

Local Government Public Service Delivery in Africa

A Comparative Perspective

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ABSTRACT

To foster economic development in Africa, countries of different regions on the continent need to integrate their systems of local government in order to provide improved public services to their respective communities. Bearing this in mind, the article proceeds to do a comparative study in order to examine some of the best practices on the continent in terms of local governance. Therefore, the focus is on two countries that represent two different regions: Great Lakes (Uganda) and Southern region (South Africa) which are becoming exemplary in terms of local governance. The analysis of the two cases will assist in coming up with a standardised model that might be useful on the continent, in particular in the context of the Southern African Development Community (SADC). There is no intention of affirming that these two countries have arrived, but the approach they have taken might be useful to SADC countries. For instance, the public service in Uganda relies significantly on the delivery of public services at the municipal level, primarily the district councils. In this context, local government becomes a key element in the search for new ways of governance in the country. The rationale of this approach is that the prevailing setback is the issue of poverty and that the most effective way of tackling it is about empowering the people to provide the services that they judge necessary, and to decide their own local priorities in the allocation of resources. South Africa strives to establish a developmental local government that endeavours working together with local communities to find a sustainable way to meet their needs and provide improved public services. Despite these two cases, public service delivery at the local level remains a challenge in many countries on the continent. The article insists on the synergy that needs to be created between public service leadership and local governance which are essential in improving service delivery in individual countries in Africa.

INTRODUCTION

It seems remarkable that local developments gain significance and expansion while globalisation expands. They gain significance as an alternative to the state, which in turn changes its significance. They gain expansion because aspects of society traditionally not in the scope of local dimensions are now permeating into local developments (Hinz and Gatter 2006:8). The inexorability of globalisation is irrefutable, still globalisation cannot succeed without functioning states. Disempowered states are of little value to globalisation. They must have the capacity to act and react, particularly if globalisation should affect their independence and autonomy to decide on their own fate (Hinz and Gatter 2006:72). Considering the African experience, one can note that the initiatives towards democratic decentralisation inherited from the colonial period generally went into decline after independence under the centralising influence of one-party or military regimes. Since the mid-1980s there have been positive moves towards decentralisation led by Ghana and Uganda and followed by other countries in the wake of the restoration of multiparty elections at the national level (Reddy 1999:1). Considering the best practices that are taking place on the continent, the article posits that local government can be used as a pillar in strengthening the tenets of democracy in Africa and it can also be used as a tool to foster economic development particularly in the SADC region which constitutes the focus of this article.

Public service delivery remains a challenge in most of African countries. In spite of this negative picture, there are countries that strive to establish adequate systems of local government in order to improve public services delivery. Amongst those countries one can cite the cases of Uganda and South Africa which represent cases of best practices in their respective regions namely: the Great Lakes region and the Southern African region. The article intends to do a comparative study that will assist in examining the models utilised in the two above-mentioned countries in order to come up with a standardised model that might be useful for countries on the continent in general and particularly in the Southern African Development Community (SADC). For instance, the public service in Uganda relies significantly on the delivery of public services at the municipal level, primarily the district councils. As a result, local government is becoming a key element in the search for new ways of governance. The rationale of this approach is that the prevailing setback is the issue of poverty and that the most effective way of tackling it is about empowering the people to provide the services that they judge necessary, and to decide their own local priorities in the allocation of resources. South Africa strives to establish a developmental local government which endeavours working together with local communities to find a sustainable way to meet their needs and provide improved public services. This implies that Uganda is a successful case in the Great Lakes region while South Africa is a benchmark in terms of services delivery in the Southern region. Despite the success attained by these two countries, they are still faced with certain challenges. In Uganda the main challenge to local governance is the double minded nature of the politics. Though the current regime promoted the establishment of a system of government in the local sphere, it also has a problem with the level of control of public affairs enjoyed by local communities. The South African system of local government is challenged by the lack of well trained officials at the local sphere which hamper service delivery. Nevertheless, this article intends to highlight best



practices and does not focus on the challenges that are still facing the two countries. Each developing country has its own challenges but if efforts are co-ordinated in learning from the two models taking into consideration local realities, most of SADC countries might establish systems that ensure effective service delivery and promote good governance. The article points out the best practices ranging from having *inter alia* a strong political will, empowering legal frameworks, trained public officials, adequate civil society and responsible citizens. It is in this instance that the article emphasises the need for creating a synergy between public service leadership and local government for the provision of improved services at the local level.

SYSTEM OF LOCAL GOVERNMENT IN UGANDA

Historical Background

Uganda is one of several countries, pursuing the policy of decentralisation as one pillar of public sector reform. Accordingly, the policy was designed to devolve powers and responsibilities for administration, planning and finance to the local levels where people can participate in the decision making of their respective areas (Ahikire 2002:1). Uganda's history of turmoil, mass struggle and reconstruction explains the nature of decentralisation today. The present decentralisation is largely based on the Resistance Council system that was first established during the civil war of 1981-1985. The general philosophy of decentralisation is then closely related to the 1980s NRM (National Resistance Movement) liberation struggle whose Ten Point Programme had as the first objective the creation of a local government system that would be democratic, participatory, efficient and development oriented, indicating also, that the system would empower communities "to take charge of their destiny through local institutions of self governance and resource mobilisation" (Nielsen 1996:2). Nevertheless, the stability of the government's commitment to decentralisation, the general context of lawful and relatively orderly administration, and the elections that have occurred in the countryside have contributed to a favourable context for decentralisation in Uganda (Wunsch 2001; Batkin 2001). In the light of this background, one can assert that the locus of control of decentralisation and local government in Uganda are supported by President Museveni who is maintaining a firm commitment to participatory democracy in his country.

Institutional Framework for Decentralisation in Uganda

Article 176 (b) of the 1995 Constitution of the Republic of Uganda stipulates that decentralisation shall be the principle applying to all levels of local government and in particular, from higher to lower local government units to ensure people's participation and democratic control in decision making. Decentralisation in Uganda is legally guided by the *Local Governments Act, 1997*. The objectives are stated as follows:

- to give full effect to the decentralisation of functions, powers, responsibilities and services at all levels of local governments;
- to ensure democratic participation in, and control of decision making by the people concerned;

- to establish a democratic, political and gender sensitive administrative set up in local governments;
- to establish sources of revenue and financial accountability; and
- to provide for election of local councils.

Modern concepts of good governance invoke as essential political accountability, freedom of association and participation, a reliable and equitable legal framework, bureaucratic transparency, availability of valid information and effective and efficient public sector management. In Uganda, decentralisation has been identified as the most appropriate vehicle for achieving these objectives. Through decentralisation, LGs have been able to advocate the interests of their constituencies, consult with the people in formulating policies and making decisions, report regularly back to the electorate and conduct periodic elections in accordance with the law. This has created fuller awareness on the part of the electorate of their rights and obligations and helped to empower civic society.

Uganda is considered one of the most advanced countries in Africa as far as decentralisation is concerned. There is no doubt that much has been accomplished. The government's primary development goal is to eradicate extreme poverty by 2017 through shifting public expenditures and donor assistance into areas with a greater impact on poverty, such as rural development, physical infrastructure, human development and decentralised government. LGs have an important role in meeting these challenges (Onyach-Olaa 2003:112). To this end, one can assert that the local council system in Uganda was designed to create opportunities for participatory decision-making at all levels. It has been quite successful in this. For instance, Devas and Grant (2003:312) stress that there are multiple opportunities for citizens, including the poor, to participate in public meetings and elections, from the village level up to the district. Gender and minority interests are protected (in principle at least) through reserved seats for women, youth and disabled at each level. There is a system of annual budget conferences at each level, giving citizens some opportunity to have a voice in the choice of priorities for the forthcoming year. The very substantial increase in resources flowing through local governments has enabled local councils to deliver improved services and undertake new investment. After highlighting the Ugandan's case, the following section explains the case of South Africa.

Best practices of local governments in Uganda

Uganda's local government system has a legally and constitutionally facilitating environment. It reflects devolution of powers (political, financial, personnel), functions and responsibilities to popularly elected councils and administrative units. These powers include making and implementing development plans based on locally determined priorities; making, approving and executing their own budgets; raising and utilising resources according to their own priorities; appointing statutory committees, boards, and commissions; making ordinances and by-laws consistent with the 1995 Constitution and other existing laws, ordinances, and by-laws; hiring, managing and firing personnel; managing their own payroll and personnel systems, and implementing a broad range of decentralised services previously handled by the central government.

Kiyaya-Nsubuga and Olum (2009: 29) insist that the Ugandan's local government system is based on the district as the primary unit, under which there are lower-level local governments (sub-county, municipal, division and town councils), and administrative units (county, parish and village). Kampala city has a separate legal status as an autonomous local government, with divisions, parishes and wards (parishes and wards are administrative units). Local governments are bodies corporate, while administrative units are not. A local government council is the highest political authority within its area of jurisdiction and has planning, administrative, financial management, budgeting, legislative and judicial powers which it exercises in accordance with the Constitution, the *Local Governments Act, 1997* and central government policies and regulations. Local government councils operate through executive committees and statutory organs (district service commissions, district/city contracts committees, local government public accounts committees). These structures create an enabling environment for effective service delivery at the local levels. Although Uganda is still faced with some challenges, it is essential to stress that its experience can be shared with other African countries particularly those regrouped under SADC. Hence, Ahikire (2002:8) has highlighted the fact that the structure of decentralisation in Uganda has provided a framework through which various donors can initiate projects. For instance, UNICEF, in conjunction with the Directorate of Water and Sanitation operates through the LC system to improve water sources for communities. The United Nations Capital Development Fund, working with the Ministry of Local Government initiated a District Development Programme (DDP) in a number of districts. All these programmes make use of committees for managing the projects. In relation to the DDP for instance it is specified in the programme document that the project management committees will be composed of LC 2/1 representatives, community representatives from the catchments area (the area in which the investment will yield benefits), representatives of disadvantaged group (women youth and disabled, and specified explicitly that 40 percent must be women. In this way, a form of community empowerment is being nurtured.

POLICY FRAMEWORK FOR SERVICE DELIVERY IN SOUTH AFRICAN LOCAL GOVERNMENT

South African municipalities are statutorily obliged to heed legislative requirements in as far as service delivery and development issues are concerned. This refers to the formulation and implementation of Integrated Development Plans (IDPs) in consultation with the immediate local communities, following the local government requirements of the *Municipal Systems Act, 32 of 2000*. This Act further introduces innovative management and administration systems geared towards service delivery provision.

Essentially, an IDP sets out the vision, needs, priorities, goals and strategies of a municipal council to develop the municipality during its term of office, as part of a long-term vision and plan for development. In terms of the *Municipal Systems Act, 2000* the community must have a say in both the content of the IDP and the process by which it is drafted. The IDP provides the framework for determining the budget of a municipality. It is closely linked to the performance management system of a municipality, in terms of which a municipality's progress is assessed. The IDP is not only a plan; it is a strategic instrument, a management

tool, and a method of running a municipality. The IDP provides a framework for all the activities of a municipality (Carrim 2001:2).

Integrated development planning is mandatory for developmental local government in terms of the *Municipal Systems Act, 2000*. In addition, the legislation also makes provision for the implementation of these plans. The *Municipal Systems Act, 2000* states, in section 25, that each municipal council should adopt a single, inclusive plan for development of the municipality, which should adhere to the following criteria:

- it should link, integrate and co-ordinate plans and proposals for the development of the municipality;
- the resources and capacity of the municipality should be aligned for the implementation of the plan;
- it should form the policy framework and general basis on which annual budgets are based; and
- it should be compatible with national and provincial development planning requirements that are binding on the municipality in terms of legislation.

According to Ceasar and Theron (1999:60), an IDP involves a process through which municipalities observe issues and sectors in relation to each other and encompass all efforts to address the needs of its residents, especially the poor. It implies a process of holistic planning, taking into account and integrating all aspects of local government including economic issues, social issues, spatial issues and institutional issues. Ceasar and Theron also state that an "IDP is a structured plan to be followed in future, with common agreement on action to be taken on the integration of different sectors in order to achieve set goals" (1999:61).

From the foregoing, it is apparent that through the formulation and implementation of IDPs as required by the *Municipal Systems Act, 2000*, municipalities are well placed to effect and realise the basic developmental needs and interests of local citizens. IDPs further ensure participation from diverse stakeholders such as business, community-based organisations, and labour and youth formations within the municipality. More fundamentally, IDPs provide a yardstick by which local citizens are able to measure the performance of a municipality during its term of office.

Section 76 of the *Municipal Systems Act, 2000* provides a framework that allows municipalities to explore a variety of service delivery options in pursuance of its strategic objectives reflected in the IDP. This relates to both internal and external mechanisms, notably the provision of a service through a department or other administrative unit within the municipal administration; any business unit devised by the municipality, provided that such a unit operates within the control of the municipal council. An external mechanism refers to a service delivery agreement that has been entered into between a municipality and any of the following institutions: a municipal entity; another municipality; community based organisations (CBOs) or non-governmental organisations (NGOs) that are legally competent to enter into such an agreement.

The *Municipal Systems Act, 2000* places an obligation on municipalities to review or decide on an appropriate mechanism to provide a municipal service. Thus, particular criteria and processes for deciding on such mechanisms have been statutorily provided for. As a result, when a municipality has decided on a particular mechanism to provide a municipal



service or to review any existing mechanism, it must first assess distinct criteria. These criteria are the following:

- The direct and indirect costs and benefits associated with the project if the service is provided by the municipality through an internal mechanism. Part of this assessment must also include the expected effect the mechanism could have on the environment and on human health, well-being and safety.
- The municipality's capacity and potential future capacity to furnish the skills, expertise and resources that are necessary or will become necessary for the provision of the service through internal mechanism.
- The likely impact that decision could have on aspects such as development, job creation and employment patterns in the municipality and the views of organised labour.

After the above-mentioned criteria have been applied, a municipality may decide on an appropriate internal mechanism to provide the service or, before it takes a decision on an appropriate mechanism, explore the possibility of providing such a service through an external mechanism. If it decides to explore an external mechanism, the municipality must give notice to the local community of its intention to explore the provision of the service through an external mechanism and must also assess the various delivery options such as the use of an NGO or a municipal entity.

Apart from the determining criteria elucidated above, a further important obligation on municipalities as per the *Municipal Systems Act, 2000* is that, if a municipality has decided to provide a municipal service through an internal mechanism, it must allocate sufficient human, financial and other resources to the particular unit that might be necessary for the proper provision of such service. In the instance that a municipality decides to enter into a service delivery agreement with an external service provider, it must, prior to the agreement, establish a programme for community consultation and information dissemination pertaining to the appointment of the external service provider and the contents of the service delivery agreement. The contents of the service delivery agreement must be communicated to the local community through the media.

Current state of local government in South Africa

The South African system of local government is currently saddled with critical problems and challenges pertaining to provision of sustainable service delivery. An assessment report commissioned by the National Department of Cooperative Governance and Traditional Affairs (COGTA) in 2009 revealed major findings related to governance, service delivery, financial management and policy implementation aspects on the part of municipalities across the country.

Some of the identified problems relate to huge service delivery and backlog challenges; poor communication and accountability relationships with communities; problems with the political/administrative interface; corruption and fraud; poor financial management; number of violent service delivery protests; weak civil society formations and insufficient municipal capacity due to lack of scarce skills (COGTA Report. 2009).

There are also notable success stories recorded by some municipalities in respect to their constitutional and legislative mandates. Examples of such municipalities are reflected in the table below:

It is further encouraging to note that the Department of Cooperative Governance and Traditional Affairs has recently initiated a number of projects aimed at building and sustaining the system of local government in as far as service delivery is concerned. The Operation Clean Audits 2014, and the Turnaround strategy for 2011 are examples in this regard and beyond. This clearly signifies the impetus that informs the continuous improvement of local government in relation to its legislative mandate, service delivery imperatives, and governance and management aspects.

MODEL FOR EFFECTIVE LOCAL GOVERNMENT IN AFRICA

By and large, the South African and Ugandan systems of local government offer critical and valuable lessons that could be adopted and applied in other parts of the African continent in general and SADC, in particular with a view to improve and enhance service provision to their immediate local communities. The following are some of the considerations that apply to both the South African and Ugandan context.

Sound Constitutional/ legislative and regulatory framework

Section 151 (3) and Section 152 the *Constitution of the Republic of South Africa, 1996* provide constitutional obligations and objects of local government in relation to service delivery, namely, municipalities have the right to govern all local government affairs on their own initiative, subject to national and provincial legislation, as provided for in the Constitution. The objects of local government are *inter alia* to provide democratic and accountable

Table 1 Examples of successful municipalities in respect to their constitutional and legislative mandates

Municipality	Area of performance	Reasons
Gamagara (Northern Cape)	Service delivery	Backlogs eradicated Strong economic centre
Overstrand (Western Cape)	Financial viability	Good credit rating Outstanding collection rates Good CAPEX budget spend
Thabazimbi (Limpopo)	Local economic development	Strong economic sectors Good management with business sector
Cape Winelands (Western Cape)	Planning facilitation	Facilitate economic growth in district Excellent approach to IDP
West Rand District municipality (Gauteng)	Good governance	Focusing on development facilitation

Source COGTA Report, 2009.



government for local communities; to ensure the provision of services to communities in a sustainable manner and a municipality must strive, within its financial and administrative capacity, to achieve the objects set out in section 152 of the Constitution.

More fundamentally, the Constitution provides for supervision and capacity building of municipalities by both the national and provincial spheres of government. This supervision ensures that massive capacity constraints, inefficiencies and glaring failure to fulfil constitutional obligations on the part of municipalities would be addressed by the other spheres of government through systemic and sustainable interventions. In essence, municipalities are accorded limited autonomy as far as their governance and administrative affairs are concerned.

Sound intergovernmental linkages and structures

Through, the *Intergovernmental Relations Framework Act*, 13 of 2005, important statutory structures are being set up as vehicles aimed at facilitating integrated planning, coordination of national policy implementation and the sharing of information and best practices across the three spheres of government. The structures operate in the national sphere of government through the President, and ministers, and in the provincial sphere, the premiers of the nine provinces and members of executive councils are charged with the responsibility of ensuring effective intra and inter governmental linkages. The executive mayor/mayors of the local and district municipalities are further obligated to facilitate collaborative linkages with a view to share information and best practices between municipalities located within a designated district.

Continuous drive to promote efficiency

An impetus is driven by the national sphere of government to ensure that the systems of local government are effective, efficient and responsive to the needs, expectations and interests of the local communities. This relates to, for example, the Policy Review Discussion Document tabled by the Ministry of the then Department of Local and Provincial Government (DPLG) – currently known as Department of Cooperative Governance and Traditional Affairs COGTA – (Republic of South Africa 2007) on the powers and functions of the provincial and local spheres of government. This policy review process will hopefully culminate in an appropriate delineation of roles and responsibilities on service delivery for both the provincial and local spheres of government. The review process has further extended to the modalities and governance framework underpinning ward committees as agents for service delivery in municipalities.

Active and engaging civil society on local governance

Civil society is often identified as the “institutional solution to people-centred, participatory and inclusive development” (Devas *et al.* 2001:19). It can offer, and there are many examples of where it does offer, an organised force with which municipalities can engage in a variety of ways, including participation in poverty alleviating programmes, problem identification, prioritisation and solution finding, as well as providing labour and financial contributions.

For instance, South African municipalities operate within the context of vibrant and engaging civil society organisations and local citizens in respect to local governance. These include the role of local communities and representatives of local community structures in shaping the content of *Integrated Development Plans*, and their ability to petition a municipality on critical issues of serious concern for the community. The media has further assumed a critical role as watchdog on matters related to good governance on the part of municipal administration and public representatives.

Citizen participation

One of the most apparent opportunities embedded within the decentralisation framework in Uganda is the right of participation. In the national objectives, the Constitution explicitly states that the state shall be guided by principles of devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their own affairs (Wagaba 2002). Participation as a human right is an essential aspect in determining the democratic content of any political system. It is observed that there is citizen participation in the selection of representatives through periodic elections and there has been a relative increase in community involvement in the local government planning process. Community participation is engendered by the multiple layers of activity at the different levels of local councils (Ahikire 2002:8). Citizen participation is of critical importance for the mere fact that it allows communities to voice their opinion on the way in which tenders are awarded and also control the way in which the contractual process is handled at the local level.

Role of knowledge-bearing groups and universities

Over the past years, a number of knowledge-bearing groups involved in shaping the discourse on the efficacy of municipalities have been established with a view to provide sound and valuable research and advisory services to municipalities. These include policy institutes operating in the private and development sectors. Universities, through schools of public management and administration, have also partnered with municipalities as well as the South African Local Government Association (SALGA) to deliver customised executive leadership and management training programmes for municipal officials and public representatives informed by capacity assessments and requirements identified by SALGA. These partnerships are part of capacity-building interventions aimed at strengthening and enhancing service delivery within municipalities.

CONCLUSIONS AND RECOMMENDATIONS

In this article it was argued that service delivery remains a challenge for many African countries. Nevertheless, there are some countries striving to establish successful systems of local government in order to provide improved services at local level. Hence, the cases of Uganda and South Africa were outlined to show case of some best practices in terms of local public service delivery.



The article proposed that a particular country could develop an effective system of local government in meeting the prerequisites of improved service delivery. Consequently, countries should focus on improving the following: effective legislative and regulatory frameworks; sound intergovernmental linkages and structures; constant drive to make the system of local government more efficient and effective; engaging civil society on issues pertaining to local government; promoting citizen participation; and ensuring an increased role of knowledge-bearing groups and universities to promote good governance.

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