municipalities in all four provinces, a lack of access to resources such as office space and equipment has been detrimental to the effectiveness of ward committees.

These challenges have a significant and adverse impact on municipal performance. The Citizen Report Card further solicited citizens' perceptions on service delivery. Overall, the results indicated high levels of dissatisfaction with the quality of services provided by local government with 49.9% of respondents indicating that there has been no significant improvement in service delivery over the past four years. Furthermore, corruption and failure by government to listen to people's voices were two key factors cited in interviews and were often linked to the deteriora-

tion of service delivery. A key recommendation of this paper is that these governance issues should be debated in public participation forums including ward committees in order to effect service delivery improvements.

LOCAL GOVERNANCE BAROMETER

The second study conducted by Idasa is the Local Governance Barometer (LGB). Similar to the CRC the LGB was focused on the efficacy of participatory mechanisms at the local level. The LGB measures the state of governance from the perspective of six key municipal stakeholders of which ward committees are a key element. Councillors, civil society organisations, the business sector, traditional councils and municipal officials comprise the other five stakeholders.

Case study evidence (see Box 1 below) from the Local Governance Barometer (LGB) exercise conducted by Idasa reveals that across all provinces the functionality of ward committees is weak.

BOX 1: WARD COMMITTEE CHALLENGES

During the implementation of the Local Governance Barometer[1] (LGB) in Limpopo province, focus groups were held to identify pertinent governance issues in municipalities in relation to the functionality of the 'invited spaces'. Invited spaces are those official spaces that are designated for public participation by the state. It is revealing that the trends are very similar from one municipality to the other.

The local structures that are meant to create spaces for dialogue and the relationships between individuals that make up these structures are weak. This results in power struggles within these structures. Lack of skills and resources, amongst others, is a major challenge for ward committees which in turn impacts on their performance. The introduction of stipends by government to ward committee members to finance the expenses incurred in fulfilling their activities did not appear to increase the efficacy of the ward committees.

On a political level ward committee members need to be conversant with political issues and the legislative framework underpinning the functioning of local government. This will potentially play a significant role in socio-economic development at the local level. In this regard the general feeling is that a minimum criterion for the selection of ward committee members needs to be set to ensure that candidates who are best able to simultaneously articulate community needs and interests as well as advocate for these needs are nominated to serve on ward committees. **>>**

Source: Idasa 2010

While ward committee meetings remain the most popular form of public engagement other forms of community engagement also exist, as set out in Table 2

Table 2: Meetings attended in the past 12 months

Type of meetings	(%)
Ward Committee	30.1%
Sector Committee	20.3%
Izimbizo	18.7%
Municipal Council	13.4%
Budget	5.6%
IDP	3.5%
Other	8.3%

Source: Idasa 2010

Although ward committee meetings still remain the most popular form of the 'invited space' for public engagement, 40% of the total respondents indicated that they did not attend any form of public participation meetings. During the LGB focus groups it was also clear that ward committees in their present form do not respond to any of the needs of communities. Ward committees also indicated that they are not able to respond to community development issues as they should.

Nyalunga (2006:2-3) also notes the usefulness of other forms of public participation. These include 'izimbizo' sector forums created by civil society organisations (CSOs) and most importantly the work of CDWs as well as IDP forums. These forms of participation need to be acknowledged and valued as equal contributors to development initiatives and decision-making processes.

Smith (2008:11-12) notes that there are allegations that ward councillors have a direct influence in picking ward committees in line with political affiliation. This has given rise to the charge that ward committees are often merely extensions of political party structures and do not encompass the full range of interests within communities. Ward committees are supposed to be apolitical structures. However, it is evident from the LGB exercise that ward committees drive the political agenda of political parties. One civil society member commented that 'when you raise a critical issue in your ward during a ward committee meeting you will be asked to show a political membership card.'

Piper and Deacon in Smith (2008:12) also observed that in some cases there is a close relationship between ward committees and branches of political parties.

The proposed review of legislation, with proposals to expand ward committee beyond ten members is therefore critical. This may go some way towards promoting maximum community participation and representation. It may even be helpful for the number of ward committee members to be determined by the constituency of interest groups within the ward.

On the basis of the research two questions emerge: first, how can a mechanism that enhances effective community engagement in governance matters be developed? Secondly, should ward committees be replaced with a new model? This article contends that an inclusive approach to community participation is desirable instead of doing away with the ward committee system.

AN INCLUSIVE APPROACH TO PUBLIC PARTICIPATION

Folsher in Shar (2007:244) argues that participatory democracy presupposes decision-making processes that are not dictated by interest group politics but by rationality. He further argues that participation in public decision-making is a form of direct democracy that allows for a more meaningful democratic relationship between citizens and government than representative democracy. Therefore participative practices are to deliver on the promise of improving the quality of democratic governance, enabling conditions for good-quality deliberation processes. Notwithstanding the challenges impeding the effectiveness and operation of ward committees, an inclusive approach to participatory democracy and governance to improve and contribute to local development is strongly recommended. This is in view of the time and effort that has been invested in the ward committee system. Despite its challenges, the ward committee system appears to be the most widely recognised vehicle for participation at the local level. As such, the ability of the current participatory system to cope with a complete overhaul may not be feasible.

As the country transforms its local government system, the existing ward committee system as participatory mechanisms should be strengthened by other mechanisms and structures. Rueben in Shah (2007:243-244) warns that while participatory

systems have the potential to incorporate local knowledge at all levels of decision-making, which results in better public policy and implementation thereof, increased accountability and improved trust in government should not be reduced to the elite including the collective forms of political and social organisations such as political parties and civil society organisations. In essence, participatory processes for a refined ward committee model, which Cogta envisages, should also include the non-organised segments of the broader community.

The critical question that needs to be asked is – do 'invited spaces', through directly elected repre-sentatives, result in improved municipal perform-ance? Contrary to this notion or belief, it is evident from the results of the Citizen Report Card exercise that ward committees on their own do not appear to be the only or absolute mechanism to help sustain and facilitate community engagement in governance affairs. Therefore civil society groupings and non-organised segments also need to actively claim spaces instead of depending on spaces being created or provided for them. Mothekga and Buccus in Smith (2008:17) noted that South Africa's local government system has failed to draw on the richness of the participatory culture and the host of structures which the new political era has given rise to. They further note that `ward committees have been set up in competition with, or even to the detriment of, a range of other structures and processes through which citizens also participate in local governance.'

Nyalunga (2006: 2) argues that the functions of ward committees have been restricted mainly to making recommendations to the ward councillor instead of playing an active participative role in decision-making processes. Therefore, a policy framework that institutionalises broad, substantive participation at the local level is desirable. This should afford an engagement of, for instance, CSOs

in decision-making processes instead of seeing their involvement on an ad hoc basis. McGee in Shah (2007: 251) argued that 'a supportive legal framework is an enabling, even necessary, condition for citizens to participate in and contribute to processes in the public space'. Within the South African context, such a framework should regulate the terms of actors' engagement and the scope they have for influencing decision-making processes.

CONCLUSION

Developmental local government requires institutional arrangements that embrace democracy and participatory governance in order to enhance municipal performance. This includes, as envisaged in various regulatory frameworks, the establishment of ward committees. However, as various studies including the recent CRC and LGB survey by Idasa indicate, ward committees are largely perceived as ineffective in advancing citizen participation at the local level. Their inefficiency is caused by several factors including, among other things, lack of skills and resources, poor working relations between ward councillors and committee members, and difficulties in putting ward communities concerns on the broader council agenda. In view of these challenges, this paper argues that a wide range of participatory mechanisms with different role players should be encouraged and valued. A more detailed and explicit regulatory framework that is more embracing of the forms of participation that exist outside of ward committees is recommended to improve the quality of participation at the local level.

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