CITIZEN-LED SPACES FOR PARTICIPATION IN LOCAL GOVERNANCE: LESSONS FROM THE GOOD GOVERNANCE SURVEYS

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South Africa has extensive legislation supporting public participation in local governance. However, participation that is genuinely empowering, as opposed to token consultation or outright manipulation, is still lacking in most municipalities. This paper draws on research conducted by Afesis-corplan in rural municipalities in the Eastern Cape and Mpumalanga provinces that highlights the need for spaces in which citizens can participate in local governance, other than those that are currently provided, resourced and supported by the state. In support of this argument, the paper draws on experiences of the innovative alternative spaces for public participation in local governance that have been facilitated and supported by Afesis-corplan since 2007.

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CITIZEN PARTICIPATION IN LOCAL GOVERNANCE: PRE- AND POST-1994

DURING THE apartheid era, the government created race-based municipalities and suppressed public participation by African, Indian and coloured communities. Under apartheid, power was highly centralised, and local government was the lowest tier of a rigid hierarchical structure. Meaningful public participation in local governance decision making was minimal. The post-1994 South African government committed itself to instituting wide-ranging participatory processes within the different spheres and institutions of government.

Attempts to introduce participatory and direct democracy are evident in the planning and policy-formulation processes adopted by the government since 1994. Measures have been introduced to entrench community participation and transform local-government functions so as to emphasise

development rather than *regulation* as the previous dispensation tended to do. Thus the concept of 'developmental local government' was introduced with the main aim being to create a 'local Government committed to working with citizens and the community to find sustainable ways to meet social, economic and material needs and improve the quality of their lives' (RSA 1998:Section B). In 2005, the *National Policy Framework on Public Participation* was published and defines participation as 'an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making' (Department of Provincial and Local Government 2005:1). Thus the policy framework views public participation as a democratic process of engaging people in decisions that affect their communities, and allows for citizens to play an active part in the development and operation of services that affect their lives. Municipal authorities are thus now legally obliged to involve community organisations in formulating budgets and setting development priorities.

Although ward committees are perhaps the most accessible forum for community participation, research has shown time and again that this structure is not adequately managed or resourced to play a meaningful role (see Idasa 2004; GGLN 2009). The situation is even worse in small municipalities where there is no budget for capacity building and even less support for ward committees. In these areas, the bulk of local government budgets tend to be spent on personnel costs, including remuneration for ward councillors; minimal resources are spent on service delivery or the strengthening of governance systems, and even less on combating corruption and dealing with the exceedingly high social challenges.

Despite this sorry situation, it is widely acknowledged that, as a political principle, public participation has the potential to empower local citizens to hold their municipalities to account, which, in turn, helps to improve the governance of local municipalities. Empowered communities tend to result in empowered local councils, where development initiatives are directed at people's real needs rather than being determined by what municipal officials think people want or need. Empowered communities start to think pro-actively and view themselves as part of their local municipality rather than as passive bystanders who have no say in what their municipality does. Empowered communities act to improve their own socio-economic conditions.

More than merely a political principle, however, public participation is a right; citizens have the right to participate in decisions pertaining to the development of their communities. While the principle of public participation holds that those who are affected by a decision have a right to be involved in the decision-making processes, real participation implies that the public's contribution can and should influence the decisions that are made.

THE GOOD GOVERNANCE SURVEY

The Good Governance Survey (GGS) is a perception-based tool developed by Afesis-corplan that has been proven to make a significant contribution to citizens' awareness and understanding of local governance.[1] It also provides a useful self-assessment tool for municipalities. The GGS has emerged as one of the few alternative instruments for appraising local governance practices. Its uniqueness lies in its ability to offer a non-technical approach to municipal performance that is inclusive of civil society and is able to compare both quantifiable and perception-based data.

GGS interrogates eight key elements (or indicators) of governance, namely: decision-making

within local government; public participation; community consultation; transparency; disclosure; corruption; service delivery; and systems and structures. These eight elements have been drawn from good-governance indicators accepted by various institutions such as the World Bank, United Nations, Transparency International, the Organisation for Economic Co-operation and Development, the African Peer Review Mechanism, and the South African government itself.

Before we move any further, however, it is important to define governance in general, and good governance in particular.

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DEFINING GOVERNANCE AND GOOD GOVERNANCE

Governance, for us, refers to the formal and informal arrangements that determine how public decisions are made and carried out from the perspective of maintaining a country's constitutional values. McGee (2004) and the European Commission (2003, cited in United Nations 2007a) argue that governance is not just about how a government and social organisations interact and relate to citizens, but that it concerns a state's ability to serve its citizens and other actors, as well as the manner in which public functions are carried out, public resources are managed and public regulatory powers are exercised.

Nzongola-Ntalaja (2003, cited in United Nations 2007a) describes three forms of governance which include:

* political or public governance for which the state has authority
* economic governance over which the private sector exercises authority
* social governance for which authority resides in civil society.

According to Rothberg (cited in United Nations 2007a), governance can be assessed as 'good' when a state allocates and manages resources in ways that respond to collective problems and when it efficiently provides public goods and services of sufficient quality to its citizens. Hence, states should be assessed on both the quality and the quantity of public goods and services provided to citizens.

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PARTICIPATION IN GOOD-GOVERNANCE SURVEYS

Based on this understanding, citizens are encouraged to participate in a GGS and to give their perceptions of how their local municipality is managing in terms of governance. This provides a space for citizen's voices to be heard and is empowering in that it assures citizens that their voices, perceptions and experiences can help to shape how municipalities conduct their business.

GGS is not an 'invented' space, but an 'invited' space for participation[2] — that is, citizens are invited to participate and share their views — which creatively and innovatively promotes citizen participation and aims to bring about good local governance. Although the GGS was developed by an NGO and its pilot phases were civil society-led, GGS

has grown such that municipalities are now able to conduct their own self-assessments without NGO involvement. In these situations, however, the involvement of community-based organisations (CBOs) and NGOs within the jurisdiction of the municipalities is always strongly encouraged.

Although the impact of a GGS relies partly on the implementation of the findings and recommendations, the tool has a far greater effect when gaps identified are addressed through systematic programs and innovative interventions. To monitor the impact of the GGS as a tool for enhancing community participation in local governance, it is crucial for those involved to go beyond simply outlining the findings, to working on proposed recommendations, and then resurveying at a later date to evaluate the progress that has been made.

GOOD-GOVERNANCE SURVEYS IN THE EASTERN CAPE AND MPUMALANGA

Although GGS have been conducted in various provinces over the past few years, for the purposes of this paper, we draw on findings from surveys conducted in the Eastern Cape and Mpumalanga. Evaluating the findings from these two provinces allows for comparisons between conditions in a large rural province (Eastern Cape) with those in a relatively smaller province (Mpumalanga). Socio-economic conditions in both provinces are fairly similar as, to a large extent, are the service delivery-related challenges. As a point of departure, we offer a brief description of each province.

The Eastern Cape Province is home to about 6.3 million people, and has the highest net migration outflow (211 600 people per annum) in the country (ECSECC 2011). The character of people leaving the province—skilled, entrepreneurs, investors and/or

The population of Mpumalanga, on the other hand, is a bit more than half the size of the Eastern Cape's (3,6 million people) and 59% of its households earn less than R1 050 a month. Over 3.2 million people (87.8%) do not have access to medical aid and depend on the public health system while 83.9% of households have access to piped water (Stats SA 2010).

energetic youth—is a major concern for policy makers and for the province as a whole. According to Statistics South Africa's 2010 *General Household Survey* and the *Local Government Turnaround Strategy* (Department of Cooperative Governance and Traditional Affairs 2009), the Eastern Cape ranks highest in the country in terms of: net migration outflow, poor facilities at schools, corporal punishment at schools, use of paraffin and wood for cooking, unsafe water for drinking, inadequate sanitation (worst backlog), and reliance on grants as a major source of income. Furthermore, the province ranks second to KwaZulu-Natal in terms of illiteracy levels.

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In the Eastern Cape, surveys were conducted in five municipalities in Cacadu District municipality, namely, Baviaans, Camdeboo, Ikhwezi, Makana and Ndlambe, whilst in Mpumalanga's Ehlanzeni District, the surveys were carried out in Bushbuckridge, Mbombela, Nkomazi, Thaba Chweu and Umjindi. Key lessons from the findings of these surveys are summarised below.

PUBLIC PARTICIPATION IN LOCAL GOVERNANCE IN THE EASTERN CAPE'S CACADU DISTRICT AND MPUMALANGA'S EHLANZENI DISTRICT

In the districts surveyed in both provinces, few respondents attended council meetings. Various reasons were cited for this, varying from poor notices and poorly-timed invitations to people not knowing that they could attend, meetings being held at inconvenient times and in inaccessible venues, and/or the use of a language that most people were not comfortable or conversant in. When asked what community participation forums existed in their municipalities, a significant percentage (an average of 41% in Cacadu and 34.4% in Ehlanzeni) of respondents were of the view that there were no such forums in their municipality. A paltry 4% in the Baviaans municipality confirmed the existence of a ward committee.[3]

A worrying finding was the high proportion of respondents in both districts (an average of 66% in Cacadu and 72% in Ehlanzeni) who reported that they had never attended a meeting convened by the municipality and had never participated in the state-legislated forums for community participation. The same numbers of respondents stated that they had never participated in discussions at community level about priorities for the development of their area or about how they could contribute to the realisation of their vision for their community. Furthermore, an overwhelming majority of respondents (an average of 82% in Cacadu and 79% in Ehlanzeni) did not know anything about the vision of their municipality or their wards, nor did they know anything about the development agenda in their wards.

Asked how effective they thought their integrated development plan (IDP) and ward-committee forums were in fostering community participation, about 35% of respondents in Cacadu and 40% in Ehlanzeni stated that they did not know how effective the IDP forums were, and an average of 44.4% in Cacadu and 16% in Ehlanzeni reported that ward committees were very ineffective.

It seems therefore that there is a general lack of knowledge of the existence and purpose of community forums across both districts, and may well be impeding citizens' ability to contribute meaningfully to the governance of their respective areas. In addition, although these forums may well be in existence (as reported by councillors, officials and some respondents), they are probably not well-established or effective enough to assuage the widely held public view that they are non-existent or ineffective.

These findings confirm that there is a need for interventions to ensure that the legislated forums for public participation, especially the ward committees, are fully operational and effective in the execution of their development mandates. To this end, issues of human-resource capacity, access to technical and financial resources, the credibility of civil-society forums, as well as a sound understanding of their specific roles, should be dealt with by government as a matter of priority. Recent capacity-building drives for ward committees, led by the Local Government Sector Training Authority (LGSETA)[4] and various municipalities, combined with proposed reforms to the ward-committee system are noted and welcomed as useful and necessary interventions.

Although the majority of councillors and officials surveyed reported that their respective municipalities had a specific official responsible for co-ordinating public participation, it is evident that in all municipalities surveyed, the majority of residents were not aware of the existence of these officials. Thus even as municipalities strive to strengthen and reform ward committees, they should also disseminate vital information such as the presence and identity of designated officials to the public

through all the means of public communication at their disposal. Municipal commitments to enhancing public participation must be backed-up by consistent efforts to keep the public informed.

The survey findings in both provinces also reveal that, although the legislative framework regulating public participation has long been in place, the reality on the ground is somewhat worse than the desired ideal. Municipalities continue to make ill-informed decisions regarding the development priorities and needs of the citizens. From the findings, it appears that even legislated spaces for public participation are poorly resourced and supported, and that they fail to contribute meaningfully to local governance.

With local government structures having been in existence for over than ten years, one could argue that these findings point to a failure by both citizens and municipal officials to properly create and make use of the legislated spaces for public participation. The devastating developmental effects for the citizens residing in these areas are clear for all to see.

THE NEED FOR ALTERNATIVE SPACES FOR PARTICIPATION

From the findings presented above, we can deduce that, in the municipalities surveyed, state-provided spaces for public participation have not worked as effectively as envisaged. As a result, citizens in these areas have been deprived of opportunities to influence decisions pertaining to the development of their own areas and to participate meaningfully in local governance. State-legislated spaces, in particular ward committees, IDP forums and budget forums, are fairly new to the public and require a substantial amount of co-ordination, support and resourcing from the municipality to get them going. Where this support is not in place, it becomes

difficult for community members to manoeuvre their way into and through the local government system on their own. Smaller and more rural municipalities are even more likely to lack the necessary resources to properly support and co-ordinate these spaces even though this is required by law.

Numerous other challenges limit the ability of smaller municipalities and rural communities to create effective spaces for public participation. While the government focuses on reforming the 'invited' spaces for citizen participation in local governance, it is our view that efforts to create more diverse and innovative 'invented' spaces for citizens to participate meaningfully in local governance need to be intensified.

Cornwall (2002:3–4) eloquently states that 'participation [ought to] extends beyond making active use of invitations to participate, to autonomous forms of action through which citizens create their own opportunities and terms of action'. Cornwall goes on to state that there are two kinds of spaces—'invited' versus 'claimed'—which should exist alongside each other and that are both imbued with different sets of power. Lessons from the GGS reveal that while these spaces are distinct, they should converge at certain points—the spaces in which people participate through invitation and those that they create for themselves are never neutral, and (most of the time) the same people participate in both kinds of spaces.

In our view, the government ought to create both 'invited' and 'invented spaces' to increase and enhance citizen participation. In theory, these spaces ought to work in harmony because the same citizens participate in both. It is important, however, to allow citizens to create their own terms of engagement so long as these are harmonious and allow for citizens' voices to be heard. This calls for government to move away from a prescriptive stance when it comes

to facilitating citizen participation, to a position of openness and willingness to learn from citizens and to allow citizens to create their own forums as they see fit.

CITIZEN CREATED FORUMS: LESSONS FROM FOUR PROGRAMMES

Motivated by a desire to see more empowered citizens participating in local governance and local institutions expressing people's needs and aspirations, Afesis-corplan has initiated various programmes to assist civil-society organisations to create claimed or invented spaces. In this section we describe a few of these programmes and highlight what citizens can achieve through participating innovatively in both legislated 'invited' spaces and 'claimed/invented' spaces.

It is evident through the examples provided that communities are able to organise and create alternative spaces for participation other than those

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provided for by the state. It is also apparent that communities differ and that their needs, experiences and dynamics also vary. Therefore, a blanket approach to citizen engagement in all municipalities may not be the best way to encourage citizens to actively engage with the state. There seems to be value in allowing citizens to organise on their own and to participate actively in their own development.

The examples given also show that it is possible for state-legislated 'invited' spaces for participation

to co-exist with citizen-initiated 'invented' spaces. There is, therefore, a need for government to embrace and listen to the voices that are emerging from both kinds of spaces. It is important to note that 'invented' spaces are not necessarily as independent of government as is sometimes assumed, but are merely citizen-led spaces that have the potential to stand as equal partners with government on issues relating to local development and governance.

CIVIL SOCIETY ACTION GROUPS

Civil society action groups (CSAGs) are organisations that are mobilised and organised to effectively engage and participate in local governance. They are partly meant to supplement the role of ward committees in promoting public participation in municipal processes, but being autonomous civil society outfits, they have a much freer space to operate in, devoid of the political rigmarole that characterises ward committees. Therefore, although they work in the same local municipalities alongside the ward committees (in most instances), they offer a different quality of participation and engage municipal leadership in ways that can add value to government accountability at that level.

In municipalities where CSAGs have been organised, they have advocated for the establishment of IDP forums in municipalities where previously none existed (or none in which they could fully participate). CSAGs have also called for key public documents to be made available including local IDPs, auditor-general's reports, municipal annual reports and reports on investigations paid for from public funds, etc. Some CSAGs have submitted memoranda to councils and requested to be present at council and mayoral meetings. These groups have thus claimed a space for their inclusion in local

governance and exerted themselves as partners and stakeholders in local development.

CSAG meetings are open to members of civil society organisations and the public. At these meetings, key issues for engaging with the municipality are identified, feedback is given (where applicable) and a way forward is discussed. The frequency of meetings varies from group to group. Technical support offered by Afesis-corplan to CSAGs ranges from capacity building to information sharing on legislation and policy documents. Assistance in analysing documents such as IDPs, municipal budgets, and local economic development plans or other municipal policies is available, and the groups also shared expertise between themselves. For example, an accountant or lawyer in one CSAG may offer an opinion on a call for comment from another CSAG operating in another particular municipality. These partnerships and networks have helped the CSAGs to develop strength, skills and expertise.

WARD KEY-PERFORMANCE-INDICATOR PROGRAMMES

One of the mandated roles of ward committees is to monitor performance of local municipalities, thus giving effect to the requirement for community involvement in this process. The Ward Key Performance Indicators Programme was set up to train ward committee members to use a key-performance-indicator matrix to monitor the performance of their local councils, thus empowering them to engage with municipal officials from an informed position. Using the matrix, ward committees are able to assess municipal performance at ward level and to provide feedback to council via their ward councillor. Subsidiary outcomes of using the matrix include the fact that ward committees become more aware of the extent of their mandates and are able to make more

meaningful contributions to developmental processes within their municipality.

The programme also involves urging community development workers to form a cadre of development-oriented people within municipalities who will then be in a position to train future ward committees to use the matrix. Thus, the programme offers a creative way of ensuring that the legislated structures such as ward committees can play a more active role in influencing development within the municipality in a structured and coherent manner.

LAND ACCESS FORUMS

Land Access Forums are spaces where citizens from certain municipalities organise and position themselves to participate meaningfully in municipal planning processes, particularly those related to land and settlement planning. These forums are 'networked spaces' where various groups come together to reach a common goal. They define their own terms of reference, timeframes and codes of conduct; they also set their own agendas and how they will resource their own cause.

These forums are different to CSAGs and ward committees in that they came about in a more networked manner. Unlike the 'claimed' spaces of the CSAGs, or the 'invited' spaces of ward committees, these groups came together around the need for increased community participation in land planning and a deeper understanding of how municipal land planning and zoning processes work. They emerged to demand inclusion during the technical processes of land planning and access to information on state, provincial and municipal land.

The difference between Land Access Forums and CSAGs is that the former are guided by the underlying principle that they have to participate in the land-planning process on an equal footing with the relevant municipality. They therefore employ (at

their own cost) and consult with technical experts, such as civil engineers or environmental experts, etc. where necessary. CSAGs, on the other hand, see themselves as partners of the municipalities and responsible for ensuring that citizens are able to participate in relevant municipal processes. They see themselves as both municipal development partners and watchdogs. On the other hand, Land Access Forums advise municipalities on how best to address citizens' settlement needs and access to land, including on municipal improvement projects and instilling a sense of pride in communities. Because this is generally based on sound technical advice, municipalities tend to be willing to heed their advice.

MTHATHAS LOCAL STRATEGIC PARTNERSHIP

Leaders from civil society, business, academic and traditional structures in Mthatha (in the Eastern Cape) have come together to create a space in which to work together and to participate in implementing a 20-year plan aimed at turning their town around for the better. Armed with an understanding of the not-so-impressive history of the post-apartheid municipality, the community of Mthatha resolved that the realisation of their vision for 2030 relied on their active participation and involvement in the implementation of development plans. A strategic partnership was formed in which each of the stakeholders (including the municipality and some government departments) are represented, and progress and challenges related to the implementation process are discussed. The space that has been created is about consensus seeking; the rule is that all stakeholders hold each other to account in relation to the pace and the manner in which implementation takes place. Terms of reference have been developed and adopted that define and guide the roles of each stakeholder.

CONCLUSION

As a perception-based feedback tool, GGS have proven themselves as an effective means for citizens to communicate with their government about its performance. The surveys allow issues of governance and service delivery to be approached in a consensual way by building a dialogue between communities and their municipalities. They also offer an invited space for participation, in that citizens participate in a GGS at the invitation of those who conduct them. It is suggested, therefore, that municipalities conduct the surveys (manuals are available from Afesis-corplan on request) with the support and involvement of local civil society structures.

The four examples of community-led initiatives that are profiled in this paper indicate that attitudes tend to be less hostile towards community-initiated structures that engage local government in a creative yet structured and orderly manner. These spaces offer citizens structured and innovative ways of engaging with the state. It is important to note that these are different from social movements, and while social movements are welcome to participate in these spaces, these structures but tend to be civil-society-created and led spaces for widening participation in governance, that is, they are seen as more co-operative than confrontational and aim to be viewed by local municipalities as development partners.

In its efforts to reform ward committees and to realise effective citizen participation, government ought to ensure the creation of conducive environments for both 'invited' and 'invented' spaces to thrive. This requires political will as well as a paradigm shift. It calls for a conscious move towards allowing citizens to define their own terms and find their own spaces in local governance. It calls for local government that truly sees citizens as

development *partners* and that is willing to recognise and appreciate a pro-active citizenry. Finally, it requires municipalities that are willing to empower and support the citizens they were created to serve.

Participation in local governance is indeed a human right, and it is becoming evident that, in South Africa, its realisation lies in the creation of spaces for citizen engagement other than those that are provided for by current legislation.

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NOTES

[1] The survey is described in detail in the *Good Governance Survey Handbook,* and various good-governance reports derived from the use of the survey are available at www.afesis.org.za/Local-Governance-Publications/ Reports. Only two of these (on public participation and community consultation) are discussed in detail in this paper due to space constraints.

[2] For a detailed discussion of the notion of 'invited' and 'invented' spaces for citizen participation in local governance, see the GGLN *State of Local Governance Report* (2009/2010).

[3] At the time of the surveys, all the local municipalities surveyed had mayoral-executive-committee systems; a single political party dominated the mayoral executive committees and the portfolio committees, but there was a fair representation of different opposition parties.

[4] Afesis-Corplan participated in capacity-building drives as a lead provincial facilitator in the Eastern Cape.