Dynamics of public participation in local government

A South African perspective

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ABSTRACT

The 1996 Constitution of the Republic of South Africa states that the objectives of local government are to provide democratic and accountable government for local communities, to ensure the provision of services to communities in a sustainable manner… and to encourage the involvement of communities and community organisations in the matters of local government. Despite this noble objectives set by the Constitution, the local government, in particular the municipalities have failed to live up to the aims of the Constitution. Nevertheless, it is argued in this article that the notion of public participation plays a significance role in the development of an open, participatory and accountable governance model

INTRODUCTION

With the establishment of a democratic government in South Africa, the challenges of public administration become more complex, independent and embracing. Societal problems such as increasing demand for service delivery at community level, rising unemployment pressures of economic growth and development, access to health care and the right to education have a significant impact on government policy (Goebel 2011:369–375; Alexander 2010:25–37; Schwella 2001:367–387; Naidoo 2007b:57–65; Stanwxi & Van der Westhuizen 2012; Adam & Moodley 2000:51–68; Gumede 2008:7; London 2004:1–17; Berger 2003:614–661; Ijeoma 2013:207–208). The administration of policies affecting society, in particular the expenditure of resources, plays a crucial role in ensuring transparent and accountable democratic governance (Sørensen &Torfing 2005:212–231; Peruzzotti 2012:626–630).

Hamilton asserts that public service and democracy are antithetical yet complementary (Hamilton 2007:3–4). According to him they are paradoxical because the existence of a public service in a democracy contradicts the notion of government by the people. He argues that they are complementary because democracies cannot survive without a strong,

technical, competent, effective, efficient, and responsive public service. The purpose of this article is threefold. *Firstly,* it explores the concept of public participation and its significance in the development of an open, participatory and accountable governance model. *Secondly,* it analyses the dynamics of public participation within the present democratic governance. *Thirdly,* it examines the philosophical foundations of public participation and the shortcomings associated with public involvement in local government. This article concludes by discussing the possibilities of achieving effective public participation in local government in South Africa

ANALYSING THE NOTION OF PUBLIC PARTICIPATION

The notion of public policy has emerged in the context of responding to a specific social struggle in relation to a number of social issues such as inequality, poverty, social justice, human rights and obligations of the state to ensure the welfare of citizens (Boye 1998:37–38; Liebenberg 2012b:1–13; Kroukamp 2002:39–62). Thomas points out that governments are established in order to secure the rights of their citizens (Thomas 1992:46–50). He stresses that governments do not often act in accordance with the mandate of their citizenry. This is partly due to, amongst others, negligence of the core principles of democracy by adopting practices which are the opposite of what is required in terms of democratic values (Boye 1998:37–38). Levi argues that citizens are likely to trust the government only to the extent that they believe that it will act in their interests, that its procedures are fair and reasonable, and their trust of the state and others is reciprocated (Levi 1998:77–101).

Public participation plays a key role in as far as democracy is concerned (Bellamy 2012:1–23). Democracy is a universal value based on the free will of people (International Bill of Human Rights 1948; 1966; International Covenant on Civil and Political Rights 1966; European Convention for the Protection of Human Rights and Fundamental Freedoms 1950; African Charter on Human and People's Rights, 1981). This means that people are at liberty to determine their political, economic, social and cultural systems and their full participation in all aspects of their lives (General Assembly Resolution 2010). The foundation of any democratic system lies in the protection of basic human rights for all (Donnelly 1999:608–632; Arat 1999:119–144), including minorities, who should have their proportionate share in the exercise of power, along with the right to have their interests carefully considered if threatened in proposed legislation and practise their own culture (Lister 2012:257–276).

Democracy is a Greek word which means 'ruled by the *demos* or people' (Dahl 1994:23–30). The modern concept of democratic government was shaped to a large extent by ideas and institutions of medieval Europe, notably the concept of divine, natural law and customary law as a restraint on the exercise of power (Russell 1952:441–56). The development of the French and American revolutions saw the evolution of the concepts of natural rights and political equality (Bernard 1867). These concepts have been of fundamental importance to and have had a significant influence on modern-day democracy throughout the world (American Declaration of Independence, 1976; French Declaration of the Rights of Man and of the Citizen 1989).

The notion *democracy* is defined as follows. *Firstly,* it denotes a form of government in which the right to make political decisions is exercised directly by the whole body of citizens,

acting in accordance with procedures of majority rule, and this is usually known as direct democracy (Gassman 2003:525–528). *Secondly,* democracy refers to a form of government in which the citizens elect representatives to make decisions on their behalf (Woodford & Preston 2011:2–5; Ray 2011b:110–113; Fukuyama 1981). For example, local government councillors are elected directly by residents to represent their interests in the local council. Councillors obtain their mandate from the voters based on their election manifesto (Deacon & Piper 2008:63–64).

The *Local Government: Municipal Structures Act,* 117 of 1998 in section 73 provides for the establishment of ward committees to enhance participatory democracy in local government. Theron & Mchunu assert that, in principle, ward committees should ideally create a bridge between the public, political and administrative structures of municipalities (Theron & Mchunu 2013:106). They also note that ward committees are fraught with problems ranging from politics of representation, power play and party politics. *Thirdly,* democracy is a form of government in which the powers of the majority are exercised within a framework of constitutional restraints designed to allow all citizens to enjoy certain individual or collective rights, including, but not limited to, freedom of speech and religion (Ankersmit 1997:21–63). In clarifying the concept of public participation, Weiner defines public participation as grassroots community engagement (Weiner 1995:30–44; White 1996:6–17; Forester 2006:447–456; Gbaffou 2008:1–7; Arnstein 1969:216–224; Lijphart 1997:2–9; Surbun 2003:369–376). The overarching conceptual values of public participation include, but are not limited to, inclusiveness, openness, access, consultation, shared decisions and transparency (Manjoo & Czapanskiy 2008:1–10; Smith 2003:36–39; Du Plessis 2008:1–33).

In addressing the deficits of political accountability in Latin America, O' Donnell classifies accountability mechanisms into "horizontal" and "vertical" ones to indicate the axis of operation of controlling agencies (namely: legislature, judiciary and the executive), each plane respectively corresponding with the distinction between state and civil society (Donnell 1995:55–69). The concept of horizontal accountability, O'Donnell argues, indicates the operation of an intra-state system of agencies of mutual oversight, while vertical accountability assumes the presence of an external agent of control, civil society and the electorate. He argues that there is a deficit of legal accountability, more specifically, with the problematic performance of horizontal agencies responsible for overseeing and punishing actions or omissions by public officials (Donnell 1995:55–69).

Murambo asserts that citizens' voices and participation are at the centre of the democratic government (Murambo 2008:124–127). Through participation, citizens express their preferences to governing officials and convince them to respond to those preferences (Verba 1999:240–245). They share information about themselves (who they are, what they want, what they need) and apply pressure on officials for a response. Citizens do this in many ways such as, by voting, working in political campaigns, writing letters, taking part in community actions, and protests. Equally, active participation may be a prerequisite for access to information. A dialectical interaction between the public authority and people might sometimes be required to identify the relevant information to be requested. Stein argues that transparency supports democracy by facilitating access to information that enables citizens to participate in public life and hold public authorities accountable (Stein 2001:489–500).

The challenge for local government in South Africa is not to create new institutions to promote public participation, but question this concept critically in order to determine its true nature and intent, as well as examine the reality of the implementation of public participation. Cornwall and Coelho emphasise that when dealing with the issue of formalised spaces for public participation (Cornwall and Coelho 2007:15–70), the following questions should be posed:

- Why are civil society groupings, including the poor, excluded or not invited to participate in these formalised spaces for public participation?
- On what basis do people enter these spaces and what is the nature of their representation?
- How do they become meaningfully involved in these formalised spaces?
- What does it take for these groups to have any real influence over decision-making?

Accordingly, these four critical questions form the basis for understanding the nature of formalised invited spaces, and may help to consider what other alternatives are available in the South African context. These alternatives relate both to the reorientation of existing invited spaces as well as the potential for creating space for new ones to emerge. Friedman posits that instead of viewing it as the product of government's willingness to create formal channels for citizen participation, it can be viewed as a process in which citizens exercise their rights, employing methods and channels of their choice (within the constraints imposed by the democratic order), in order to compel governments to deal with issues on their terms, rather than those which are most convenient to power-holders (Friedman 2006:8–11; Smith 2006:36–39).

LEGAL FRAMEWORK IN SUPPORT OF PUBLIC PARTICIPATION

Chapter 7 of the *Constitution of the Republic of South Africa*, 1996 (Constitution) stipulates that the objective of local government is to provide democratic and accountable government for local communities, to ensure the provision of services to communities in a sustainable manner and to encourage the involvement of communities and community organisations in matters of local government. Jolobe asserts that what is envisaged is a cooperative approach with national and provincial government where local authorities provide leadership, and local structures enhance opportunities for public participation (Jolobe 2014). He states that these are necessary for inclusive and active citizenship, and for an all-inclusive form of national government.

Furthermore, the Constitution stipulates that one of the objectives of local government is to encourage the involvement of communities and community organisations in local government (Section 152(1)(e) of the Constitution). This objective is further encapsulated in the *Local Government: Municipal Systems Act,* 32 of 2000 which requires municipalities to develop a culture of participation by the community and create mechanisms, processes and procedures accordingly. The Constitution requires the National Assembly, National Council of Provinces, and the provincial legislatures to facilitate public involvement in the legislative and other processes of the National Assembly and its committees (Sections 59, 72,118 of the Constitution). It is submitted that the National Assembly and the provincial legislatures

are required to hold the executive accountable and exercise oversight over the national or provincial organs of state (Muntingh 2012:30–46).

Naidu argues that it would be a tragedy for our democracy if the principles of public participation were to remain nothing more than words on paper and not translate into concrete and tangible participation that actually affects policy at all levels (Naidu 2008:83). In terms of section 40(1) of the Constitution, government is divided into three spheres, namely: the national, provincial and local spheres, which are distinctive, interdependent and interrelated. The Constitution, in section 152(1), stipulates the objectives of local government:

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

The above provisions establish a new mandate for local government in South Africa, which requires each municipality to develop specific policies aimed at meeting the needs of local communities, with their consent. The *White Paper on Local Government* of 1998 provides for the establishment of citizen participation. Furthermore, in terms of sections 3 and 19 of the *Local Government: Municipal Structures Act,* 117 of 1998 municipalities, in performing their functions, are required to develop mechanisms to consult with communities and community organisations.

Commentators have argued that participatory governance is only an illusory, conceptual ideal which is deemed far-fetched in pragmatic terms (Schultz and Braun 2012:403–406) particularly with regard to the failure to honour the general will of the citizenry to participate in the democratic state of which they are considered to be the principal stakeholders. Other barriers to participatory governance include the limited capacity of local-level participation and insufficient investment in community capacity building. Freire argues that the ordinary person is often crushed, diminished, converted into a spectator and manoeuvred by myths which powerful social forces have created (Freire 1973:5–6).

Conversely, not all engagements between the state and the people are meant to be meaningful. What is referred to as engagement is really just a way for the state to pretend to be democratic, when in reality all decisions have already been taken (Bishop 2009:337; Zikode 2013). In this regard, consideration should be given to the substantive nature of public participation, which in our constitutional democracy extends to the creation of an accurate perception that government is directly accountable to the citizens. Flowing from this is the notion that consultative processes are meant to define and generate consensus about what the public should expect from government. The implication hereof is that participatory governance presupposes the formulation of an interactive relationship between government and the citizenry, in which both are capable of influencing each other in a manner geared towards the development of policies that are responsive to the people's needs.

Accordingly, the government will have to establish a relationship of trust between itself and the electorate it represents. The judiciary should, when pondering the question of when to intervene in enforcing the obligation to facilitate public participation, also consider the sequential extent of such facilitation. This means that the process must embrace the standard

principles of courtesy and considerate consultation, as envisaged in the *Batho Pele Principles* (People First) (*White Paper on Transforming Public Service Delivery*, 1998). One of the principal objectives of *Batho Pele* is to introduce a new approach to service delivery which puts people at the centre of the planning and delivery of services (Matshigi 2007:2–4).

It can be argued that if the court does scrutinise the manner and scope of the facilitation of the participatory process, the sense of dignity and confidence among the participants can be negatively impacted. The absence of scrutiny could signal the inevitable collapse of the conceptual ideal of participatory democracy. This would mean that the state (bureaucratic officials) would be vindicated every time they improperly and unscrupulously facilitated participatory processes in a non-sequential (interrupted dialogue) manner, which would in any case be overlooked or downplayed by the respective courts when called upon to adjudicate on such matters.

It would be prudent of the courts to consider all factors, not only those that are directly related to the pertinent procedural compliance. They should also determine which other factors could have possibly compromised the effective facilitation of public participation. Ideally, this can only be achieved if the rationality standard is consistently applied by the respective courts to justify their judgments, particularly in contentious matters attracting public interest.

DYNAMICS OF PUBLIC PARTICIPATION IN SOUTH AFRICA

The literature analysing public participation suggest that participatory processes and systems in South Africa lack transformative qualities and are marred by a mixture of neglect, lack of service delivery, corruption, infrequent feedback, limited involvement and inexperience on the part of planners and officials (Lues 2014:802–804; Tsheola, Ramonyai, and Segage 2014:393–403; Mubangizi & Gray 2011:4–7; Booysen 2009:1–23). Access to information, for instance, is said to be inadequate and uneven, as are the capacities of citizens (and officials) to understand the technical formats in which information is presented (Houston 2001:207–278). The participation that does occur tends to be brief, in the shape of sporadic *inputs* that decorate particular stages of planning and programming cycles. When they do occur, feedbacks are perfunctory (Friedman 2006:8–11).

Commentators have questioned the gravity with which public participation is being embraced in local government practice (Buccus & Hicks 2006a:2; Buccus & Hicks 2008b:94–115; Mathekga 2006: 89–91). The emphasis, they argue, is placed on meeting various performance targets and service delivery requirements, with public participation featuring as an appendage to those priorities. In the local sphere, municipal officials tend to act as gate-keepers and controllers rather than as facilitative bodies that enable communities to have a greater voice and control over resources and resource allocation. The municipalities are accused of being either unwilling or unable to share the decision-making power with communities, especially in relation to project identification. Mechanisms are geared mainly towards seeking communities' input into already formulated policy responses.

The perception amongst members of the community is that public participation, if and when it occurs, involves the presentation of predetermined positions and programmes for limited feedback or information sharing only (Buccus & Hicks 2006a:2). On the contrary,

when community inputs are solicited, it is often accompanied by poor facilitation of the participatory processes.

It is submitted that the key to effective participation can be determined by the willingness on the part of government to be accessible to citizens in general and the poor in particular (Naidoo 2003; Atkinson 2002). The poor cannot gain a voice through structured participation forums because they are usually disorganised and they lack the capacity to participate (Friedman 2006:8–11). Many of the poor do not participate in grassroots survivalist organisations because the government does not provide participatory spaces in which they will be free to express themselves (Friedman 2006:8–11).

Ideally, the creation of these democratic spaces is meant to enable ordinary masses to engage with the government from an empowered position where they can have their voices heard. In terms of the broader public discourse, participatory spaces will provide opportunities to strengthen the relations between government and citizens and enhance accountability among government representatives, civil society and citizens (Buccus and Hicks 2008b:94–115; Theron and Mchunu 2013:106; Buccus 2007c:18–19). Accordingly, this discourse is burdened with the question as to whether the establishment of these systematic participatory arenas will be transformative and inclusive.

The construction of a participatory space is considered to be inherent to power (Kerfoot 2011: 87–100; Steyn 2011) and could either be used by citizens for meaningful engagement in shaping public policy debates, or simply serve as pseudo-democratic instruments through which authorities legitimise already-taken decisions. The concern with how and by whom spaces for participation are shaped intersects with debates about the places and arenas where critical, social, political and economic power reside (Escobar 2011:5–11). The conflicting nature of participatory and representative democracy plays itself out while the electorate criticises the ostensible involvement of the ordinary masses and the exclusiveness of the exercise of public power by elected representatives. Of grave concern is the fact that gaining entry into these spaces does not in any way result in the alteration of power hierarchies that would genuinely empower the marginalised citizens to participate substantively, thus guaranteeing that their voices will be heard.

As invited spaces, the institutions of the participatory sphere are infused with power relations and cultures of interaction from other spaces (Wainwright 2005). These are spaces of power in which forms of tacit domination silence certain actors or keep them from entering at all (Goelho 2011:7–11). Yet these are also spaces of possibility, in which power takes a more productive and positive form, whether in enabling citizens to occupy positions as passive recipients or to assert their rights (Cornwall & Coelho 2007:15–70).

It is submitted that to be meaningful, participatory processes must engage with and change power relationships. Simply creating new openings and spaces for a community to participate does not by itself change power relations, as even if new actors enter the new participatory spaces, their interactions may simply replicate pre-existing power relationships. Similarly, by providing openings for some to participate more, new spaces for participation may also be surrounded by forms of power that shape who enters the space in the first place, as well as on what issues and with what effect (Gaventa 2003:3–12).

Cornwall and Coelho assert that state participatory spaces not only provide venues for civil society engagement but can actively stimulate the creation of new political collectivities (Cornwall and Coelho 2007:15–70). Participatory institutional spheres potentially contribute

along all three dimensions that are multiplying spaces in which growing numbers of people come to take part in political life, giving rise to new political subjectivities and opening more areas of decision-making to public engagement (Cornwall 2002:2–16). Cornwall sees space-making in terms of a *continuum of spaces* involving spaces chosen, fashioned and claimed by those at the margins (organic spaces), and spaces into which those considered marginal are invited (invited spaces) (Cornwall 2002:2–16). These spaces exist in a dynamic relationship, in that whatever happens in the one influences the other. Similarly, power, experiences and capacities gained in one space can be used to enter and affect other spaces.

Hickey and Mohan observed that in order to be genuinely empowering, participation must be located within a wider radical political project which pushes for development as a process of social change, involving a re-articulation of substantive citizenship rights in favour of marginalised groups (Hickey & Mohan 2005:237–262). Nevertheless, it would seem that not everyone is welcome to take part in these participatory spaces due to the unequal power relations that exist and the manner in which these invited spaces are constructed. The general view amongst communities is that these spaces are viewed as just being ceremonious and consultative, and that they lack the requisite dynamism and political will to shape the programmes in a continued and purposeful manner (Buccus 2007:18–19).

Hicks and Buccus argue that the extent to which government has created invited spaces for public consultation has been largely ceremonial and has no bearing on the urgent issues of the moment (Buccus & Hicks 2006a:2; Buccus & Hicks 2008b:94–115). This raises the question of whether participation leads to incorporation without redress, or whether there is a lag in the official policy of deepening democracy. Gaventa posits that although the endeavour is to focus on spaces and places as they open up possibilities for participation, it must be realised that many decision-making spaces are still closed (Gaventa 2003:3–12).

Thus, decisions are made by a set of actors behind closed doors, without any pretence of broadening the boundaries for inclusion. Perhaps this revelation begs the question as to how the transformative potential of these participatory spaces can be fostered. However, an attempt to answer this question in light of seeking to fortify these seemingly intricate spaces requires an understanding that the mere creation of these new spaces is no guarantee that they will be all-encompassing and transformative.

Central to these created spaces is the shortfall in terms of transforming the power relations inherent to the invited spaces, as discussed above. Issues such as who creates the space for participation (thereby setting the agenda) and invites certain groups to participate (thereby excluding others), what knowledge is valued and what is disregarded, and the rules for engagement, substantially influence the nature of the deliberations and decisions that are made within that space. The nature of participation is clearly determined by who creates the space. To realise their objective, participatory processes require equal stakes of power to be held by the participants.

Therefore, for people living in poverty, who are subject to discrimination and exclusion from mainstream society, the experience of entering a participatory space can be extremely intimidating. How they talk and what they talk about may be perceived by professionals as scarcely coherent or relevant. Their participation may be viewed by the powerful as chaotic, disruptive and unproductive. A potent challenge for substantive inclusion is, therefore, overcoming the embedded inequalities in status, technical knowledge and power that persistently undermine the linguistic and epistemic authority of subaltern actors. Furthermore,

there is a concern that any new spaces created tend to be taken over by organised interest groups, and that participation processes tend to give advantages to those who have the capacities which are associated with access to resources, with the result that mechanisms which add to representative democracy by creating special channels for citizen participation are likely to reduce avenues for participation by the poor (McCoy & Scully 2002:117–130). Cornwall argues that when institutions are established without any being given attention to designing features that help mediate conflicts, secure particular configurations of roles and forms of representation, and address the tensions and trade-offs between inclusiveness and effectiveness, it is easy for old ways and forms of exclusion and domination to persist in these new spaces (Cornwall & Coelho 2007:15–70).

Relatively speaking, identifying power relationships and helping community leaders learn to map how they affect participatory processes constitute the first step in confronting them. In some situations, strategies for dealing with power relationships may involve strengthening the capacity of participants to alter the micropolitics of engagement in a given deliberative space. In other cases, this may involve recognising the power barriers that keep potential leaders from entering participatory spaces (Gaventa 2003:3–12).

It is submitted that what is needed is to scrutinise and critically analyse how power is located among the dominant holders and how such power can be equally dispersed. It is also important to further investigate whether these spaces can be employed as tools to buttress bureaucratic control and hegemony (Mohanty 2007). Above all, while there is a subjective submission that the government has created democratic spaces for citizen engagement, and that the purported participants (being marginalised citizens) should organise themselves for entry into spaces, the question of the existence of participatory spaces should not be looked at theoretically, but rather in pragmatic terms, because it is a few privileged people who manage to gain entry into those spaces to the detriment of the underprivileged (Fung 2003:338–367). Flowing from this is the fact that the construction of these participatory spaces is for the most part superficial and ineffectual. The facilitation of these participatory processes bears preordained policy positions with no foreseeable possibility of them being reviewed or reversed in line with the will of the citizens (Dryzek 1996:475–487).

This approach reveals that the introduction of participatory or deliberative mechanisms to facilitate greater public participation in policy processes, thereby addressing the democratic *deficit* and strengthening governance, requires genuine, transformative approaches that enable civil society stakeholders to significantly influence decision-making. In many instances, participants in these processes profess that the unchanged power relations often manifest themselves in policy formulation forums, which results in several significant issues not being featured as objects of participatory engagement, and the exclusion of many citizens from the processes as a result of the biased selection of the participants.

Clearly, if the notions of power, space and voice are not addressed, the mere opening up of public spaces for participation in government decision-making will result in these spaces being filled by those who already have power and access to resources. This, it is submitted, can undermine the overall objective of public participatory governance. Perhaps what is required (as discussed above) in order to surmount these challenges is the redefinition of power boundaries, as well as instilling a practice of effective and inclusive facilitation, in which the participants in these *invited spaces* would be featured from the inception of the processes, through interactive planning, co-ordination and implementation

of the programmes resulting from these processes. This should be done in a way that promotes a sense of self-confidence and trust in the participants. Ramophosa asserts that the achievement of popular access to economic power is by definition a process, rather than a single event, and quite a long process at that. Because it is subject to the fluctuations of the market, it is not an even process, nor is it immune to setbacks (Ramaphosa 1998:77–78).

Nevertheless, the progressive achievement for all citizens of economic power is vital to any democracy, and needs to be pursued with vigour as part of any democratisation process. The adoption of innovative and alternative channels of policy dialogue and establishment of participatory mechanisms for the articulation and aggregation of public opinion as well as the inclusion of public contributions, are essential in the formulation and implementation of responsive and responsible policies (Hemson 2007:9–14).

Such policies will more effectively deliver the required public service, reduce the human insecurity faced by poor and disadvantaged communities, and will also reduce the need for people to resort to violence in order to make their voices heard. Deliberative democrats would argue that providing participants with sufficient information and access to expertise, and encouraging them to form positions during discussions rather than to bring pre-prepared positions and agendas with them, can instil new norms of conduct.

The positive exercise of power in participatory processes requires the existence of certain preconditions, among them basic awareness of rights (including the right to participate), an ability to mobilise and act collectively, and the ability to communicate with those who are perceived as having more power. In the absence of such preconditions, simply opening up a deliberative space means only that it is likely to be filled by more powerful actors and thus reinforce the *status quo*. In summation, Selebalo notes that public participation in South Africa is viewed as a dialogue between the Executive and the people (Selebalo 2011). However a modern constitutional democracy should rather promote participatory governance between the electorate and their representatives in Parliament, provincial legislatures and municipal councils (Selebalo 2011). He further states that public participation is imperative in facilitating Parliament's role of oversight within the Executive – it allows citizens to put to practise their Constitutional right in holding government departments and parastatals accountable for their actions (Selebalo 2011)

RETHINKING STRATEGIES OF ACHIEVING PUBLIC PARTICIPATION

There are several possibilities for reengineering the present system of public participation in local government. Such possibilities would include the following. *Firstly* recognising existing community structures and spaces that could feed into the invited spaces provided by government, for example, community policing forums, ratepayers associations, traditional institutions, citizen assemblies and religious bodies. *Secondly,* educating citizens in order to participate actively in promoting their own developmental needs.

In addition, government should develop partnerships with non-governmental organisations that have been working in local communities on similar issues. Councillors in the local sphere should be assessed by community representatives in terms of identified key deliverables, and political parties should be held accountable if they fail to deliver (Deacon

& Piper 2008:63–64). This could be concretised through a mandatory annual review process in which the councillor and the council are called upon to account to the communities whom they purport to represent.

According to Haque, with regard to the ultimate agents holding public government accountable, it is necessary to ensure such accountability not just to the affluent users or customers of public sector services, but to all groups and classes of citizens, including low-income households (Haque 2000:610–611). In this regard, the top policy-makers need to re-examine the current tendency to view citizens as customers (Haque 2000:610–611). The author argues that the concept of customer, as used in the marketplace, is devoid of entitlements or rights associated with citizenship. Haque notes that the marginalisation of citizenship rights, as a result of the customer principle, implies that government is less responsive and accountable to underprivileged citizens who cannot financially qualify as customers.

Roberts contends that the governance process, in which community planning is combined with benchmarking and performance monitoring, is a vital link for reconnecting citizens through the participatory process and for developing a more visible measure of accountability (Roberts 1997:124–132). Communities and governmental organisations should engage residents and partner with them in all aspects of programming and policy-making, in order to define performance standards and measures of success this will enhance public perceptions of accountability (Roberts 1997:124–132).

Little is known about how municipalities capacitate their people staying in the rural areas to participate effectively in the IDP process. It is submitted that community development should be a long-term endeavour, well planned, inclusive and equitable, holistic and integrated into the bigger picture, initiated and supported by the community members, of benefit to the community and grounded in experience that leads to best practice. The other possibility for realising public participation is through community engagement.

Scholars agree that the notion of public participation can be improved through the use of meaningful engagement (Mackenzie 2012:55–59; Ray 2008:1–47). For example, in the context of eviction applications, the courts have frequently made mandatory orders requiring the parties to engage with each other with a view to exploring mutually acceptable solutions to the dispute, including the possibility of securing suitable alternative accommodation for the occupants. Liebenberg notes that such orders may be accompanied by a reporting order, through which judicial supervision over the engagement process is maintained (Liebenberg 2010). In the case of *Occupiers of 51 Olivia Road, Berea Township and 197 Main Street Johannesburg v City of Johannesburg and Others* [2008] ZACC 1, the Constitutional Court held that meaningful engagement is *a two-way process* in which communities and government talk and listen to each other, and try to understand each other's perspectives, so that they can achieve a particular goal. It is *a neutral space* where people and the state can discuss and shape options and solutions to difficult issues.

This would imply that if the government is developing a strategy to meet its constitutional obligation of realising a specific socio-economic right, it must engage with the community during the decision-making, planning, implementation and evaluation processes (Ray 2008: 1–47). Liebenberg posits that for democracy to function efficiently it must have the following ingredients (Liebenberg 1998:42–48). *Firstly,* the notion of good governance must be the pillar of democracy; *secondly* good governance and the agenda for its discourse have to entail, good and properly functioning mechanisms for human rights protection; *thirdly,* viable

strategies for economic growth and wealth distribution; and *fourthly* public participation (Rode 2013:1480–1498; Liebenberg1998:42–48). According to her, the accomplishment of a good governance agenda should be measured against the access that the public or citizenry has to the levers of economic power, strategy and distribution of wealth, as well as to the design of growth (Liebenberg1998:42–48; Henriks 2014:555–560; Perrucci 2014:626–630; Hochschild 2010:111–123).

CONCLUSION

This article has examined the dynamics of public participation in local government. It first offered a narrative of the evolution of thought and practice in public participation and the current emphasis on citizen-led accountability initiatives. It identified some of the key limitations in the current discourse on citizen-led accountability initiatives, arguing for a research agenda that addresses some of these issues. Considering the intricate challenges faced by government in its effort to improve public participation, it becomes clear that there is a need to improve mechanisms for public participation. For example, municipalities must establish participation mechanisms that are accommodative of all kinds of people in their areas. These mechanisms must take into account the realities and disparities that exist amongst the vulnerable and poor people of South Africa.

This includes communication mechanisms. Special measures, in particular, must be taken to accommodate marginalised groups of society such as women, people with disabilities and people from rural areas. This involves measures such as providing simplified information, accommodating different languages, both spoken and written, and providing transport to meetings. Finally, public participation is a specialised area of public administration which has the potential to solve societal problems through effective policy responses. It is trusted that this article will contribute to the on-going debates surrounding the notion of public participation in local government.

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