

**GOVERNANCE IN EASTERN CAPE MUNICIPALITIES:
FROM RHETORIC TO REALITY**

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Abstract

This paper is intended as a very cursory outline of some of the meanings and usage attached to the concept of 'governance' as it relates to local government discourse in South Africa. It begins by looking very briefly at key infrastructure and public service features of the Eastern Cape and suggests that these present similar shortfalls to other developing nations. It recaps in very simple terms, the argument that South Africa enjoys macro-economic features that should allow it to tackle development backlogs in ways that other developing nations cannot. In looking at the reasons for this dilemma, the paper argues that neoliberal theory and associated discourse tends to shield local government from responsibility for failings in governance that are at least partly of its own making. Furthermore it suggests that policy for local government has adopted and perpetuated a sophisticated concept of governance that serves rhetorical imperatives well but allows more fundamental aspects of democratic local government to be ignored. The paper tries to demonstrate this by comparing the official and popular NGO usage with an emerging picture or 'reality' in three Eastern Cape municipalities as represented by an informal field survey by Afesis-corplan conducted in 2002. The paper was never intended as a formal treatise and uses the discursive and theoretical conventions most common within NGO work.

Fort Hare Institute of Social and Economic Research

Working Paper No. 57

ISBN: 1-86810-125-8

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Introduction

In 1999 the African National Congress released a bold list of government achievements that included the delivery of running water to three million people, the connection of two million households to the electricity grid, improvements in health care including 500 new or upgraded clinics and free medical care for children under six years of age and pregnant women and 750 000 homes built or under construction that would house close to 3 million people.¹ Despite these impressive achievements, a 1998 audit of the Reconstruction and Development Program by Khosa and Bond found that in many respects the infrastructure and service delivery records of government line departments did not always measure up to the original RDP mandate.²

It is common cause that most Eastern Cape municipalities face enormous infrastructure and service backlogs. In 1996 only 31.3 percent of Eastern Cape households had access to electricity, 53.5 had access to water, 64.2 percent had access to sanitation and 15.5 percent had access to telephones. In each of these service types, household access was lowest in the Eastern Cape with the exception of telephones where Northern province households had lowest access (7.4 percent)³ A 1999 Human Sciences Research Council survey found that only 38 percent of Eastern Cape respondents thought running water services had improved (below the national average of 40.6) 23 percent thought housing had improved (national average of 30.2), 36 percent thought public transport had improved (national average of 38.6) Perceptions of improvement in electricity were the exception where the 22 percent improvement was third highest of all provinces however Eskom, and not municipalities are responsible for this service.⁴

In these respects Eastern Cape municipalities are little different to poor and rapidly expanding urban areas worldwide where Patricia McCarney notes that according to a 1995 World Bank report "...at least 170 million people in urban areas lack a source of potable water near their homes, and the water supplied to those who have access is often polluted. Access to basic sanitation, collection of solid wastes, and urban transport, as well as education and health services pose similar problems."⁵

However, unlike many other developing nations, South Africa has a set of powerful macro-economic reasons why this situation of want should not be as severe as it is:

South Africa's per capita Gross Domestic product is approximately that of Chile, Brazil and Malaysia, and substantially higher than that of Poland or Thailand, and far higher than any other major African country. In short, the country should be in a position to make dramatic progress in the struggle against poverty and inequality.⁶

These economic features plus the government's commitment to the principles of the Reconstruction and Development Program in the mid 1990s have given South Africa a range of policy instruments to address

basic urban living needs. Local government in South Africa can therefore be distinguished from local government in many other developing nations in the resources it accesses. Local government has two significant revenue sources; (1) service charges and property rates (only municipalities may levy property taxes) and (2) it is constitutionally guaranteed an equitable share of nationally raised revenue.⁷ The so-called Equitable Share transfer sets out to measure poverty and need balanced against local revenue and tax capacity and make financial transfers accordingly.

Municipalities also have access to a number of other conditional grants including the Local Economic Development Fund, the Community Water Supply and Sanitation Fund, the Community-based Public Works Programme, the National Electrification Fund, the Urban Transport Fund and the Consolidated Municipal Infrastructure Programme (CMIP).¹ Why then does SA urban areas manifest the same basic needs shortfalls as nations that lack these grand policy instruments? What does it mean to have a broadly publicised policy framework that assures that basic needs will be met, alongside a very contrasting reality in municipal governance?

Assuming that there is some significance in this increasing gap between the rhetoric of development and basic needs security and the reality of life in Eastern Cape municipalities, who, in the eyes of civil society, is responsible? What level of credibility can government retain when the gap between the rhetoric of policy and good intentions and the reality of every day life, becomes glaringly obvious? Despite local government's legitimacy crisis, municipalities seem to remain shielded from final answerability.

Deflected responsibility: denial of resources to the local state remains a dominant theme within the discourse and theorists like Patrick Bond, draw upon powerful imagery of highly centralised and dependent states in the developing world held to ransom by global capital, wracked by structural adjustment measures and therefore forced to shift responsibility to the local sphere whilst imposing austere fiscal measures. Can we uncritically accept Patrick Bond's explanation that municipalities are being 'strangled from above' by a national development program that has fallen foul of neoliberal forces?⁸ The 'unfunded mandate' argument tends to be generalised and lends itself to expediency although there is some validity in the observation that:

Whereas functional responsibilities have been transferred downwards, control over financial revenues necessary to carry out the new responsibilities have been slower to follow...

¹ See Financial and Fiscal Commission, 1997 Local Government in a System of Intergovernmental Fiscal Relations in South Africa

Discredited as a neo-conservative concern, the obvious question remains unanswered; having the significant revenue albeit not necessarily adequate resources, at its disposal (although most are imperfectly administered) do local municipalities not have an obligation to demonstrate effective management and deployment of these resources, before falling back on the now threadbare excuse of ‘strangulation from above?’

Returning to the theme of municipal governance with an inadequate revenue base and an insufficient share of the national fiscus, the obvious consequence is municipal government that enjoys very little credibility with the public through no fault of its own or as McCarney puts it:

Without this requisite power, local government suffers a profound legitimacy crisis in its evolving relationship to civil society.

In a June / July 1997 national survey of 3500 people by the Institute for a Democratic Alternative in South Africa (IDASA) entitled Public Evaluations and Demands on Local Government⁹, authors Helen Taylor and Robert Mattes found that local government fared worse than other spheres of government (provincial and national) in respect of public trust, responsiveness and performance. The terms of reference for the survey and some of the insights it generated suggested that local government’s legitimacy crisis may very well be of its own making. Only 36 per cent of respondents perceived LG as responsive and this had declined from 58 percent in 1995. Trust in local government was also lowest (31 per cent) and slightly down from 1995.

Only 30 per cent of respondents thought that local government was doing a good job, compared to 65 percent for the President and 47 per cent for national government. Perceptions of corruption in local government were high (44 per cent perceived it to be significant) matching perceptions of provincial government and only exceeded by perceptions of government officials in general (50 percent.) As Maxine Reitzes notes, “Anecdotal and reported evidence abounds of fraud, corruption and misallocation of funds in local government.”¹⁰

The Idasa report quite reasonably concludes, “Ironically, local government, the institution physically closest to citizens, was seen as the most distant from them.”¹¹ This important insight made little impact in local government policy circles of the time and the old adage of local government as the ‘hands and feet’ of the RDP continued unchallenged.

However any translation of this into an image of an alienated and suspicious civil society regarding local government with a mixture of distrust and contempt, would oversimplified. In a series of five field studies between 2000 and 2002, entitled ‘*good governance surveys*’, Afesis-corporan an East London based NGO encountered a very nuanced relationship between the public, organised sectors of civil society and the

local state. Despite often glaring failures in administration, resource management and local democracy, it was by no means clear that municipalities suffered an absolute crisis of legitimacy. One possible explanation is that the part-myth of ‘strangulation from above’ has become part of the consciousness of local citizenry. The possibility exists that the critique of neoliberalism and imposed financial austerity has been sufficiently popularised in grassroots community and political to become an effective pretext for performance shortfalls by the local state. There are however a number of other possibilities why criticism of the local state is blunted in circumstances of change and enduring poverty. Some of these reasons may be hidden within that complex relationship between the local state and civil society usefully described as ‘governance.’

A New Meaning for Governance

Drawing from the work of Elinor Ostrom and Theda Skocpol, Patricia McCarney proposes that the relationship between local government and civil society is best characterised as one of dynamic collaboration and synergy in the production of goods and services.¹² In the context of local state incapacity or weakness McCarney suggests that the state is well advised to regard civil institutions as important partners in the supply of urban services. As useful as this may be, it carries with it the risk of blurring of responsibility where CS is effectively co-opted into joint accountability for these services. While a sense of co-responsibility may be useful in limiting potential for conflict and getting the respective role-players to ‘hunt as a pack’ its precise operational benefits have yet to be clearly set out in a context where local government routinely fails and civil society is powerless to fill the gap.

However, for the purposes of the governance phenomenon to be described, what is of importance is the notion of synergy or the ‘dual-directional’ nature of state – civil society relationships. This imparts an understanding that the local state is able to shape its relationship with CS and prevailing political culture through its actions. Obviously in so doing local government may be guided or circumscribed by policy and legislation outside its control.¹³ What is often neglected in policy studies is the effect of having a policy and legislative framework that is ignored or beyond the reach of even the better performing municipalities.

Before looking into the empirical evidence of the status of municipal –civil society relations, it is necessary to outline some of the assumptions that formed the basis of Afesis-corporation’s interest in civil society – municipal relations.

Firstly the definition of governance widely used in local government policy circles in South Africa since about 1995 has been heavily influenced by NGO discourse and what Majid Rahnema calls the ‘popular participation movement’.¹⁴ As Rahnema notes, it draws upon an emerging meaning used within the United Nations in the 1970s that suggested the feasibility of ‘organised efforts to increase control over resources and movements of those hitherto excluded from such control.’¹⁵

In seeking to examine the interface between civil society² and local government, Afesis-corplan (at least implicitly) drew upon this idea of ‘dialogical interaction and conscientization.’¹⁶ In practical terms this meant a variation on ‘participatory action research’. In practical terms, examining and popularising functions, behaviours and services that municipalities are legally responsible for in policy terms, and attempting to reconcile this with citizens actual perceptions and experience of local government. This was geared towards allowing members of the public and organisations to become more aware of their situation and organise themselves appropriately. It does not seek to introduce or impose standards of values of governance but draws upon those yardsticks which have already been consensually arrived at in broad and fairly inclusive debates³ that led to the Local Government White Paper and subsequent legislation / policy.

At the practical level, the purpose of the good governance surveys seemed self-evident. Local government had committed itself to certain norms of behaviour and service delivery – municipalities therefore effectively had a pact⁴ with local citizens that would frame both standards for outputs by the municipality and the level at which citizens should peg their expectations.

- It would provide municipalities with an insight into civil society perceptions of service delivery and identify potential problem areas viz. either where CS perceptions were skewed and required improved communication or where perceptions were justifiably negative due to shortfalls in municipal performance that could then be identified and remedied or
- It would affirm that those functions which the municipality regarded as well performed, were indeed appreciated as such by citizens.
- It would provide generally accepted criteria whereby citizens could assess municipal performance and if they so chose, provide feedback to the municipality on an on-going basis

² Defined loosely according to McCauley’s usage as [add def plus others](#)

³ This process is described on pages vi and vii of the introduction to the LG White Paper

⁴ At the time it was widely held that Integrated Development Plans (IDPs) would document and give legal impetus to this pact.

Above all it was stressed that the surveys would reveal perceptions or at least those perceptions that the citizenry wished to articulate, not facts.

At a more abstract level Rahnema suggests four possible functions for this type of participatory intervention¹⁷:

1. **Cognitive** (to regenerate a development discourse which is not focused on a conventional vision of the industrialised west – one that instead looks beyond modernism to own cultural heritage, traditional technology and creating a new form of popular knowledge.) It is hard to argue that local government change in South Africa has met this criteria tied as it to conventional notions of brick houses and often inappropriate and wasteful technology like water-borne sewerage.
2. **Political:** (creating a new source of legitimation and purpose for development, namely that of empowering the voiceless, “...creating a bridge between the Establishment and its target populations...”) While Rahnema treats all of these ‘qualities’ with some scepticism, this imperative is unashamedly a part of South African ‘*developmental local government*’ discourse. This has been widely embraced by government, NGOs and business even while its practical manifestation remains uncertain.
3. **Instrumental:** (providing new strategies which involve people in resolving their own development problems, to replace the conventional and failed approaches.) Although Rahnema tends to downplay this as ‘involving the patients in their own care’; real and far less cynical attempts have been made to involve ordinary citizens in planning, public budgeting and local development strategies. Thus far however, the outcomes are inconclusive.
4. **Social:** (the ability to rally broad support for a new vision of development – one that promises to meet basic needs and wipeout poverty.)

This has probably been the most successful element of the municipal transformation era – the level of intellectual buy-in for municipal change has been remarkable: It is fuelled by the elegant turn of phrase of analysts like Edgar Pieterse:

In other words, the genius of the policy design is that it reconciles the democratic aspirations of South African with the service delivery imperative, which can only be addressed through systematic, incremental, collaborative effort over the long term. It nudges democratic aspirations in the direction of pragmatism and pulls institutional practises towards popular democratic control...¹⁸

Pieterse's optimism is seductive and may go some way in explaining why South African civil society seems to constantly buy into the idea that there is something better on the way.

The use of the term 'governance' here differs markedly with from World Bank and other international development usage, redolent as they are with public management terms like efficiency, effective public management and efficient government.¹⁹ It does to a degree include notions of transparency and accountability but emphasizes that this is primarily to local citizens and communities. It is also critical of the 'global hegemonic neoliberal discourse' and seeks to claw back a meaning for citizen's participation and local accountability free of the manipulation by national elites, or the international donor industry.²⁰

This 'new' meaning of governance became dominant in NGO circles concerned with democratisation and made some impact on government thinking from the mid nineties.²¹

In the key South African local government policy document, the Local Government White Paper, municipalities require active participation by citizens at four levels:

- As voters – to ensure maximum democratic accountability of elected political leadership for the policies they are empowered to promote
- As citizens who express, via different stakeholder associations, their views before, during and after the policy development process in order to ensure that policies reflect community preference as far as possible.
- As consumers and end-users, who expect value-for-money, affordable services and courteous and responsive service.
- As organised partners involved in the mobilisation of resources for development via for-profit businesses, non-government organisations and community-based institutions.²²

As McCarney notes, the new meaning of governance denotes change and progress through engagement between civil society and the state in a number of ways:

...planning, decision-making and project initiatives around issues of land, housing and services; by involvement of citizens with local government in broader policy discussions on municipal budgets and taxes, or socio-economic questions of urban poverty, employment creation, enterprise support, and local economic development initiatives; by political participation in the form of voting; or by political action in the form of policy negotiation, public consultation, participatory planning, or urban protest.²³

Context of the Survey

As Roger Southall and Geoff Woods noted in Afesis-corplan's 1999 pilot survey²⁴, for black South Africans, local government prior to 1994 was primarily about control. In the final years of apartheid, Black Local Authorities administered urban African townships amid increasing resistance from popular civic and youth bodies. In rural settlements, Africans were generally subject to homeland rule. At the local level this included an array of imposed systems including government appointed headmen/chiefs and administrative boards.

The study of local government in the former homeland areas has been largely about the institutions of chieftaincy and the manipulation of traditional authority. The study of municipal government in small towns has been relatively neglected, even though these towns continue to play a major role in the rural economy, as service centres and as a linkage between the formal and informal sectors. This is particularly so in the Eastern Cape. Although many of these towns seem to be a hive of economic and social activity, their public infrastructure is invariably decayed and crumbling and the formal economy and indeed life in general, is hamstrung by poor facilities and unreliable services.⁵

While it is important to recall the enormity of the challenges, which faced newly democratic structures at local level it is important also not to disregard administrative and political changes since 1994. Democratic transition took the form of negotiating forums in the early 1990s that led to appointed councils on which power was shared until 1995 when transitional local councils took office and became the first truly legitimate structures of local governance. The period from about 1994 to 1997 was largely about finding new models and policies for local government. In the Eastern Cape there evolved the District Council model for district-level municipalities, the Transitional Representative Councils or Transitional Rural Councils for rural local government and Transitional Local Councils for urban towns and cities. Much has been learnt during this "transitional period" of local governance, particularly in terms of financial sustainability and appropriate economies of scale for service delivery and infrastructure development. Far less attention has been devoted to questions of representivity (how formal democracy has been strengthened or weakened through these models) and virtually no research has been undertaken into informal participatory democracy. As Southall and Woods noted, "The study of local government remains unglamorous, and probably always will be – even though the way in which local authorities conduct themselves have a very marked impact upon individuals' lives." It is in this context that the survey assumes importance. It makes a determined attempt to explore popular perceptions of local government in a number of rural municipalities and the two largest municipalities of the Eastern Cape.

⁵ See for example Nel, E.L. 1999, Regional and Local Economic Development in South Africa, Ashgate Publishing Limited England, Ch. 6

It also attempts to investigate whether local authorities are, in the view of local citizens and organisations, getting any closer to meeting the objectives for local government as laid out by Chapter 7 of the Constitution (RSA 1996) viz.:

- (a) To provide democratic and accountable government for local communities;
- (b) To ensure the provision of services to communities in a sustainable manner;
- (c) To promote social and economic development;
- (d) To promote a safe and healthy environment; and
- (e) To encourage the involvement of communities and community organisations in the matters of local government.

In matters of governance and participation, the survey was also shaped by the four objectives for community participation set out in the 1997 White Paper on Local Government already described.

It is important to note that the survey looked at perceptions and not verifiable facts. It was never intended to measure the performance of municipalities in an objective and verifiable way – there have been numerous assessment reports, including those of Project Viability, the Demarcation Board and the Auditor-General, which have done this, with varying degrees of success. While the perceptions of citizens and local organizations frequently mirror some of the issues outlined in the above-mentioned reports, it is also important to note that the perceptions outlined here have been shaped by a variety of factors that are outside the control of the municipality.

Nevertheless we must recognise that national government has through a variety of policy instruments, tried to ensure that all municipalities have at their disposal the basic local government framework for viability. Apart from a host of programs designed to boost the capacity and output of local government, all the municipalities concerned had access to the financial transfers already described. Local authorities in the Eastern Cape had the largest ES transfer of all provinces in 1998/99, 1999/2000 and the second largest in 2000/01. In addition there have been numerous initiatives geared towards building the managerial and administrative capacity of the municipality e.g. Project Viability, the Presidential Project Team, the Municipal Support Programme, the Municipal Mentoring Programme plus various initiatives by the South African Local Government Association (SALGA) and NGOs.

Theoretical Underpinnings

In broad terms, this paper uses McCarney's very simple definition of governance viz. "... this relation of civil society to state." This relationship is understood to cover both the political dimension i.e. communication, engagement, decision-making, consultation and policy design as well as the more practical dimensions of delivering, receiving and paying for services and other public commodities.

As for civil society, it is recognised that definitions are difficult and the discourse often unrewarding. The writer subscribes to the view that associational or organised forms of civil society is comprised of multiple and overlapping groups whose membership is flexible and transient. What makes these groups 'civil' is not so much their position in society, but their relationship with the state i.e. they are separate, usually interdependent and at some stage their interests could conceivably deviate from those of the state. Civil society is not necessarily grouped or organised, and those individuals who interact with the state through various small transactions such as paying taxes, voting or buying services, are equally important elements of civil society. This is a basic difference in definition to that for example used by the Civicus Index on Civil Society - South Africa Country Report "Two Commas and a Full Stop"⁶ where civil society is defined according to its organized character namely:

Civil society is the sphere of organizations and/or associations of organizations located between the family, the state, the government of the day, and the prevailing economic system, in which people with common interests associate voluntarily. Amongst these organizations, they may have common, competing, or conflicting values and interests.

This report would however generally subscribe to the more broadly accepted CIVICUS definition where civil society is:

The sphere of institutions, organizations, networks and individuals (and their values) located between the confines of the family, the state and the market, which is bound by a set of shared civic rules, and in which people associate voluntarily to advance common interests.

Since the research focuses primarily on the interaction between government and community, we subscribe to the view that formal democracy is served when the public sphere (political parties and parliamentarians) represent the primary sphere (family, clan, or the individual) within the state (parliament, civil service, judiciary, security forces.) But at the informal level, civil society is the form by which special interests within the primary sphere are represented to both the state and the public sphere.⁷ However the separation between civil society and state is a matter of degree i.e. certain groups like labour and business may be incorporated into certain decision-making processes or gain influence within government in exchange for the co-operation of the constituency they represent.

By contrast Doreen Atkinson describes a voluntary-pluralist form of civil society where voluntary associations of individuals exist in a more distanced, independent and unregulated relationship with the

⁶ SANGOC, Core & IDASA, 2001, Pg 4

⁷ Le Roux and Drah in South African Task Team Report to Multilateral Workshop, pg 7: February 1998

state.²⁵ This form of CS is constantly changing and may manifest itself in various forms. Its relationship with the state is sometimes congruent and sometimes conflictual but while it may contain inherently anti-statist elements, it never seeks to takeover the state. These issues may seem somewhat abstract to the relationship between citizens and local government but they lay the basis for important debates on the extent to which the relationship between civil society and local government should be regulated. If a strong and vibrant civil society is the building blocks of a strong state, then a weak or tame civil society is in the interests of neither.

When considering the many statutory provisions for regulating the relationship between municipalities and civil society e.g. the Municipal Structures Act provision for ward committees, we must be mindful of Drah's conclusion that plurality in civil society is crucial to establishing and consolidating democracy but to fulfil this role effectively, civil society must be autonomous from the state, be comprised of groupings that are not simply grouped by clan or ethnicity, civil society organisations (CSO's) must also feel themselves bound by the rules of democracy and CSO's must be tolerant of each other.

Finally we note the caution in the LG White Paper about the risk of informal participation, lobbying and advocacy subverting the elected leaders within our municipalities. Ever increasing and ad hoc amounts of participation, consensus building and consultation are not a recipe for good governance.

Research Approach

The surveys originally covered five municipalities namely; Buffalo City, Ngqushwa, (1999-2000) Inxuba Yethemba, Blue Crane Route and the Nelson Mandela Metropole. (2002) For the purposes of this paper only information from the last three are used as the remaining studies (Buffalo City & Ngqushwa) have become dated. The random sample of informants includes members of organised civil society or 'community-based organisations', councillors/officials and the general public. The sample size differs with each area or town: Inxuba Yethemba (617), Blue Crane Route (478) and the Nelson Mandela Metropole (2422) yielding 3517 informants in total. Where possible, all councillors and available officials were interviewed. Community based organisations were selected through referral by the municipality or initial contacts in the area. Researchers administered the questionnaires verbally in the respondents language of choice and were therefore able to deal with illiterate respondents and able to probe for responses.

Findings

Openness & Accessibility

- The basic right of the public to observe council in action seems to be shrouded in confusion. In the two smaller municipalities a small majority of respondents thought that most council

meetings were open to the public but in Nelson Mandela Metro (NMM) the majority did not know and the largest percentile (47) of the councillor / official grouping (who ought to know) answered 'no'.

- Basic financial accountability: a majority of respondents (49-59 percent) said that the municipality does not explain how funds are spent. Both of the smaller municipalities displayed a predictable pattern of strong assertions by councillors & officials that 'spending was explained' however in NMM slightly more CBOs than municipal respondents made this claim.
- The statutory requirement that the Auditor General's report on the municipality's finances is presented at a meeting open to the public, should have made this enquiry a formality. Instead only 12-16 percent of respondents believed that this was the case. Again the greatest contrast in views was in Inxuba Yethemba where 91 percent of councillors and officials said that the AG's report is presented and 81 percent of the public said it was not.
- There was a complete mix of opinions on the tendency of councillors to play dual or multiple leaderships roles i.e. within the local state and within civil society. The grouping that saw this as most problematic was the councillor / official grouping in NMM – 39 percent said it happened and had negative consequences. In the smaller towns CBOs and the public generally did not perceive councillors playing multiple leadership roles while the councillor / official grouping did and regarded the consequence thereof as beneficial.
- Between 46 and 65 percent of all respondents thought the municipal offices were accessible and well marked however in the metro both councillors / officials and the CBO grouping did not know the answer suggesting little interest in the matter.

Community Interaction

- Sixty to seventy per cent of the general public said they were unaware of any, or there were no structures for community consultation like ward committees. Awareness amongst CBOs was high at 47 to 70 per cent and in the case of NMM, higher than the councillor / official grouping (35 per cent)
- A significant proportion of respondents (35 – 55 per cent) did not know that there was a municipal staff member responsible for co-ordinating community participation. Whilst understandable for CBOs and the public, it seems strange that 23-42 percent of councillors and officials in NMM and Blue Crane did not know this. .
- A minority of respondents (17-27 percent) and believed that the municipality developed its budget in consultation with community structures and an even greater proportion of councillors and officials (excluding Inxuba Yethemba) confirmed that this is not the case. The claim by the Inxuba Yethemba councillors that this does happen is at odds with both CBO and general public views.

- A significant 35 – 52 percent of all respondents said that the municipality does not consult communities on their development needs. Excluding Inxuba Yethemba, a remarkable 35 – 46 percent of councillors and officials agreed with this view and CBO respondents tended to be more positive than the public. More than 90 percent of Inxuba Yethemba municipal respondents claimed that the public was consulted however this was contradicted by 56 percent of the public respondents.
- In the two smaller municipalities, the expected pattern emerged where councillors and officials were most certain of the municipality's use of the media, notice boards, meetings and workshops to communicate with citizens. However in the metro, a larger proportion of the general public and CBOs perceived this to be happening.
- Most respondents (53 – 61 percent) claimed not to be aware of council's vision and mission statement with a remarkable 47-48 percent of the councillor / officials grouping making the same claim.
- Most respondents said they were not aware of conflicts between civil society and the local municipality. Blue Crane CBOs were an exception in that 45 percent perceived conflict to be present.
- About half of all respondents believed that there was sufficient political will for the municipality and community to work together however in Blue Crane and NMM only 12-31 percent of the councillor / officials grouping shared this view whereas it was held by more than 90 percent of the same grouping in Inxuba Yethemba.

Democracy

- Only 24-41 percent of respondents felt that the municipality was democratic, accountable and transparent⁸ Surprisingly only 30 –55 per cent of councillors and officials held this view in Blue Crane and NMM whereas more than 90 per of the councillor / official grouping claimed this for Inxuba Yethemba. Between 37 and 48 percent of the general public did not think the municipality was democratic, accountable and transparent and 24-34 percent did not know.
- CBO leadership fared no better – only 22 – 40 percent of all respondents saw them as democratic, accountable and transparent and only a slightly higher portion of the CBO respondents (35 – 50 per cent held this view themselves.) The Inxuba Yethemba councillors and officials held a much more positive view of their CBO leaders – in contrast to the CBOs themselves and the general public.

(Responses from councillors and officials of one of the small municipalities were almost universally positive, much more so than the same grouping in other municipalities, with regard to anything related to

⁸ Admittedly these are somewhat abstract and broad-ranging values but they are clear requirements of the local government policy framework.

municipal and CBO performance and was mirrored by unusually high ratings by CBO respondents. However this contrasted greatly with views of the general public and one might ask why there is such a divergent view between the public on the one hand and its formal and informal leadership on the other.)

Planning

- Participatory planning became a key policy provision in 1995 with the enactment of the Development Facilitation Act. The concept has been given huge legal impetus with successive provisions in the Local Government Transition Act Second Amendment and the Municipal Systems Act (currently the governing legislation). Government with foreign donor support has spent millions on popularising integrated development planning (IDP) and training both councillors and officials in this new method, stressing always its participatory nature.²⁶ Despite these significant investments 56-68 percent of respondents felt that they'd not been involved in IDP formulation. Most remarkably 52-56 of the councillor grouping also made this assertion.⁹

Delivery

- A majority (53-68 percent) of the general public respondents felt that development and delivery since the 2000 elections had been in areas of greatest need. Strangely, 44 percent of NMM councillors and officials disagreed with this assertion. In Blue Crane the majority (56 percent) of this grouping supported the claim but a greater proportion of CBO and the public respondents were positive.
- A surprising aspect of the NMM municipality was that general public and the CBOs had a more positive view (45 percent) of timeous and friendly frontline services than councillors and officials (28 percent). In the two smaller municipalities there was a majority in each category that acknowledged good service.¹⁰
- Between 42-68 percent of all respondents felt that the municipality subsidises services to the poor. In NMM councillors and officials were least sure of this – only 29 percent answered 'yes'. Again a high proportion of the CBO and Councillor / official grouping (68 and 82 percent respectively) who claimed subsidisation, contrasted with the nearly 40 percent of the general public who said this does not happen.

⁹ No information was available from Inxuba Yethemba in this regard.

¹⁰ Note that this applies to across the counter service only – the ability to respond effectively to complaints was a very mixed picture with only about a third of respondents confirming that the municipality did this effectively.

Integrity

- Motivation in standing for office: A small majority of all respondents said that councillors stand for election to represent the needs of the community. In the smaller municipalities the general public were most sceptical and most saw ‘personal benefit’ as the motive. This was endorsed by 56 percent of councillors and officials in NMM for reasons best known to these informants.
- The greatest percentile of respondents (41-56 percent) felt that councillors, once in office use their position for personal gain. Again, surprisingly councillors and officials in NMM were more negative than other groupings whilst the 82 percent of councillors / officials in Inxuba Yethemba who did not see councillors acting for personal gain were at odds with 60 percent of the local public who did (only 24 percent said they did not).

Conclusion

The findings of this survey present a complex and ambiguous picture and it must be conceded that there were probably significant weaknesses in the survey method. By way of mitigation it should be recognised that there was little precedent for the survey method beyond more conventional public opinion surveys. It is more than likely that the respondents did not always interpret the questions in the same way. Many of the questions are unashamedly ‘leading’ as they try to interrogate the enactment of quite specific policy imperatives. It is also clear that this type of participatory research allows respondents to ‘feel their way into’ the research agenda and frame their responses to serve a particular and possibly different agenda. The following observations are therefore consciously tentative and why trying to avoid undue speculation, this is not completely possible.

It seems that basic provisions for local democracy and accountability such as the openness of council meetings to the public, do not play a significant role in the relations between the local state and its citizens. While municipalities may be involved in a number of events that serve to reinforce the perception of public participation, fundamental provisions in legislation are being overlooked, side-stepped or are so poorly understood by civic participants. Similarly financial reporting and accounting to local citizens has been compromised either through omission or if it does happen, through poor communication with those it is intended to serve. The very fundamental provision for the Auditor General to furnish local citizens with an independent verification of how local income and other revenue is being spent, appears to have been lost – even though the legal requirement may have been met in some form or other.

Curiously in the Province’s only metro area, councillors and officials appear to have been more uncertain and critical of their municipality’s key governance functions and policy provisions than the CBOs and in

certain instances, even the public. This is perplexing and can be read in many ways. It is possible that the size of the metro council (177 members) inhibits communication between councillors themselves or that within a more formalised and bureaucratic institutional environment, councillors are reluctant to offer a clear and possibly risky opinion. It is also possible that intra party rifts exist within such a large council and the responses simply reflect these tensions. Further speculation is pointless without supplementary research.

It would appear that CBOs have preferential access to information on municipal behaviour and functions that is not being passed on to the public. This suggests a tenuous link between the CBO leadership and local citizens. A further problem for CBOs, especially aspirant leaders, is that while public perceptions of the integrity and service ethic of existing councillors is low, it is no better with regard to the CBO leadership.

Councillors on the other hand, are either very uninformed of basic legal and policy provisions for good governance and are not bothering to update themselves, or they are feigning ignorance for reasons unknown. In the smaller municipality where councillors seems to be uniformly sure that the municipality is meeting all its governance obligations, the gap between the public perception is so wide that it must be assumed that one component or the other is misrepresenting the situation. In these instances of rather polemical views CBOs tend to reflect the views of councillors and officials rather than the public. This suggests that the CBOs have stronger connections to the local council than to local citizens – thus indications of cooperation between civil society and the local state may not be such a good thing if indeed key non-state role-players have simply been co-opted into an elite pact.

The huge investment by government and non-government agencies on capacity-building and awareness creation for new policies like IDP, indigent policy and free basic services appears to have been wasted, if the objective was to build a lively discourse between civil society and the local state. The rhetoric of IDP as a participatory planning exercise in particular, is not supported by any feedback from the respondents.

A positive aspect of the feedback is that development and delivery of services is regarded as having been directed to where it is most needed. This emerges as a general consensus in two of the three municipalities and the non-concurring councillor grouping in the third municipality may simply be reflecting a view that ‘it could have been better.’ A further positive element is that a majority of respondents (albeit a small majority) think that council does subsidise services to the poor. In general relations between civil society and the local state were reported as fairly harmonious and only 44 percent of one CBO grouping in a small municipality perceived conflict to be present. The general impression of cooperation was reinforced by the view that there was sufficient political will for civil society and local government to work together.

Municipalities were generally not regarded as ‘democratic, accountable and transparent’ and the one councillor / official grouping that made this assertion most strongly, were clearly at odds with public perceptions in the area. CBOs fared no better in this regard and the notion of civil society as a breeding ground for democracy and civility is called into question, as is the assumption that local government girds democratic leadership for higher office at the national and provincial level.

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