Public Accountability at the Local Government Sphere in South Africa

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ABSTRACT

One of the major challenges faced by municipalities in South Africa is quality service delivery and lack of accountability. Public accountability is an important component of local governance as it promotes community involvement and participation. Local government is viewed as the vehicle for service delivery given the notion of wall-to-wall *local government. All programmes and projects such as,* inter alia, **housing, water supply, sanitation and roads** *require accountable municipal functionaries, so that they gain the confidence and trust of local communities who will then take ownership of it thereby ensuring that it is successful and in the final analysis sustainable. The continued success of a municipality is determined to a large extent, on the accountability of all key role players and stakeholders in the local governance process. Public accountability is a tool for participatory local democracy. The Government has introduced legislation to ensure that all the key local role players and stakeholders discharge their respective obligations and responsibilities to facilitate the delivery of quality municipal services. Despite these measures and initiatives, public accountability remains a buzzword and is certainly not taken seriously by particularly the municipal functionaries. The recent marches by the local citizenry in protest against poor service delivery countrywide bear ample testimony to this. This article critically reviews public accountability in the local sphere highlighting some of the key challenges that has to be addressed to ensure good local governance.*

INTRODUCTION

The historic first democratic elections held in 1994 introduced a political democratic dispensation in which respect for fundamental rights was institutionalised. Participation in decision making is entrenched in section 19 of the *Constitution of the Republic of South Africa Act*, 1996 which declares that every citizen is free to make political choices and to participate in the political process (Van der Waldt 2007:27). It is envisaged that the quality of lives of all citizens will be enhanced by new systems and processes as public accountability has been entrenched as a basic constitutional principle to promote service delivery which must be construed as being efficient, effective and economical. Van der Waldt (2007:34) believes that the notion of developmental local government as espoused in the South African context depends on responsible and accountable municipal functionaries and good relations between them and the local citizenry.

Accountability denotes an answer to some authority or persons, or justification of one's actions or inaction, which may be measured against set standards or expectations. According to Smit & Cronje (2002:192), accountability "… implies that the responsible employees will be expected to account for outcomes, positive or negative, for that portion of the work directly under their control. Accountability links results directly to the actions of an individual, section, department or business unit". Despite popular rhetoric, public accountability remains an elusive concept and a challenge for politicians, officials and the citizens. It is an important democratic tool for ensuring that public needs, legitimate demands and entitlements are addressed. Good governance demands, *inter alia*, accountable politicians, officials and civil society.

TYPES OF ACCOUNTABILITY

Accountability can be divided into several categories depending on the nature of the relationships that exist, some of which tend to overlap.

Hierarchical accountability

A municipality consists of the political and administrative structures and the community[3.] The administration consists of the municipal manager and departmental heads with managers heading the various divisions/sections. Hierarchical accountability relationships exist within the administrative structure. Wolf (2000:24) states that where the immediate supervisors carry out performance reviews periodically these are based on supervisor – relationships. Individuals are evaluated against performance expectations laid down in directives or codes, rules, regulations or other workplace mechanisms like performance evaluations and procedure manuals. Hague (1994:265-286) refers to these as *internal-formal* means. Day & Klein (1995:199-203) echo this sentiment and state that managers and professionals should be answerable for different areas of service provision and also for "the way in which these combine to form a total tapestry of service provision".

Performance indicators can be effective as accountability mechanisms if managers and professionals realise that they are accountable to citizens for service delivery. The

Performance Management System (PMS) was introduced for enhancing accountability internally among the employees and is detailed in Chapter 6 of the *Local Government: Municipal Systems Act*, 2000 (Act 32 of 2000). As an incentive, those officials who have performed well are given performance bonuses. However, this has been subject to abuse in that some top officials have received performance bonuses which they did not deserve, judging from the poor service delivery record in such municipalities. In other cases, top officials have received performance bonuses that have been regarded as too high, against the backdrop of limited resources and increased demand for services[4]. This had led to the announcement by the then Minister of Local Government, Mr Mufamadi that performance bonuses should not exceed a certain limit.

Campbell (1993:112) makes an added point by stating that there is an extension to this type of accountability whereby the commitment of officials to serve, extends to the anticipation of the wishes of supervisors and the duty to bring to their attention matters which supervisors may have overlooked. This is indicative of a good relationship between the supervisor and his/her team of officials which is one of the important components of accountability.

Certain key processes are critical to accountability relationships, namely assignment and delegation of authority; co-ordination of functional activities; arrangement of communication channels so that all involved are kept abreast of all the activities taking place; and control measures established at all levels to achieve the desired objectives. Staff are held responsible for the assigned duties by the delegator to whom the delegates renders account (Cloete 1984:8).

Cheminais *et al.* (1998:68-69) concur that the hierarchical structure of institutions ensures accountability through division of work. Officials have a superior to whom they render account. The top officials have to render account to their political or legislative superiors with regard to specific work or a particular course of action. Through interest groups and other formations, the public keeps in touch with politicians or the legislature which determine its needs and values. The public also turn to officials to articulate their needs and demands. All this ensures that officials are answerable to the public. In hierarchical accountability, it is easy to identify the accountable person(s).

Professional accountability

According to Seldon *et al.* (1999:194) professional accountability is reflected in work arrangements that provide for high degrees of autonomy to persons whose decisions are based on internalised norms of appropriate practice, especially values and norms rather than political responsiveness. The term 'professional' conveys the sense that professional accountability reflects attributes of specialised knowledge and expertise.

This type of accountability requires individuals to answer questions about

> …whether their performance is consistent with norms derived from professional socialisation, personal conviction, organisational conventions, or work experience. Performance standards are established by professional norms, accepted protocols and prevailing practices of one's peer or work group. The behavioural expectation is that discretion will be exercised responsibly and in a manner consistent with accepted norms of responsible practice (Romzek 2000:26).

Campbell & Wilson (1995:38) maintain that senior public servants know how "to work the government machines" and have the skills to simplify complex issues so that they can be understood by politicians who have little training on policy matters. The complementary role that municipal functionaries play cannot be over-stated.

Professional accountability in the municipal sector ensures that public officials perform their duties in line with ethical norms and standards, the violation of which will result in disciplinary action against them. Cloete (1994:64) contends that the guidelines that govern the conduct of public officials when executing their functions are derived from the prevailing values of society. Managers are responsible and accountable for actions taken by officials under their control.

In local government, the municipal manager should have professional qualifications and should also have postgraduate qualifications in public administration and management. Top management should have a postgraduate degree in public management and administration and also basic professional qualifications in disciplines applicable to specific line functions. The qualification for directors is a Bachelor's degree or a diploma in public management and administration (Gildenhuys 1997:34-35).

However, there could be a deviation from this ideal situation in terms of professional qualifications of a municipal manager, notably in the case of political appointments. There may be instances where occasionally one comes across a municipal manager who has matriculation as the highest qualification especially in rural municipalities. The probability is overwhelming that service delivery is likely to be compromised. Of late, municipal administrations had borne the brunt of rapid transformation. Valuable skills had been lost; institutional memory had disappeared; senior posts had become sinecures for political party supporters and junior posts had been filled by inadequately trained people (Nealer 2007:176).

Although professional accountability grants the individuals a high degree of autonomy and are thus influenced by the norms and values of their profession rather than political responsiveness, in practice it is not a simple exercise. In some cases, officials find themselves in a dilemma of being true to their internalised norms and values or giving in to political pressure in the course of performing their activities. The latter course of action lends itself to corruption and does not augur well for public accountability.

Legal accountability

There are set performance mandates like constitutional and legislative provisions which have to be adhered to in the case of legal accountability relationships. West (1995:68) believes that this type of relationship is between a principal and an agent. The expectations of the principal which are determined externally are an underlying consideration to determine whether there has been compliance by the agent. There is thus detailed oversight which can be anticipatory, through formal inquiries and direct communication between administrators and external reviewers. This type of accountability is basically reactive with very limited discretionary powers.

In local government there are performance mandates like the *Constitution of the Republic of South Africa,* 1996 and many other local government acts[5] which municipal functionaries have to comply with, such as the Codes of Conduct for Councillors and

Officials. This ensures that those assigned the duty of service delivery to local communities (municipal functionaries) are held accountable if they fail to perform their constitutional and legislative mandates.

Political accountability

Political accountability relationships allow municipalities to respond to local needs and demands of key stakeholders like politicians, the local community and interest/pressure groups. The municipal official has the discretion to make decisions and how to respond to the concerns of main stakeholders (Romzek 2000:27). According to Aberbach *et al.* (1981:323) administrators and politicians recognise their interdependence. Administrators look for political signals and support and are answerable to external groups. A key consideration is being responsive to public needs which can be determined by conducting customer satisfaction surveys. All this is an indication of responsiveness through performance measures. This relationship is similar to that of politicians and their constituencies which stresses responsiveness to public needs. The administrator is the responsive actor and the stakeholders are the relevant constituencies. The administrator has to anticipate the mandate of politicians and public needs. Public servants should build strong relationship between themselves and politicians and make sure that the image of government is not dented by being irresponsive to public concerns, dealing with problems promptly, efficiently and effectively (Campbell & Wilson 1995: 284).

The municipal manager is head of the municipal service in the local sphere and has to ensure that officials under his/her command are sensitive and responsive to local needs and have a good working relationship with councillors. In many municipalities, this relationship has become strained. Politicians and officials, in the main, the mayor and the municipal manager, are often at logger-heads resulting in factions within the council as well as among officials (Southall 2007:14 and Nealer 2007:180). Such an environment is not conducive for accountability to citizens and these impact negatively on service delivery.

Rouzek (2000:21) states that the four types of accountability relationships can be found within one organisation and many of them within one office. One person can be held accountable for performance of all the different types of accountability simultaneously.

PURPOSES OF ACCOUNTABILITY

Accountability serves several purposes as highlighted below:

Accountability as control measure

Fox *et al.* (1991:118-119) refer to control as the monitoring of activities in order to determine whether or not individual units in an organisation are utilising available resources economically, efficiently and effectively. Control may be informal communication and interaction which includes, *inter alia, m*eetings, conversations and memoranda. Formal control involves performance measurement using written, oral and statistical reports and personal observations.

Control is an important managerial activity in the local government context. The municipal council has delegated its, authority and responsibility within set legal limitations to the municipal manager who in turn delegates to directors, managers and other officials to carry out operational activities. The municipal manager, as the delegator, should get information and feedback from delegatees to determine if their performance is satisfactory. He/she is accountable to the council and has to justify his/her actions or inaction to the council who in turn has to render account to the electorate.

Accountability as assurance

The local citizenry need to be assured that public authority and local resources are not abused. It is not possible for local communities to govern directly and consequently councillors have to be elected to govern on their behalf. The municipal council has the authority to govern; however, they may not have the expertise and skills to undertake the required administrative and operational tasks. The appointed officials provide the required support in this regard. Aucoin & Heintzman (2000:49) contend that

> … in the language of 'agency' theory, sets of 'principles' must rely on sets of 'agents' to accomplish their objectives in institutional contexts where the former inevitably must place a degree of faith or trust in their agents to behave in ways that advance the objectives and secure the best interests of their principals. However, the matter is expressed; the bottom line is that an effective system of accountability is necessary to provide assurance to principals that their agents are fulfilling their responsibilities as intended.

The success of accountability is dependant to a large extent on set goals and objectives, service standards and entitlements, good management practices and performance targets. Auditing, reviews and inspection are also pivotal to the process. Officials are required to achieve the desired performance in terms of the indicators detailed in the performance management system. This is important to maintain or rebuild public confidence in the institution. Municipal functionaries have to ensure that a high priority is accorded to accountability for management performance and they can assure the local citizenry in this regard. The public service has professional standards against which performance is judged. Municipal managers should develop professional standards against which subordinates are held accountable (Aucoin & Heintzman 2000:49-51). In support of this, Cloete (1984:200) states that for public accountability to prevail, the basic guidelines that apply to public administration should be complied with. These guidelines will be adhered to if formal internal control measures are applied quite strictly and furthermore there is a strengthening of informal control measures thereby ensuring that the required self-discipline and control is developed by the municipal functionaries.

Accountability and continuous improvement

Performance measurement aims at identifying the strengths and weaknesses of the municipal official being assessed so that he/she can be assisted to overcome the weaknesses and, at the same time, improve service delivery. According to Aucoin & Heintzman (2000:52)

accountability to ensure continuous improvement is similar to the other purposes of accountability, notably control and assurance. However, the latter purposes tend to apportion blame. It is assumed that continuous improvement will take place if there is willingness to tolerate failures or errors as part of the learning curve. This also helps to identify and address constraints inherent in public management and governance which might affect the performance of officials. Wolf (2000:20) states that

> …accountability is a precondition for trust in government and real democracy, but democratic institutions are also needed to support a system of accountability. If there is no transparency and no living democracy with a free press, the controls of abuse and the advance performance evaluations will lead nowhere. Accountability in public administration cannot be reduced to a technical question of designing control procedures and institutions. It is a question of democracy.

It is common knowledge that municipalities have challenges such as a huge backlogs of services, limited resources and lack of skills among officials (Reitzes 1998:130 -133 and Buhlungu and Atkinson, 2007: 31-32). It is thus incumbent upon each municipality to devise strategies to ensure continuous empowerment. The poor performance of some municipalities has prompted national government to identify and place some of them requiring assistance under *Project Consolidate.*[6]

Accountability and public governance

Haque (1996:186-216) maintains that the standards of public accountability refer to the criteria for which public officials are held accountable to citizens. The objectives and norms that shape such standards was traditionally socio-economic growth, maintenance of law and order, alleviation of poverty and public welfare as well as maintaining values like equality, impartiality, fairness, representivity, citizenship and justice. However, with the paradigmatic shift in public governance, its objectives have also shifted to economic growth and productivity and its normative standards have changed towards efficiency and effectiveness, competition, value for money and profit. Such standards were initially associated with the private sector (Kickert 1997:15-39). According to Haque (2000:601-602) the changes in the objectives and norms of governance mean that there are corresponding adjustments in the standards of its accountability. Instead of answerability for social welfare, the rights of citizens, alleviation of poverty, fairness, impartiality and justice, public governance is becoming more and more accountable for promoting economic growth, increasing efficiency, effectiveness and productivity, encouraging competition, increasing profit and ensuring cost effectiveness. This means that the standards of public accountability now overemphasise efficiency and productivity as against public concerns like representation and equality.

PROMOTING ACCOUNTABILITY

Accountability is a key component of good governance and is enhanced by citizen participation, transparency, responsiveness and representivity.

Citizen participation

Civil society is an important part of democratic societies. It provides a mechanism for the local citizenry to participate in public life and to check on the exercise of state power. They can hold the state accountable for its decisions and policies implemented on their behalf. This resonates well with the basic objectives of local government prescribed in chapter 7 of the *Constitution of the Republic of South Africa,* 1996 stating that local government should, *inter alia,* :

- provide democratic and accountable government for local communities; and
- encourage communities to participate in matters affecting their lives Constitution, sections 41, 151 and 154 and *Local Government: Municipal Systems Act,* 2000 (Act 32 of 2000), section 3 (1)).

The *Local Government: Municipal Systems Act,* 2000 devotes chapter 7 to community participation and goes further to mandate municipalities to create mechanisms and procedures and develop strategies to promote it. This is very important as most of the previously disadvantaged communities have low levels of literacy and are ignorant about their rights and responsibilities (Sikhakane 2008:149). They need to be encouraged to participate and in the process holding politicians accountable for their actions and also inaction.

Government structures determine, to a large extent, its relationship with civil society. Many operational problems impact on citizen participation, such as:–

- lack of financial and infrastructural resources;
- poorly skilled staff and councillors; and
- lack of capacity to communicate with and deliver services to the community (Reitzes 1998:130-133).

Buhlungu and Atkinson (2007:31) add that the "rapid transformation has also shown up the inadequacy of administrative skills, financial systems and popular accountability. Developmental local government will need a great deal of more nurturing before it can reach its full potential".

These are some of the challenges that do not provide an environment conducive to a meaningful and continuous engagement of citizens in policy choices and decisions that impact on their lives.

Paul (1987:5) contends that "…community participation is the active process by which beneficiary client groups influence the direction and execution of a project rather than merely be consulted or to receive a share of project benefits". According to Kliksberg (2000:162) citizen participation produces results as it enhances individual and group esteem. Citizens understand crucial problems affecting their city, prioritises them, devise solutions, compare solutions with those adopted in other areas, target expenditure on the least costly and more viable programmes, decide on whether to approve a plan, and examine the merits or demerits of the plan, in order to improve the criteria for the following year. Magwaza (2004:3) is of the opinion that to advance democracy, citizens should be able to vote for a government to govern them. In addition, citizens should be accorded a whole set of rights to ensure an open, participatory and accountable government. The focal point of contact for the local citizenry is through service delivery. A municipality should identify and establish

programmes to consolidate this relationship to promote active citizen participation which includes consultation and information-sharing which will provide an informed basis for policy-making in order to address developmental challenges (Kalk in Van der Waldt 2007:31).

According to Chimbunya (2004:iv-v) more participative governance can be assessed by changes in the number of citizens participating, in *inter alia* elections, representative bodies and associations and also in whether participating groups are more inclusive of the poor and disadvantaged.

Former President Mbeki introduced the notion of *izimbizo*[7] whereby senior government leaders and public servants hold community meetings with people in their local areas. This form of citizen participation takes government to the people and ordinary people can talk directly with elected representatives who will get first hand information on local needs and aspirations. However, Makgoane in van der Waldt (2007:38) believe that *izimbizo* have become a public relations exercise, since people who are critical of government decisions are screened, isolated and gagged to prevent them from freely contributing to and participating in constructive debates relative to the growth, welfare and prosperity of communities.

Meyer & Theron (2000:64) maintain that since public participation is a mandatory requirement the council should ensure that it adheres to all policy and development issues as it will be held accountable if mandatory requirements are not met. Councillors should be committed to participatory local democracy and development. They articulate the views of the community and should thus be in touch with the needs of those they represent (Van der Waldt 2007:38). Councillors should facilitate public participation initiatives as they realise that they are accountable to local communities for improving their quality of life. Conversely, it is important for citizens to hold local politicians accountable for their actions or inaction.

The key to effective community participation is in promoting the effective operation of a programme and preventing corruption. It encourages transparency and accountability, creates a climate of trust and contributes to the efficiency of the organisation (Kliksberg, 2000: 167-169). Local government cannot succeed without citizen participation. The failure of many projects, especially in rural areas, can be attributed to the lack of citizen participation. Local participation should be harnessed as it inculcates a feeling of ownership of the project or programme and consequently the citizens will jealously guard it. Sekhesa (2004:5) lists the following benefits of citizen participation:

- it contributes to value-added decision-making by tapping into different skills and experiences;
- it provides a clear direction for communities and ensures clarity and focus on community issues;
- if the municipality considers the input of the community, its credibility will improve (Van der Waldt 2007:29);
- service delivery will be citizen-focused;
- misconceptions about projects will be lessened as communities are well-informed; and
- community involvement brings about a better understanding of projects and their objectives.

Citizen participation ensures a better understanding by the local communities of the programmes and processes to enhance the quality of their lives. This will enhance their co-

operation and sustainable development. Naidoo (2004:5) concurs that participation by the local communities is important as:

- it ensures that the most pressing needs of communities are met and those affected by proposed policies can thus express their views and try to influence them;
- it provides information regarding local conditions, needs, attitudes, aspirations and desires so that they can be met;
- it ensures commitment of the people to policies and projects they are involved in. They will thus get feedback on the successful implementation of programmes and projects; and
- it enhances democracy by promoting or ensuring the active interest and responsibility of not only the municipal functionaries but also the citizenry.

When citizens are actively involved in local governance, they are able to express their needs and also participate in meeting them.

Local government should enhance citizen participation by (Ismail *et al.* (1997:110-114):

- harnessing local expertise and knowledge to assist in decision making and policy making by co-opting members of the public on to their subcommittees (Theron 2005:128);
- using questionnaires, community forums, social surveys and advisory panels in consulting citizens to obtain their views on important issues (Van der Waldt 2007:35 and Theron 2005:127));
- creating a conducive atmosphere for forming advisory boards/committees on issues *inter alia* housing, transport, women, children, informal settlements and the disabled thereby enabling citizens to gain access to the political system through consultation and collaboration;;
- allowing citizens to participate in agenda setting for full council /committee; meetings and promoting informal channels for local participation;
- allowing citizens and the media to access information on background documents and council meetings and providing information on service performance and targets as well as greater use of radio stations and the television to broadcast proceedings of council meetings to promote transparency and civic education;
- using meetings, workshops, seminars and conferences to discuss issues and problems affecting local communities (Theron 2005:127);
- establishing telephone communications like hot-lines with citizens which ensures immediate attention to issues at hand (Theron 2005:127); and
- providing for local referendums so that specific issues can be dealt with, opinion polls and citizens' enquiries which can assist in local policy-making and decision-making.

All this can help to reduce civic apathy particularly in the rural areas. Citizens will claim ownership of municipal activities and be champions of local development. It can also eliminate corruption which is rampant in the local sphere. All employees should internalise the notion of public participation and line managers throughout the municipality should engage and empower members of the public in their respective functional activities (Meyer & Theron 2000:69-70).

Empowerment is a process whereby authority is assigned and used to manipulate access and use of resources to achieve development objectives (Burkey 1993:59 and Marx-Neet 1991:92). Chimbunya (2004:v) believes that power is the key to empowerment given that it "… is the ability to negotiate and influence outcomes in a particular environment. Empowerment is gaining this ability". It enables the local citizenry to take responsibility for their own lives, communities and societies, by taking action on matters they regard as important. It occurs at various levels which may be individual, group or community.

The following governance issues enhance empowerment:

- community empowerment involves active involvement of people in managing their own development and also an active and responsive network of community-based, public and private sector service providers; and
- local government empowerment where "… services are facilitated, provided or promoted effectively and responsively, co-ordinated and held accountable" (Chimbunya 2004:10).

Citizens need to be encouraged to be pro-active in facilitating their own development, instead of expecting handouts from government. The ward councillor and ward committee should play prominent roles in this regard. Transparency can yield good results.

Ward Committees and public accountability

A ward committee enhances participatory democracy in local government[8]. It is an independent, advisory and impartial structure through which the ward councillor makes recommendations to the local/metropolitan council, the executive committee, the executive mayor or metropolitan sub-council. It performs such duties and functions as may be delegated to it by the metro or local council[9]. Critical duties and powers delegated to ward committees are *inter alia* to act as a specialised participatory structure; to develop formal communication channels and co-operative partnerships between the community and the council and to play a major role in mobilising community action (Venter 2007:87). Although, they do not have executive authority; they can express their dissatisfaction with the performance of the councillor to the council.

Ward committees are empowered to conduct an annual satisfaction survey, subject to availability of capacity and resources, in order to assist it in the execution of its functions and powers. It should be conducted by members under the supervision of the ward councillor with administrative support provided by the municipality (DPLG 2005:39). Monitoring the progress of projects planned and implemented at the ward level is also another responsibility of ward committees. This ensures a sense of local ownership of projects and solidarity with the efforts of the municipality; providing feedback to council through minutes; setting key performances areas (KPAs) and key performance indicators (KPIs) and measuring the efficiency and effectiveness of municipal service delivery (Naidoo 2004:14). The committee, as a representative and consultative structure, plays a critical role in participatory democracy and can be viewed as a crucial link between the community and the council in terms of improving service delivery.

Pamphlets, posters and reports produced by the municipality should be made available at strategic points within the wards, namely clinics, pay points, libraries and community boards

so that residents have access to them. It should be in languages that can be understood by residents and furthermore be user-friendly. The ward councillor can also prepare his/her own notices and have these on community notice boards. (Department for International Development in Sikhakane 2008:45). Ward councillors should establish a rapport with the local media like the community newspapers and radio stations so that they can carry news relating to issues including community participation (Department for International Development in Sikhakane 2008:45). However, in most cases, the media tend to play down the achievements of the municipality and highlight the negative aspects, such as conflicts and corruption within the municipality. The media could promote accountability as municipal functionaries will refrain from unacceptable behaviour for fear of being exposed by the media.

Challenges identified with regard to participatory structures

Ward committees like all other participatory structures experience the following challenges, namely (Urban Sector Network 2001: Chapter 2):
- democratic practice are something new and people do not know how to engage constructively with government and development agencies and are not aware that they are the backbone of development in their areas;
- people have low levels of education and cannot comprehend some of the issues and technical aspects of decisions taken preventing them from making meaningful contributions;
- participation is voluntary, expensive and time-consuming (Buccus and Hicks 2008:529) as requires individual commitment by the citizens, but hampered by the high levels of unemployment and poverty, elicits high expectations of employment. requiring that people should realize that community work is voluntary and work expectations should not be harboured;
- professionals are reluctant to participate on a voluntary basis, but because of specific skills and knowledge could add value to their specific areas of expertise if they participate voluntarily; and
- inadequate capacity-building with regard to organisational guidance and resourcing can also hinder meaningful participation, resulting in internal conflicts and total collapse of the participatory structures (Buccus and Hicks 2008:534).

Municipalities should devise strategies to enhance participation, so that communities take ownership of their wards and make a conscious efforts to actively participate in local governance. This could help to overcome civic apathy which is problematic particularly in rural communities.

Representativeness and responsibility

Representativeness is a key component of local democracy as it ensures that the wishes of the population are reflected in decisions taken. Citizens cannot govern directly and consequently, this has to be done through elected representatives, i.e. councillors serving on the council. Responsibility is an integral part of representation. The council represents the

local communities and is responsible to them; the local citizenry can hold it accountable for its actions or inaction. The council is accountable for the administration of policies and the activities of officials under its control. The administration is accountable to the citizens through the council (Bayat & Meyer 1994:37). Fourie (2000:162) points out that even when an agent has been contracted to deliver a service, the council is ultimately responsible and has to render account to the local community. The council should demand regular information with regard to progress and compliance with the contract.

Transparency

A key to good governance is transparency as it reinforces public participation and accountability. All municipal activities should be subject to public scrutiny and council meetings should be open to the public. Access to information for all stakeholders is important. Fuhr (2000:66-67) believes that transparency enables people who are affected by development plans to know what options are available to them and thus make informed decisions. He adds that, "… transparency is a pre-requisite for successful beneficiary participation in programme design and implementation, as well as for ultimate public support of government's overall expenditure policies". According to Kroukamp and Lues (2008:113), municipalities have the opportunity to set a new standard of excellence in relation to accountability and transparency and in the process helping to reverse the growing trend of citizen disillusionment with present institutions.

Gordon (2000:308) believes that members of the public who are well informed and actively participate in civic life have greater trust in municipalities. They feel more responsible, demand useful information and accountability from their governments. Councillors who are unaccountable, irresponsible or ineffective are voted out of office. However, in some rural areas which are populated by illiterate communities, citizen participation, transparency and accountability are non-existent or minimal. Councillors are not committed and citizens do not know who their ward councillors are.

ACCOUNTABILITY ISSUES AND CHALLENGES

There are some distinct accountability challenges, as discussed below:

Politicisation of senior public officials

Haque (2000:607) argues that political neutrality of public officials, which is one of the prerequisites of public accountability, has been challenged by the increasing power of political office bearers to exert influence on the public service. Decisions on the appointment, dismissals and retirement of top officials are increasingly being based on political considerations and the preferences of politicians (Nealer 2007:180). This politicisation of the municipal service impacts negatively on political neutrality and ultimately public accountability. This is exacerbated by the introduction of contract-based appointments. The influence of political office bearers on senior municipal officials, especially where their appointments are short-term contracts, will make them more loyal to their political heads while ignoring accountability to

the public. The politicians themselves become less accountable to the public. Corruption is likely to thrive under such conditions (Nealer 2007:176).

Role of governance has shifted

Haque (2000:602) believes that the role of governance in promoting economic growth poses certain challenges to public accountability. When services based on socio-economic projects and programmes are provided by the public sector, it is much easier to scrutinise its activities as it is more tangible and measurable. However, by the same token, it can be argued that facilitating the provision of goods by the regarded as intangible and immeasurable could be facilitated. Public organisations can be held accountable for tangible functions like the quantity and quality of services they provide directly, but it is not always possible to hold them accountable for their intangible functions like facilitating business deals and monitoring service contracts.

Expansion of municipal partnerships

Developmental backlogs of services make it impossible for municipalities to handle this challenge alone. It thus requires municipalities to enter into partnerships with other government institutions, the private sector, community-based organisations (CBOs) and non-governmental organisations (NGOs) (Nealer 2007:161). According to Armstrong & Lenihan (1999:53)

> … *collaborative partnerships involve a formal agreement to plan and work together in specific ways to promote specific outcomes. The commitment may be fairly limited in scope, like a partnership agreement to work together to provide integrated business information services or it can extend to the co-management of an entire policy field.*

Sigidi (2004) states that, initially, civil society used to play an advocacy role which encouraged communities to take part in policy development. This role has extended to include facilitating agreements, cost recovery in municipalities, provision and promotion of health and hygiene, monitoring and evaluation of projects as well as building local ownership of government programmes.

These partnerships pose a threat to accountability because private sector partners are not subject to normal legislative scrutiny and supervision as is the case with public agencies. It is not always possible to monitor the interaction and negotiation between government executives and business managers and to determine whether joint ventures are entered into in favour of private organisations at the expense of public interest (Haque 2000:609). Armstrong & Lenihan (1999:57) concur that in collaborative partnerships, lines of accountability tend to be blurred. It is imperative that clear lines of accountability are identified and observed.

Chapter 11, Part 2 of the *Local Government: Municipal Finance Management Act*, 2003 (Act 56 of 2003) deals with conditions and processes for public-private partnership to ensure that the private company performs as required. Local communities or interested persons can also make presentations or submissions to the municipality with regard to the proposed public-private partnership.

The private sector sometimes has the much needed skills which are lacking in the public sector. However, if not properly managed, this partnership can cause more harm than good. Some companies disappear without finishing the assigned tasks or engage in sub-standard performance. The municipality thus has to pick up the pieces and shoulder the expenses unfairly.

CONCLUSION

There are various types of accountability relationships. Herarchical accountability e.g. is based on superior subordinate relationships. The subordinate should account to the superior for actions taken, measured against set standards. In professional accountability, individuals have to respond to questions about whether their performance is consistent with professional norms and values. In legal accountability relationships, there are established performance mandates like legislative and constitutional provisions which have to be adhered to. Political accountability relationships stress the responsiveness of local politicians to public needs.

Accountability can be used as a control mechanism to ensure that the delegatee is carrying out activities as expected by the delegator. In the local sphere, officials must render account for their operational activities to the council and the latter to the respective communities. An effective system of accountability is important so that the local communities are assured that local governance and resources are used effectively and not abused. Public accountability can also be used to ensure continuous improvement in official performance which all municipalities should strive for.

Accountability can be promoted through citizen participation, representativeness, responsibility and transparency. The role of ward committees in enhancing accountability cannot be over-emphasised as they are an important link between the citizens and the council. The council has a legal mandate to devise strategies to promote citizen participation which are subject to various challenges such as poverty and HIV/AIDS which make it difficult for affected people to participate in any form. In some cases, the language used at council meetings may not be understood by the illiterate people and as a result they lose interest.

Political neutrality of public officials has been challenged by increasing the power of political office bearers who exert influence on the municipal servants. This would impact negatively on public accountability and the resultant effect is an increase in corruption. One may argue that there is no political neutrality. In the same vein, one should emphasise that public officials should be impartial in discharging their obligations and functions irrespective of political affiliation.

The expansion of public-private partnerships poses a threat to public accountability as private sector partners are not subject to normal legislative scrutiny as public agencies. Private companies are ultimately accountable to their shareholders and not to residents. Public-private partnerships are very important because private companies often have the required technical skills which are scarce resources in the public sector. It is imperative that tenders signed with the private sector expressly stipulate the requirements. Monitoring of the contractors should be done meticulously to identify sub-standard performance, like the poor workmanship identified in houses built in many areas throughout the country.

Some contractors disappear before the work is completed. The municipality has the task of rebuilding the houses itself and shouldering costs unfairly.

ENDNOTES

1   Senior Lecturer in the School of Government, University of Fort Hare, Alice at the time of her death. Information in the article is based on the thesis submitted in December 2008.

2   Senior Professor

3   Chapter 2 of the *Local Government Municipal Systems Act,* 2000 (Act 32 of 2000).

4   Research conducted on protests in seven Free State towns pointed out in five of them the expenditure on salaries and emoluments of officials was well above the provincial average, while capital expenditure was considerably lower than the provincial average (Southall 2008:13)

5   Examples are the Local Government: *Municipal Demarcation Act*, 1998; *Local Government: Municipal Structures Act,* 1998, *Local Government: Municipal Systems Act*, 2000; *Local Government: Municipal Finance Management Act,* 2003 and *Local Government Property Rates Act*, 2000

6   This Project was launched in 2004 to provide hands-on support for municipalities experiencing capacity challenges relative to service delivery and governance. Over 280 professionals were put on the field in at least 85 municipalities dealing with *inter alia,* service delivery, local economic development and financial management (CMTP 2009:3);

7   Public meetings/gatherings designed for officials and politicians to meet with, discuss issues with, listen to, accept criticism from, hear complaints and comments from and receive compliments from the community. Makgoane in Van der Waldt 2007:38.

8   See section 72 of the *Municipal Structures Act,* 1998 (Act 117 of 1998).

9   See section 74 of the *Municipal Structures Act*, 1998 (Act 117 of 1998).

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