

**The role of ward committees in facilitating  
public participation with particular reference to  
Mamelodi, South Africa**

by

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## **Dedication**

This study is dedicated to my late Grandparents

## **Acknowledgements**

I would like to thank God, the Almighty for the wisdom bestowed upon me throughout the study,

Many thanks to my parents, especially my mother Mamoriri Violet Madumo, for believing in me and the life lessons she taught. I am indebted to my younger brother Keamogetswe Pani Madumo, for the unwavering support,

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## **Abstract**

The study examines the role of ward committees in facilitating public participation with particular reference to Mamelodi, South Africa. This study is aimed at establishing whether ward committees serve as effective mechanisms to promote public participation in local government and administration. As a result, the study investigates the composition, functioning and responsibilities of ward committees, and their contributions towards effective and efficient municipal government.

Qualitative research methodology is adopted, towards the realisation of the aims and objectives of the study. Accordingly, an interview schedule was utilised as a tool that contains the pre-determined questions prepared in order to acquire insight, knowledge and application of the people who are directly involved and familiar with the ward committee processes.

An empirical study was conducted to determine if the research answers the problem statement, and also to measure the failures and success of ward committees in enhancing public participation. The findings proved that ward committees are confronted with a conglomerate of challenges where their functioning tends to be compromised. Consequently, the study made some recommendations after the various arguments relating to the subject matter were presented. This is done, in an attempt to improve the capacity of ward committees and all institutions that play a role in the enhancement of public participation.

## List of Abbreviations

ANC	: African National Congress
BRT	: Bus Rapid Transit system
CBO	: Community Based Organisation
CDW	: Community Development Worker
CPF	: Community Policing Forum
CoGTA	: Department of Co-operative Governance and Traditional Affairs
CTMM	: City of Tshwane Metropolitan Municipality
DPSA	: Department of Public Service and Administration
GDP	: Gross Domestic Product
IEC	: Independent Electoral Commission
IDP	: Integrated Development Plan
KPI	: Key Performance Indicators
MC	: Municipal Commissioner
MSA 1998	: Local Government: Municipal Structures Act of 1998
MSA 2000	: Local Government: Municipal Systems Act of 2000
NA	: National Assembly
NCOP	: National Council of Provinces
NGO	: Non-governmental Organisation
POA	: Plan of Action
PR Councillor	: Proportional Representative Councillor
RDF	: Regional Development Forum
RDP	: Reconstruction and Development Programme

SALGA	: South African Local Government Association
SANCO	: South African National Civics Organisation
SDF	: Sub-regional Development Forum
SWOT	: Strengths, Weaknesses, Opportunities, and Threats
WC	: Ward Committee
ZDF	: Zonal Development Forum

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## CHAPTER 1:

### Introduction

#### 1.1 Introduction and background

Over the past few years, municipalities have been faced with challenges of providing equitable public service delivery throughout the Country, and as such inefficiency led to protests over service delivery. What might have triggered these protests could originate from a variety of reasons ranging from improper local governing structures to the lack of public participation by the community members in decision making.

To strengthen democracy, the South African government established the ward committee system in December 2000, with an intention of improving service delivery by bridging the gap between the respective communities and the municipal structures. Among others, ward committees, should be able to enhance participatory government, by collectively organising communities in as far as ward jurisdiction is concerned (Smith, 2008: 13).

It could be argued that the role and the responsibility of the ward committees should be to convince the municipality to secure proper, efficient public service delivery. Albeit municipal challenges, ward committees should be able to encourage and formulate programmes that promote public participation, so that the municipal council can be in a better position when making decisions that will ensure better service delivery.

The research will analyse the functionality of the ward committees, as well as the composition and duties, thereof with specific reference to the nine wards in Mamelodi (a former Black local authority). This research is driven by the participatory role that the community should play through the facilitation of ward committees.

*Firstly*, the background of the ward committees in South Africa will be highlighted with an intention of providing a broader scope in terms of the

purpose for which ward committees exist. *Secondly* a motivation is provided to assess the importance of the research topic. *Thirdly*, the objectives which the study aim to achieve as an attempt to explain the significance of the subject of the study, are explored. *Fourthly*, the problem statement which serves as the main rationale of this research project and the guideline within which the research will be tackled will also be outlined. *Fifthly*, the limitations of the study will be made known, which will focus on the potential negative perceptions of communities and the lack of interest in the research. *Lastly*, the important concepts that form the foundation of the research will be clarified to avoid ambiguity as well as to provide a framework for the research to explain the content of the chapters logically.

## **1.2 Motivation for the research**

Municipalities play an important role in ensuring proper, effective, efficient, and regular service delivery. Service delivery in South Africa faces serious challenges, to an extent that the welfare of the population of the country might be compromised. The South African governing structures, *i.e.* the national, provincial and local government, aim to ensure the general wellbeing of the citizens of the country. Havenga (2002: 50) explicates the role of local government, being two-fold, meaning that; it plays an administrative role in facilitating the supply of goods and services, and a representative role that endeavours to involve citizens in determining specific local public needs and eventually providing solutions on how these local public needs can be satisfied.

This research will highlight the functioning, role and the effectiveness of ward committees, when facilitating a programme to promote public participation. Public participation can effectively take place in the local government sphere, as local government is a legally established structure with a clearly demarcated constituency, which makes it the sphere that is closest to the people. Section 16(1) of the *Local Government: Municipal Systems Act, 2000* (Act 32 of 2000) contends that a municipality has to develop a culture of



community participation, through encouraging and creating proper conditions for local communities, to participate in the affairs of the municipality. Public participation can be understood to be the means of empowering people by creating the space or platform for them to engage in matters that are of concern, with regard to Government (Tshabalala and Lombard, 2009:397).

The decisions that municipalities make, are to some extent influenced by the inputs made through participation by the communities; for instance through the use of the integrated development plan. Nzimakwe and Reddy (2008: 669), note that direct public participation, advocates public participation in formulating development plans at the initial stage.

Masango (2009: 128) points out that public service delivery is enhanced when the members of the public participate in it, unlike when they are passive and await government to provide it for them without their involvement. It is therefore important to acknowledge the needs of society in order to ensure regular, sustainable and effective public service delivery. It is for these reasons, that the system of local government recognises the importance of establishing structures which will ensure a flourishing process of participatory democracy.

Public participation in municipalities could be facilitated by the municipal council, through ward committees, and a well-functioning ward committee should be able to serve as a municipality's point of access and ensure the strengthening as well as the accountability of ward councillors to the local residents (White Paper on Local Government, 1998: 65).

### **1.3 The significance of the research**

Nzimakwe and Reddy (2008: 670) point out that service delivery still stands out to be the main problematic element, among a plethora of challenges that municipalities are faced with. Having identified the problem, a thorough analysis of the functionality of the municipality would be made through the

usage of the knowledge acquired. This would result in the research adding to the body of knowledge of local government and administration, in order to create mechanisms for the improvement of public participation in communities such as Mamelodi. This will consequently promote equitable, effective, and efficient service delivery.

#### **1.4 Aims and objectives**

The aims and objectives of this research are to evaluate the relevance and the effectiveness of ward committees in ensuring the involvement of the citizens when a municipality is in a process of formulating the programmes to achieve effective and equitable service delivery. This research will focus on the functionality, role and effectiveness of ward committees in Mamelodi, an area comprising nine wards in the eastern area of Pretoria, in the City of Tshwane Metropolitan Municipality. Furthermore it aims to assess the impact that the public or rather communities make through participating in the consultative programmes of the municipal council in achieving, efficient service delivery, with assistance from the ward committees. Solutions to the challenges that the ward committees, might be facing are also suggested.

#### **1.5 Problem statement**

In understanding the relationship between the government and its citizens, it is of importance to constructively analyse co-operative and intergovernmental relations. The *Constitution of the Republic of South Africa, 1996* states that, the South African government is constituted as national, provincial and local government, which are distinctive, interdependent, and interrelated (Sec 40 (1)). The distinctiveness in the above statement means that each sphere should exist in its own right without unnecessary interference; hence all the three spheres are independent and can make their own decisions. This is done within the framework of legislation e.g. the Constitution, 1996 and the Municipal Structures Act, 1998.

The challenges that are facing ward committees have a direct impact on their effectiveness (Nzimakwe and Reddy, 2008: 677-678). In the case of Mamelodi, ward committees lack sufficient capacity to deal with the issues/problems that emerge (Ward committees, monthly report: 2009), and this prevents any effective operation. Thus it can be argued that the composition of ward committees play an important role in ensuring its effective functioning.

The effectiveness of ward committees could have an impact on the effectiveness of other local government structures, such as the municipal council. Thus, the functioning of a ward committee, influences the developmental mandate of enhancing public participation in the local government sphere (Nzimakwe and Reddy, 2008: 677). In 2001, the municipal council of Tshwane passed a resolution that ward committees be established within its jurisdiction. The purpose was to ensure that ward committees serve as a system that provides a mechanism for participative government. This resolution consequently highlights the role to be played by the local communities (City of Tshwane Metropolitan Municipality, Ward committees, undated: 4).

The other purpose of ward committees, in municipalities is that they provide a structured channel of communication between the community and the council (White Paper on Local Government, 1998: 65). This role is important as it serves as a platform for the residents to contribute to the municipal decision making processes, thereby promoting participatory democracy.

City of Tshwane Metropolitan Municipality pursues the strategic objective of improving service delivery by focusing on the Key Performance Areas (KPA) as set out in the Mid-Term Performance Review. Through the focus on the Key Performance Areas, the Council is prepared to reinforce the capacity of ward committees, in engaging in sectoral activities which are linked to the national and provincial programmes (City of Tshwane Mid-Term Performance Review, 2008: 147).

The functionality of a ward committee has an impact in enhancing public participation in achieving service delivery. A ward committee is an independent variable and as a result, public participation would therefore depend on the functionality of ward committee. In this regard, the research is aimed at establishing whether ward committees serve as effective mechanisms to promote public participation in local government and administration. As such the study intends to investigate the impact of ward committees in ensuring effective municipal governance and administration.

## **1.6 Research methods**

Kumar (2005: 20) notes the usage of appropriate methods, as the most important feature of any research, and as such the topic of the research should be able to determine the type of methodology to be used. According to Danermark, Ekstrom, Jakobsen and Karlsson (2002: 150), the choice of the methodological approach and design is governed by the assumed specific qualities of the object or objects of study, hence different research methods will be applied in different research studies.

The methodology to be used in this research project is mainly qualitative, because the research will present data in the form of words from documents, observations, and transcripts (Neuman, 1997: 329). In as much as this research project analyses human behaviour, it therefore means that it is empirical.

The study will be carried out in all the nine ward committees, which are facilitated centrally from the office of the speaker by the liaison officer. The research project will assess and evaluate the role and functioning of ward committees in the City of Tshwane Metropolitan Municipality's Mamelodi wards. This will be done through the assistance of various stakeholders including, City of Tshwane officials *i.e.* ward committees' liaison officer,

selected members of ward committees and councillors acting as chairpersons of such committees.

The primary sources, as a method of collecting data, depend on the practical applicability of the research. Utilising the primary sources, data will be collected through interviews, which will assist in acquiring data, from the members of ward committees, ward councillors as well as community members. The process of interviewing as a method of data collection will utilise the interview schedule to collect data from the participants. Furthermore, self-reporting (which is also known as indirect observation) will be employed as a method of data collection, throughout the research project. (Mouton, 2001: 99).

#### 1.6.1. Population size and sampling

Due to the size of the jurisdiction of Mamelodi, the research will focus on all the nine ward committees comprising 10 members each, headed by a councillor within the demarcated territory. It is thus important to acknowledge that the correctness of the method of inquiry would result in the accuracy of the findings (Kumar, 2005: 165). As qualitative research methodology will be followed, it is important to note that instruments such as interview schedules will be utilised to provide more comprehensive data.

#### 1.6.2. Instruments of data collection

Mouton (2001: 104) alleges that data may be gathered using a variety of data collection methods, *i.e.* observation, self-reporting and documentary sources, among others. Primarily the research project utilises an interview schedule as a research tool for collecting data, and observation as one of the methods. Kumar (2005: 126) affirms an interview schedule as a written list of predetermined questions which has been prepared for use by an interviewer in a person-to-person interaction.

- *Observation*

Kumar (2005: 119) identifies observation as a cognitive process where data is collected through watching and listening to an interaction among the individuals. The rationale of selecting this method, among others, was based on the perception that through the attendance of the ward committee meetings, an interaction among the ward committee members could be studied. This assists in ensuring that the meeting procedures, *i.e.* the way in which ward committee members conduct themselves during meetings, are carefully studied. Observation could be done either, through the researcher taking part in the affairs of the studied group (participant observation) or the researcher could be a passive observer (non-participant observation) (Kumar, 2005: 120).

Non-participant observation will be applied through-out the empirical research field-work, where the researcher only attends the ward committee meetings to take note of the meeting procedures and subsequently to interview the members. As a method of data collection, interviewing processes involve an interaction between two or more individuals for a specific purpose. Types of interviews can thus be identified as unstructured and structured interviews (Kumar, 2005: 123). On the one hand unstructured interviews are flexible interviews in which the interviewer has freedom in the manner and sequence in which questions are asked, and could involve a variety of approaches including; in-depth interviews, focus group interviews, narratives, and oral histories.

On the other hand, the structured interviews are rigid in nature, where the interviewer has to follow a sequential fixed set of predetermined questions, through the usage of an instrument, *i.e.* an interview schedule and/or a questionnaire.

- *Self-reporting*

Self-reporting entails personal and group face-to-face interviewing, telephone interviewing, mail and electronic surveys (Mouton, 2001: 99). In achieving its

objectives, the research will be conducted through interviews as it would primarily be of importance because of its qualitative nature. The nature of the research project allows for a face to face interaction between the informant and the researcher in an attempt to comprehend the views and perspectives of the informants, in particular those who have extensively participated in ward committees (Nambalirwa, 2010: 16).

- *Documentary sources*

In completing the research project, the usage of both primary and secondary data, are imperative. The importance of using secondary data, specifically in this research, lies in the documentation that regulates the governing and the structuring of the ward committees in Mamelodi. For the research to be successful, use will be made of official documents such as government documents, academic journal articles, books, and interviews. Thus, research will rely on both the primary and secondary data information (Kumar, 2005: 118).

## **1.7 The limitations of the study**

During the research project, challenges which were not foreseen were experienced. These have an impact on the outcome of the research project as the said challenges might have influenced the results and consequently the recommendations. It should be noted that the collection of information and data for the purposes of this research project was done until the end of January 2011. Hence the constraints identified during the data collection period are explained below.

### **1.7.1 Scope of the study**

Service delivery in the country is an important obligation which government has to provide. As a result, the study does not focus on the improvement of service delivery, but the proper usage of a government institution (ward

committee) to enhance public participation. It is further assumed that through an effective system of public participation, the governing institutions with decision making powers will be in a better position to implement and achieve the outcomes as expected by the citizens or residents in a case of a municipality.

A research on ward committees could have been done through-out the country to assess the functionality as per their respective municipalities with their own *by-laws*, but the limitation is that resources are not available to conduct such an extensive research.

### 1.7.2 Composition of the respondents

At first, the respondents in most ward committees were reluctant to participate in the interviews as they feared victimisation. During the ward committee meetings, before interviewing took place, the liaison specialist introduced the researcher and also outlined the purpose of the research which in a way authenticated the study itself and subsequently the researcher emphasised that the study will be done anonymously.

In some meetings of the ward committees, there were tensions between the members of the ward committees themselves, and this could be perceived to have originated from political party power struggles. This was experienced in one meeting, where a dispute ensued regarding the co-option of a member into a ward committee. Irrespective of the specific sector where a vacant post occurred, committee members of that particular ward could not reach a consensus on the procedure to be followed when co-opting.

It is imperative to acknowledge the diversity of Mamelodi as community. As a result of this, there could have been a possibility of a language and cultural barrier between and among the ward committee members and the researcher. Some members of the ward committees were not as clear on the community issues, as one would anticipate them to be.



### 1.7.3 Information

The scope of this study results in limited relevant literature; as a result the information on ward committees and public participation is limited. The study therefore relied on primary sources of data, and the access to such documents containing information on the ward committees included, mainly; official documents, minutes of meetings and training manuals. Content in most of these official documents was outdated, as such this lead to the difference between official documents and practical reality. The restriction of access to particular official documents could have negatively impacted on the outcome of the research project.

### 1.7.4 Time

Time is a limited resource, as such, its optimal usage should be managed effectively (Mouton, 2001: 63). Ward committee meetings in the City of Tshwane Metropolitan Municipality take place once a month. This means that in a month, a ward committee would meet only once on a specific day and as such a schedule in terms of this had already been drawn up (Appendix 1), by a liaison officer of Zone F, in the office of the speaker.

The researcher had received permission to conduct research, in April but due to processes that precede the empirical fieldwork, which had to be followed, the study had only enabled the empirical field work research to ensue in October.

## **1.8 Clarification of concepts and terms**

In order to avoid ambiguities and obscurities, terms and concepts will be defined in this section. The definitions of these concepts and terms are important as they will form the basis of the research project, and this will help in creating a common understanding when arguing. Bain (1987: 9) asserts

that it is difficult for social scientists to demarcate the scope and terms of their studies with unambiguous descriptions, but an understanding of the following terms is essential for the foundation of the dissertation.

#### 1.8.1. Public Administration and public administration

Fox and Meyer (1995: 105), define public administration as a term that represents a wide range or combination of theory and practice aimed at clarifying a concept of government and its relationship with society. In supporting the above definition, Cloete (1984: 2) in Bain (1987: 11-12) further argues that public administration refers to particular functions of public or governmental institutions.

Mafunisa and Dzegwa (2007: 765), note that Public Administration, refers to the theory of public administration which denotes public administration as an activity. From the above definition; it can be deduced, that Public Administration is an academic discipline in which public administration is studied. As a field of study, the origin of Public Administration can be traced back to the 17<sup>th</sup> century. In 1855, Lorenz von Stein had already considered the activity of public administration to be an academic discipline that masqueraded as a form of administrative law (Thornhill, 2006: 794). Woodrow Wilson wrote an essay on the study of Administration in 1887, in pursuit of public administration to be recognised as an academic discipline. The study will specifically focus on the administration of the government that is closest to the people, which is the local sphere of government. More specifically the relationship and interaction between the citizens and their government will be emphasised.

#### 1.8.2. Local government

Having explained the distinction between Public Administration and public administration, an attempt to explicate the local government administration is

made. Thornhill (2008b: 492) perceives local government to be the first point of contact between an individual and a governmental institution; hence the local government can be referred to as the government that is closest to the people. He further describes it as one of the spheres of government in terms of the Constitution in the three sphere system (Thornhill, 1995: 20).

Local government can be construed to conclude the administration of the local sphere of government, with the task of accommodating the participation of the people in planning service delivery. In terms of the institutional system of local government, the Constitution of the Republic of South Africa, 1996, makes provision for the categorisation of municipalities in terms of their functions and powers. Section 155 of the Constitution of the Republic of South Africa, 1996, states that there are three different categories of municipalities, they are, category A, B and C. This research will pay attention to both categories A and B, as they are the only municipalities that could establish ward committees, in terms of Section 72 (1) of the *Local Government: Municipal Structures Act, 1998* (Act 117 of 1998). The City of Tshwane Metropolitan Municipality has been classified as a category A municipality by the Municipal Demarcation Board in terms of section 4 of the *Local Government: Municipal Structures Act, 1998* (Act 117 of 1998) (City of Tshwane Annual Report, 2005/2006: 10).

### 1.8.3. Ward

Oxford Advanced Learner's Dictionary of Current English, defines a ward as a divided area of a local government, which is represented by a councillor. The White Paper on Local Government (1998: 162), subsequently defines it as a geographic area into which a municipality is divided.

### 1.8.4. Ward committee

Ward committees are area based committees whose boundaries coincide with ward boundaries. These committees have no original duties and powers;

hence they are established as the committees that play an advisory role to the metropolitan council (White Paper on Local Government, 1998: 64). It is important to note that ward committees are not committees of the council, and as such they do not have legal status in council.

#### 1.8.5. Ward councillor

The Municipal Structures Act, 1998, defines a councillor as a member of a municipal council. Furthermore, a ward councillor can be understood to be an elected person to represent the ward on a council. The ward councillor is the chairperson of the ward committee (Section 73 (2) (a) of the Municipal Structures Act, 1998).

#### 1.8.6. Municipality

As a geographic area, a municipality is defined as a municipal area determined in terms of the *Local Government: Municipal Demarcation Act, 1998* (Act 27 of 1998).

#### 1.8.7. Metropolitan municipality

For the purpose of this study, a metropolitan municipality can be understood to be a municipality established in the large urban settlements with high population densities, complex and diversified economies. These are municipalities that have executive and legislative authority in their areas as described in terms of section 155(1) of the Constitution.

### 1.8.8. Policy

De Coning (2006: 3) explicates a policy as a “statement of intent”, meaning that it specifies the general principles to be pursued in attaining the specific goals. The essence of the above statement is that, through its citizens, a municipality should be able to plan the strategic objectives as well as the tactics. Cloete (1976) in Bain (1987: 23) states that the generic view of the administrative functions consist of six enabling functions, namely; policy-making, financing, organising, personnel provision and utilisation, procedures and control. From the above, it should be noted that policy is one of the important functions of public administration.

Generally the other area of this research would be to establish the compliance of the enabling legislation by the ward committees. The legislation to be engaged include the Municipal Structures Act, 1998 (Act 117 of 1998), and the Municipal Systems Act, 2000 (Act 32 of 2000).

### 1.8.9. Participation

Through the process of policy-making in a democratic governmental system, participation of the affected or rather concerned citizens is inevitable. For the purpose of this study, community participation is identified as being obligatory, as presumed in Section 16 of the Municipal Systems Act, 2000, where it states that *“a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance.”* Nzimakwe and Reddy (2008: 670) explain participation to be the active participation where all stakeholders, citizens and communities are involved.

Participation can be understood to be the process through which the public can partake in contributing directly and influencing policy-making. As a result participation in local government can be fostered through the preparation,

implementation and the review of a municipal Integrated Development Plan in accordance with Section 16 of the Municipal Systems Act, 2000.

#### 1.8.10. Community Development Workers

Community Development Workers (CDWs) are public servants who are assigned to municipalities to ensure the delivery of services by government, through the utilisation of the multi-skills they have acquired. Basically the CDWs assist communities within which they reside, by integrating the various government departments to accelerate access to those services by the communities (DPSA, 2007: 14).

#### 1.8.11 Public Service Delivery

Hemson, Carter, and Karuri-Sebina (2009: 156) define public service delivery as the end product of a chain of plans and actions involving municipal and provincial plans as well as the national budget, by a range of stakeholders through local consultations. Thus, service delivery can be regarded as the goods and services that the government is expected to provide in ensuring the sustainable livelihoods of its citizens.

### **1.9 Preliminary framework of the research project**

The study will consist of six chapters. Chapter one, will briefly focus on the introduction of the research topic and explain the rationale for selecting it. This would also include the description of the presentation of the research methodology and its limitations as well as the problem statement.

Chapter two is the theoretical framework *i.e.* public administration and how municipal government and administration fits into the discipline. This provides the framework for the empirical study.

In Chapter three, an assessment of the importance of participatory democracy is made. As such this highlights the enhancement of public participation. This will be done by assessing a South African perspective of public participation. Furthermore, the chapter will provide a contrast and an abstract understanding of what public participation is. A highlight of the quandaries that exist when the public participates in decision- and policy-making, as well as the desired model of public communication will be provided.

Chapter four will analyse ward committees, in terms of their roles, effectiveness and functioning. More specifically, the chapter will focus on the promotion of the provision of the municipal services through the utilisation of the system of ward committees. In this chapter a highlight of the ward committee in terms of its establishment will be interrogated. It will also provide for a comparative analysis of the systems used in Mumbai and St. Helens, which are tantamount to ward committees, *i.e.* functions the same as ward committees.

The purpose of Chapter five, is to provide an analysis of the challenges that are facing ward committees. This will be done by analysing the challenges facing ward committees when involved in community obligations and engagements. In this chapter, the data collected during an empirical field-work research will be analysed and interpreted into themes, where the challenges will be identified for further problem solving.

Chapter six, is the final chapter which will recommend the solutions to the problems identified in the research, in as far as the enhancement of public participation is concerned. This will serve as a summary outline of the research, along recommendations.

## 1.10 Conclusion

This chapter provides a guideline through which the actual carrying out of the research project will be done. As a result, the chapter managed to highlight the motivation of the research, the problem statement, objectives of the research and research methods. Furthermore, it provides clarity as far as the concepts that form the foundation of the research, are concerned. However the challenges encountered in the local government in relation to service delivery are magnified so as to prepare for the diagnosis and remedy phase. As a systematic framework, the chapter emphasises the sequence within which the dissertation follows in terms of the research project and further outlines the key focus areas of the research.



## Chapter 2:

### The theoretical framework of public administration

#### 2.1 Introduction

Generally public administration is understood to be the practical aspect of the discipline engaging government activities. Therefore, for one to understand the government processes, one would need to learn the theoretical framework of the discipline, which entails the embodiment of Public Administration. The main discussion of this chapter concentrates on the *locus* and the *focus* of ward committees in the local government sphere and its relations to the facilitation of the participation they should put into effect, as well as the functioning as required by the policy and the legal framework, in South Africa. The development of Public Administration as a discipline and its relations with other disciplines will also be addressed. Theory in this regard, is imperative as it provides a basis for the study. A brief background of the administrative generic functions will also be outlined, so as to ensure a broader understanding of the discipline. The definition as well as the differentiation between Public Administration and public administration will be investigated, to ensure a common understanding in the basic concepts that form the essentials of this research. For this to be achieved, an emphasis on the historical perspective of Public Administration as a discipline is to be made in an attempt to explain how it relates to the municipal government and administration.

As a premise, it would be of importance to highlight the role of public administration in local government, by considering specifically the generic administrative functions of the area of the study. A conceptual framework of the function of public participation will be made, thus attempting to explicate democracy at the grassroots level. This chapter will review the literature on municipalities and will be presented as follows; *firstly* it will provide an input in so far as the development of the academic discipline is concerned. *Secondly*, the nature of government system in South Africa will be provided. The *third* aspect will be to make an evaluation of public participation, as a functionary

tool for local government. The structures of the municipality will be inquired, more specifically by analysing the functioning of municipalities in local government. *Lastly*, the legislative imperatives, as a requirement by the local sphere in ensuring compliance of regulations and legislation will be addressed.

## **2.2 Public Administration as an academic discipline**

In order to fully understand the role and functions of ward committees, there is a need for an assessment of the historical perspectives in the study of Public Administration. Thus it is important for one to clearly distinguish public administration as both an academic discipline and a practice. Hanekom (1988a: 67) alludes that administration can be dated back to the beginning of humankind. This notion exists because administration is identified as an activity that takes place between two or more people, in an attempt to achieve an objective. Generally, Public Administration as a discipline is known to have originated in the United States, after Woodrow Wilson wrote an essay entitled *The study of Administration* in 1887. Contrary to that, Langrod (1961: 69-71) argues that, most of the American scholars of Public Administration omitted to regard the European history and as such its ignorance leads to the re-invention of what had been invented elsewhere. Thus Public Administration practically existed in Europe long before 1887. Wilson (1887: 199) acknowledges the European history by making inferences on the way in which the “Good Queen Bess”, during the medieval era in England, had difficulties in governing the people under her reign.

In 1855, Lorenz von Stein had already established the science of Public Administration in Europe (Thornhill, 2006: 794). During Lorenz von Stein’s epoch, the science of Public Administration masqueraded as Administrative Law. It has been evident that the science of Public Administration existed even before the 1855 declaration by Von Stein, as highlighted in the practices performed by the Germans and the Austrian *Cameralists* in the 16<sup>th</sup> century. The Germans and Austrian *Cameralists* studied the routines of the

administrative bureaus, called Kammer or chamber (Langrod, 1961: 72). It is a fact that in the late 18<sup>th</sup> century to the beginning of 19<sup>th</sup> century (1774- 1817), Public Administration as a discipline had already developed in Germany, and that schools of Public Administration and ultimately faculties had already been established and introduced in institutions of higher learning (Langrod, 1961: 75). However in America, Public Administration arose between 1914 and 1920, and it became popular as formal training programmes were introduced in various American universities (Hanekom, 1983: 44). Language has been a barrier even during the era of Von Stein, as a result of this, not many people outside Germany and France could read or even understand German and French. This language barrier culminates in the general view that Public Administration as an academic discipline was established outside Europe, *i.e.* in the United States (Hanekom, 1983: 42-43).

The development of Public Administration can be divided into four phases. The phases ensured the development of the Public Administration as guided by the environment through which the discipline emerged, *i.e.* political, social, economic, or simply the areas of community life (Hanekom, 1983: 41). The establishment of Public Administration was achieved in two ways as shown by Hanekom (1983: 43), and can be classified to be the foundation and the development phases. With regard to the foundation phase, an emphasis is put on the establishment of Public Administration as a discipline, which further provides a basis for the development phase. The development phase could not have emerged without the foundation phase and as a result it mainly focuses on the growth and maturity of the discipline, Public Administration. Regarding the theoretical constructs that concerns Public Administration, it is thus important to relate the discipline to its practical application, *i.e.* studying the governmental actions required to carry out its mandate from the electorate

### **2.3 Nature of government system in South Africa**

According to Section 40 (1) of the Constitution, 1996, the South African government is constituted as national, provincial and local spheres of

government. Therefore, the Constitution, 1996, further obliges these spheres to be distinctive, interdependent and interrelated. As an imperative of good government, all spheres of government are required by Section 41 to apply the principles of co-operative government and intergovernmental relations when performing their duties. Through these principles, effective government is inevitable, and as such it is important for the three spheres of government and all organs of the state to co-ordinate their actions and legislation in accordance with the provisions and requirements of the Constitution, 1996 (Cloete and Thornhill, 2005: 113).

After the South African first democratic elections in 1994, the government required a total transformation of its institutions. Transformation of such institutions was to be facilitated through a process of strengthening their capacities (Thornhill, 2008a: 59). Given the superior institutional capacity to govern, municipalities have the potential to effectively, efficiently and economically render excellent services. This implies that local government is the only sphere of government where a platform can be setup, through the usage of municipal structures for the citizens to collectively organise themselves so as to enhance participatory democracy, and consequently efficient service delivery. Furthermore, this highlights the importance of municipalities in bridging the gap between the government and its people. The system of ward committees, serves as one of the mechanisms to enhance direct participatory democracy in the South African local government system.

In understanding the characteristics of a system of government, it is imperative to acknowledge the historical background of that particular country. Mafunisa and Dzungwa (2007: 765), note that Public Administration, refers to the theory of public administration which denotes public administration as an activity. Thus, it can be deduced, that Public Administration is an academic discipline in which public administration is studied. Public Administration will in this regard assist in the explanation of the composition of the country as determined by the system of government. The focus of this dissertation is the local sphere of government, which is regarded as a sphere mainly responsible for the delivery of basic service e.g. water, sanitation, refuse removal and

electricity. Prior to the democratic dispensation in 1994, various pieces of legislation were enacted to regulate local government on the basis of *inter alia*, class, race and ethnicity. Examples of such legislation are the Group Areas Act, 1950 (Act 41 of 1950), the Black Administration Act, 1927 (Act 38 of 1927) and the Black (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945), among others (De Visser, 2005: 58). The post democratic dispensation, a milestone of redressing, improving and reversing the legacy caused by such separating legislation, was achieved in terms of the inclusion of chapter 7 in the Constitution, 1996, that specifically deals with local government. Local government has been established by specific legislation such as the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) and Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to ensure the operation of the system of local government.

In South Africa, as in other democratic countries, its public administration is determined by political processes. The link originates from the general acceptance that public administration is concerned mostly with the accomplishment of objectives which are predominantly politically determined (Tötemeyer, 1988: 1). Thus it has been argued that local government has traditionally been politically linked, concerning decisions on its activities (Stoker, 1991: 37), which then proves that local government is not immune to such influences. Its administrative decisions are taken within political forums, such as councils. Political vigour leads to democratic ideals, which must be fulfilled through services delivered. The crucial fundamentals of an action oriented government to ensure a public administration that performs effectively, efficiently and economically, relies on the six generic administrative functions.

### 2.3.1 The functions of public administration

Public administration could be divided of six generic administrative functions for discussion purposes, which serve as the basic units of the actions taken by public institutions towards the achievement of their goals. The generic functions are policy-making, organising, public finance, public human

resource management, work procedures and control (Selepe, 2009: 54). For the purpose of this research, a detailed explanation of the generic administrative functions will be made.

### *2.3.1.1 Public human resource management*

Van Dijk (2003: 41) explains human resource management as being the function through which suitable employees are employed and utilised according to their potential. This means that human resource management pertains to the effective provision and utilisation of the employees, and as such it covers two broad aspects which are functionally specialised activities (such as recruitment, selection and retention) and administrative activities which provide the framework for the management of training. In organisational development, human resources are considered to be the most important resources of an organisation, hence the general belief that, in order for an organisation to nurture efficiency and effectiveness, its human resources should be content. For the purposes of this dissertation, this aspect will be cross-examined at a municipal sphere only. Through the usage of public human resource management it should be possible for an organisation to establish specific policies and principles that pertains to the employment and the utilisation of members of the organisation.

### *2.3.1.2 Public finance*

Public finance is the function through which the public institutions collect, spend and control the money, in pursuit of its achievements. Institutions would not be able to function without funds, hence the importance of cost effective usage of public money. Public money is thus defined as the money which is owned publicly in the context of the state and the non-governmental organisation (NGO) sector (Pauw, Woods, Van der Linde, Fourie and Visser, 2002: 3). This means that the public is entitled to the benefits of public money, collected from them in the form of taxes, levies, fines and the sale of goods and land.

Selepe (2009: 59) states that financial management is one aspect of various principles and functions of management, and as such it focuses on using the

limited public resources to ensure effective use of public money and assets in achieving value for money, when meeting the government goals. The regulation of public funds is important, as all the collected money from the citizens need to be accounted for, and this promotes good governance. It was for this reason that both the Public Finance Management Act (Act 1 of 1999) and the Local Government: Municipal Finance Management Act (Act 56 of 2003) were promulgated in an attempt to regulate funding processes within the public sector. Public money does not belong to anyone except a community of citizens in a state, which is why it is important to account to the public on its usage.

#### *2.3.1.3 Work procedures*

Work procedures are based on the notion that every action taken by an employee, requires a single-minded, and yet a systematic and orderly procedure and method (Van Dijk, 2003: 42). In this regard, the influence of an environment is crucial in the achievement of the set organisational objectives, hence the essence of revising the methods and procedures, for easier adaptation by the organisation. However, work procedures as a generic function depends on the contents of policies and its goals, as such it serves to promote the enforcement of policies within the relevant organisations. This means that policy-making, organising, financing, as well as the human resource functions must be established prior to the development of work procedures. It is important for specific work procedures to be laid down for each task, this will ensure that everyone in a specific organisational unit co-operates in attaining the policy objective, and does not waste time in the process (Selepe, 2009: 63). Thus in the case of ward committees, specific procedures are required to ensure regular and orderly meetings as well as minutes to facilitate follow up actions.

#### *2.3.1.4 Control*

In the public sector, control is exercised to ensure that account is given to the public for everything the authorities do or neglect to do, so that transparency in government can prevail. This means that, citizens will have clarity in what the government does to pursue their interests and well-being (Selepe, 2009:

63). Botes (1994: 177) argues that the word *control* is derived from a French word *contra* which means double checking by using a comparison. Therefore, control measures are always measured against a particular set standard. Government utilises the control function as a system of regulation over the activities they perform in ensuring effective and efficient service delivery and this, according to Van Dijk (2003: 43), is a part of the unique nature of public administration. Within the system of municipal government and administration, specifically the ward committees, control will manifest as a result of the implementation of the policies, following on the advices of ward committees.

#### *2.3.1.5 Organising*

Organising is a versatile process that relates to a variety of activities, which includes the division of an organisation into different departments, which subsequently implements hierarchical levels as well as the chain of command (Denhardt and Denhardt, 2009: 164). Botes (1994: 88) declares that organising can only exist or happen when facilitating a group activity. Furthermore, organising provides direction and meaning to the group's performance, as dictated by the five aspects that entails the process of organising. Through the usage of the existing literature of organising, the five aspects can be described as:

- determination of goals;
- division of work;
- delegation;
- span of control; and
- unity of command.

Further explanation of these aspects which adds to the process of organising will be referred to later, because municipalities and its various committees (including ward committees) rely on organising for effective and efficient management.



### 2.3.1.6 Policy-Making

Policy can be regarded as an important tool towards achieving specific outcomes in an organisation. According to De Coning (2006: 3) policy could be defined as a *statement of intent*, meaning that it is action oriented. Policy-making is inextricably linked to decision making, thus leading to making a choice between the alternative policies, which according to Brynard (2006: 166) would result in a policy and not a decision. This means that a policy is the end product of a decision making process which identifies the best alternative among a variety of options. Consequently the decision could either be active or passive, the latter being the decision not to take action. Widespread literature on public policy considers policy-making as machinery used to alleviate social problems. However the policy implementation process could also be aimed at the eradication of such social problems. More importantly, the policy agenda setting is an aspect that realises the policy-making process. Meaning that, through the agenda setting, a policy is made.

Cloete and Meyer (2006: 105) refer to policy agenda setting, as a deliberate planning process through which policy issues are identified, problems defined and prioritised, support mobilised and decision makers lobbied to take appropriate action. As such, it determines the methods and stakeholders which are influential in ensuring the setting of an agenda, which is why policy making is regarded as the basic function to be undertaken when establishing a public institution. Cloete and Thornhill (2005: 111) acknowledge *policy-making* and *planning* as the fundamental functions that are to be performed by the municipal council when governing. The perspective is that through policy-making, the municipal council is able to indicate its intentions in terms of the obligations enshrined in the legislation. Planning is concerned with the establishment of a programme of activities in order to attain the objectives that have been targeted by the policy.

In respect of planning, it is important for municipalities to integrate their services and developmental activities with those of the other spheres of government, thus achieving the co-operative government envisioned by the Constitution, 1996. Hence the emergence of a mechanical process within

which co-ordinated planning and the management of policies take place and this process is called the Integrated Development Plan (IDP) (Craythorne, 2003: 149-150). More importantly, municipalities must be able to determine who their essential role players are e.g. political office bearers, appointed officials, and interest groups, and include them in such planning processes. Role players in planning, influence the agenda for the formulation of a policy and could also play an important role in terms of the execution of such policies. The inclusion of interest groups, for example, forms a foundation for public participation, and also provides for the system of checks and balances.

## **2.4 Local government**

Having provided a theoretical foundation of the content of public administration, the functions and powers of municipal government and administration are provided. Thornhill (2008b: 492) perceives local government to be the first point of contact between an individual and a governmental institution; hence the local government could be viewed as directly associated with the daily lives of individuals and committees. Local government is one of the spheres of government in terms of the Constitution in the three spheres system (Constitution, 1996, Section 40).

Local government guides the administration of the local sphere of government, with the task of accommodating the participation of the inhabitants in determining the quality and quantity of service delivery. In terms of the system of local government, the Constitution, 1996, makes provision for the categorisation of municipalities in terms of their functionality. Section 155 of the Constitution, 1996 states that there are three different categories of municipalities, viz, category A, B and C. This research will pay attention to both categories A and B, as they are the only municipalities entitled to establish ward committees, in terms of Section 72 (1) of the Municipal Structures Act, 1998. The City of Tshwane Metropolitan Municipality has been classified as a category A municipality by the Municipal Demarcation Board in

terms of section 4 of the Municipal Structures Act, 1998 (City of Tshwane Annual Report, 2005/2006: 10).

Local government plays a major role in the provision of basic services, as a requirement to obtain and maintain a reasonable standard of living. The importance of local government lies in three elements *i.e.* role of local government in governing a particular community, using municipal infrastructure and a system as a vehicle for public participation, and establishing structures that promote economic and social progress (Hanekom, 1988b: 17).

#### 2.4.1 The role of local government

As alluded before, local government is assigned with the task of ensuring that the administration of services will result in a collective effort to pursue the endeavours as the municipal community deems fit and proper. In local government, the relationship between the governors and the governed must flourish, thereby achieving the concept of self-governing. This can be achieved by taking the following aspects into consideration, as outlined by Hanekom (1988b: 18);

- local government should ensure essential links between the citizenry and the government;
- local government should serve as an instrument that provides for mechanisms that promote greater community participation; and
- local government should serve as the building-block of a democratic political system.

#### 2.4.2 Enhancing public participation through local government

Public participation affords the citizens an opportunity to identify problems which are peculiar to a particular jurisdiction *i.e.* a relevant municipality, and to subsequently endeavour to solve them. Bekink (2006: 476) emphasises that the

local sphere of government is ideal for the pursuit of the true principles of democracy, thereby ensuring that local residents are afforded the opportunity to participate directly or indirectly in policy making, that concerns them. Public participation in the local government sphere is a feature which drives action and ensures transparency and accountability in the processes involved. The participation of the community could play a vital role in the delivery of services. From the local government's point of view, this should become a consultative process where the responsibilities assumed by the municipalities require to be perennially kept abreast.

#### 2.4.3 Establishing structures that promote economic and social progress

Local government is important in breaking down the barriers between citizens and government, this is possible and according to the policy of subsidiarity the smallest and the most convenient unit in the government system, to provide services (Naidu, 2008: 88). In local government it is relatively easier to advance a developmental agenda in an attempt to address the local or societal problems; hence the solutions would be dealt with as perceived by the inhabitants (people driven). As a result of this, municipalities commit themselves in ensuring co-operation with the citizens and groups within the community to devise sustainable ways to meet their social, economic and material needs to improve the quality of their lives (White Paper on Local Government, 1998: 17). In ensuring development, a need for an efficient administrative framework arises. This framework should assist in ensuring the management as well as services to be provided, in line with the achievement of the stated goals.

### **2.5 The structures of the municipality**

In local government, two kinds of councillors can be identified. Firstly, a ward councillor is an individual elected by voters in every municipality, more specifically in a ward, to represent the voters of that particular ward in the municipal council (Section 73(2)(a) of Municipal Structures Act, 1998). The

second is the *proportional representation (PR)* councillors. The *PR* councillors are elected on the basis of representation of party politics. Through the election of these councillors, a municipal council is thus established for a period not exceeding five years as provided for by Section 24(1) of the Municipal Structures Act, 1998. The municipal council is the highest decision making body in terms of the legislation and executive authority of a municipality (Municipal Structures Act, 1998). This means that the municipal council is vested with the authority to make decisions in relation to the authorisation of the municipal by-laws, and resolutions pertaining to matters as identified in schedule 4B and 5B of the Constitution, 1996.

The City of Tshwane uses the executive mayoral system of government (Section 7(b) of Act 117 of 1998). This is discernible as the municipality has an executive mayor, with the executive powers and functions assigned to him/her by the municipal council. As opposed to the executive mayoral system, the executive committee system exists, and it is composed in such a way that parties and interests represented in the municipal council are represented in the executive committee in substantially the same proportion they are represented in the council (Section 43(2) of Municipal Structures Act, 1998).

The preamble of the Municipal Systems Act, 2000 (Act 32 of 2000) recognises the need to create a more harmonious relationship between municipal councils, municipal administration and the local communities through the acknowledgement of reciprocal rights and duties. The structure of municipalities and an explanation of the operational characteristics that enable the functioning of the municipalities are provided, below.

### 2.5.1 Municipal Council

A municipal council is the political structure in a municipality, and possesses legislative authority and the executive authority in so far as the management of a municipality is concerned. A municipal council is composed of the councillors (either party representatives or independent) normally elected in

accordance with schedule 1 and 2 of Act 117 of 1998. Both category A and B municipalities may apply proportional and ward representation. Section 20(1) of Municipal Structures Act, 1998, states that a district or local municipality should have not less than three and no more than 90 councillors in their councils. It further states that in a metropolitan municipality, councillors should not be more than 270, consequently this serves as a guideline used to determine the number of councillors representing communities in municipal councils. A municipality through its council has functions and powers as provided for by section 156 and 229 of the Constitution, 1996 within which the basic responsibility is to make municipal decisions. In terms of category B and C municipalities, section 84 of Municipal Structures Act, 1998 provides for the division of municipal functions and powers. A municipal council must strive within its capacity to achieve the objectives of local government as set out in section 152 of the Constitution, 1996. Furthermore, on an annual basis, section 19 (2) of the Municipal Structures Act, 1998, obliges the municipal councils to review:

- the needs of the community;
- its priorities to meet those needs;
- its processes for involving the community;
- its organisational and delivery mechanisms for meeting the needs of the community; and
- its overall performance in achieving the objectives of local government as set out in section 152 of the Constitution, 1996.

Section 19(3) of the Municipal Structures Act, 1998, states that the burden of developing mechanisms used to consult the community and its organisations in performing municipal functions and exercising power, rests with the municipal council. A provision is made in Section 61 of the Municipal Structures Act, for metropolitan municipalities (category A) to establish a metropolitan sub-council, should a need arise. Each municipal sub-council comprises the councillors representing the wards included in its area as well as those determined by the council (Cloete and Thornhill, 2005: 92). Sub-councils do not possess original power, however a municipal council can

delegate duties and powers to sub-councils within its territory. The term of municipal council may be no more than five years, as Section 159 of the Constitution, 1996 prescribes.

### 2.5.2 Councillors

The preamble of schedule 5 of the Municipal Structures Act, 1998, defines councillors as the local representatives who are elected to represent a constituency in the municipal councils. A distinction is made between the two kinds of councillors in a municipality. On the one hand there is a ward councillor, who is a representative of a specific geographically-defined ward within a municipality, and on the other hand there is a proportional representative (PR) councillor, who is elected through the party list, and is primarily accountable to the party. Individuals can qualify for the councillorship position given they meet the requirements set out in Section 21 of Act 117 of 1998. However, section 158 of the Constitution, 1996 make exceptions for citizens who do not qualify to serve in council.

### 2.5.3 Committees

Municipal councils have discretionary powers to appoint committees. The purpose of such committees is to contribute to the effective and efficient performance of council's powers and functions (Section 79 of Act 117 of 1998). Cloete and Thornhill (2005: 99) allude to the notion that a system of delegation will maximise administrative and operational efficiency and provide for adequate checks and balances. Section 80 of the Municipal Structures Act, 1998, affirms the power of the municipal council that has an executive committee and the executive mayor to appoint committees that will assist them in fulfilling their obligations. Committees that can be identified in municipalities include; the executive committee and executive mayor. With regard to municipal finance, an audit committee must be established for every municipality (Section 166 of Municipal Finance Management Act, 2003).

#### 2.5.4 Executive Committee and executive mayor

Section 44 (1) of the Municipal Structures Act, 1998, defines an executive committee as the principal committee of the municipal council. Only municipalities specified in Section 54 of Act 117 of 1998, may establish an executive mayor system. The executive committee and the executive mayor system are responsible for analysing the reports received from the other committees of the council, and as a result they should make recommendations to the municipal council in a case where they are not permitted to make a decision in terms of its delegated powers. In accordance with Section 44 (2) and Section 56 (2) of the Municipal Structures Act, 1998, the executive committee and executive mayor, are empowered to:

- identify the needs of the municipality
- review and evaluate those needs in order of priority
- recommend strategies to the municipal council; and
- recommend or determine the best methods to deliver the identified strategies.

Both the executive committee and executive mayor are required by the legislation to implement the identified strategies, as well as to ensure the evaluation and the review of the key performance indicators of the functioning of the municipalities (Section 44 (3) & 56 (3) of Act 117 of 1998). Regarding the executive mayoral system, an executive mayor must perform a ceremonial role as determined by the municipal council. The executive mayor system will be discussed more in detail in chapter 4.

#### 2.5.5 Office bearers

Political office bearers are politicians elected to play an oversight role in ensuring effectiveness and efficiency in the municipal service delivery. In municipalities, the primary political office bearers are the:



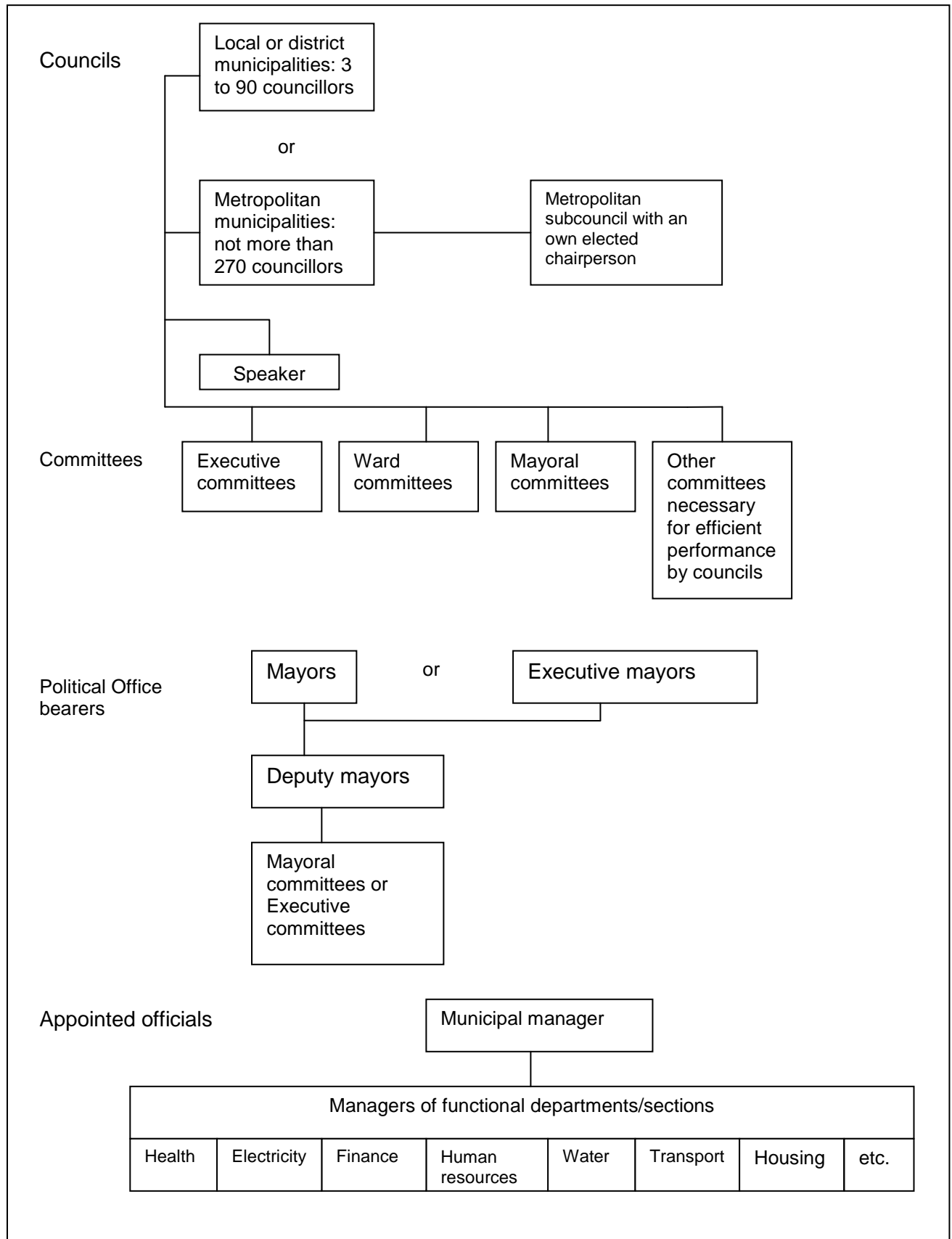
- mayor/executive mayor (depending on the type used) ;
- deputy mayor (where appointed);
- members of the mayoral committee; and
- speaker.

The appointed officials in municipalities include the:

- municipal managers;
- managers of functional departments and sections, *i.e.* finance, human resource, electricity appointed in terms of section 57 of the Municipal Systems Act, 2000; and,
- other officials

For the purpose of this dissertation, emphasis will be put on the office of the speaker of the municipal council, as it regulates the functioning of the ward committees, as illustrated in Figure 2.1 below. Each municipal council must have a chairperson in accordance with Section 36 of Act 117 of 1998, and this chairperson is called the speaker. An exception of municipalities of a type mentioned in Section 9(e) (f) or 10 (c) of Act 117 of 1998, is made, in which the chairperson is called a mayor. The speaker is elected on the first sitting of the municipal council, and must be from among the councillors that make up the municipal council. The functions of the speaker as prescribed by Section 37 of the Municipal Structures Act, 1998, are *inter alia*, to ensure that the council meets at least four times a year, presides at meetings of the council, and must maintain order during the meetings. The term of office of the speaker of a municipal council ends when the office term of the municipal council expires, however the speaker may vacate office during a term subject to Section 39 of Act 117 of 1998.

**Figure 2.1: Generic Organisational Structure for Municipalities**



Adapted from: Cloete and Thornhill (2005: 40)

### 2.5.6 Municipal manager

Section 82 of the Municipal Structures Act, 1998, makes a provision for the municipal council to appoint a municipal manager who is the head of administration and also the accounting officer of the municipality, and when absent an acting municipal manager may be appointed. However, with the Local Government: Municipal Systems Amendment Bill, 2010, the definition of a municipal manager is currently under review. This bill, intends to make provision for the appointment of municipal managers and managers directly accountable to municipal managers, thereby defining a municipal manager as the head of the administration of the municipality in terms of section 54A, should the bill be approved to an Act. It further endows the requirements *i.e.* the skills, expertise, competencies, and qualifications, for such an appointment. Though the Municipal Structures Act, 1998, does not prescribe the functions of the municipal manager, it can be understood that the municipal manager's function is to ensure the performance of the enabling functions of a municipality as well as to account for the proper management of the municipality to the municipal council as provided for by Section 55 of the Municipal Systems Act, 2000. The bill's insertion of section 56A intends to prevent municipal managers and managers directly accountable to the municipal managers from holding political office in political parties, whether in a permanent, temporary or acting capacity, which consequently promotes the politics/administration dichotomy.

### 2.5.7 Chief Financial Officer

Cloete and Thornhill (2005: 149) remark that the budget and treasury office in every municipality is headed by the chief financial officer. The chief financial officer is designated by the municipal manager, to perform administrative responsibilities of the office including; budgeting, accounting, financial reporting, cash management and all the other duties that pertain to budget and treasury affairs. As a protocol, the chief financial officer of a municipality is accountable to the municipal manager. According to section 81 of the

Municipal Finance Management Act, 2003, the functions of the Chief Finance Officer are, *inter alia*:

- must advise the accounting officer on the exercise of powers and duties assigned to the accounting officer in terms of this Act;
- must assist the accounting officer in the administration of the municipality's bank accounts and in the preparation and implementation of the municipality's budget;
- must advise senior managers and other senior officials in the exercise of powers and duties assigned to them in terms of section 78 or delegated to them in terms of section 79; and
- must perform such budgeting, accounting, analysis, financial reporting, cash management, debt management, supply chain management, financial management, review and other duties as may in terms of section 79 be delegated by the accounting officer to the chief financial officer.

#### 2.5.8 Administrative structure of the Tshwane Municipality

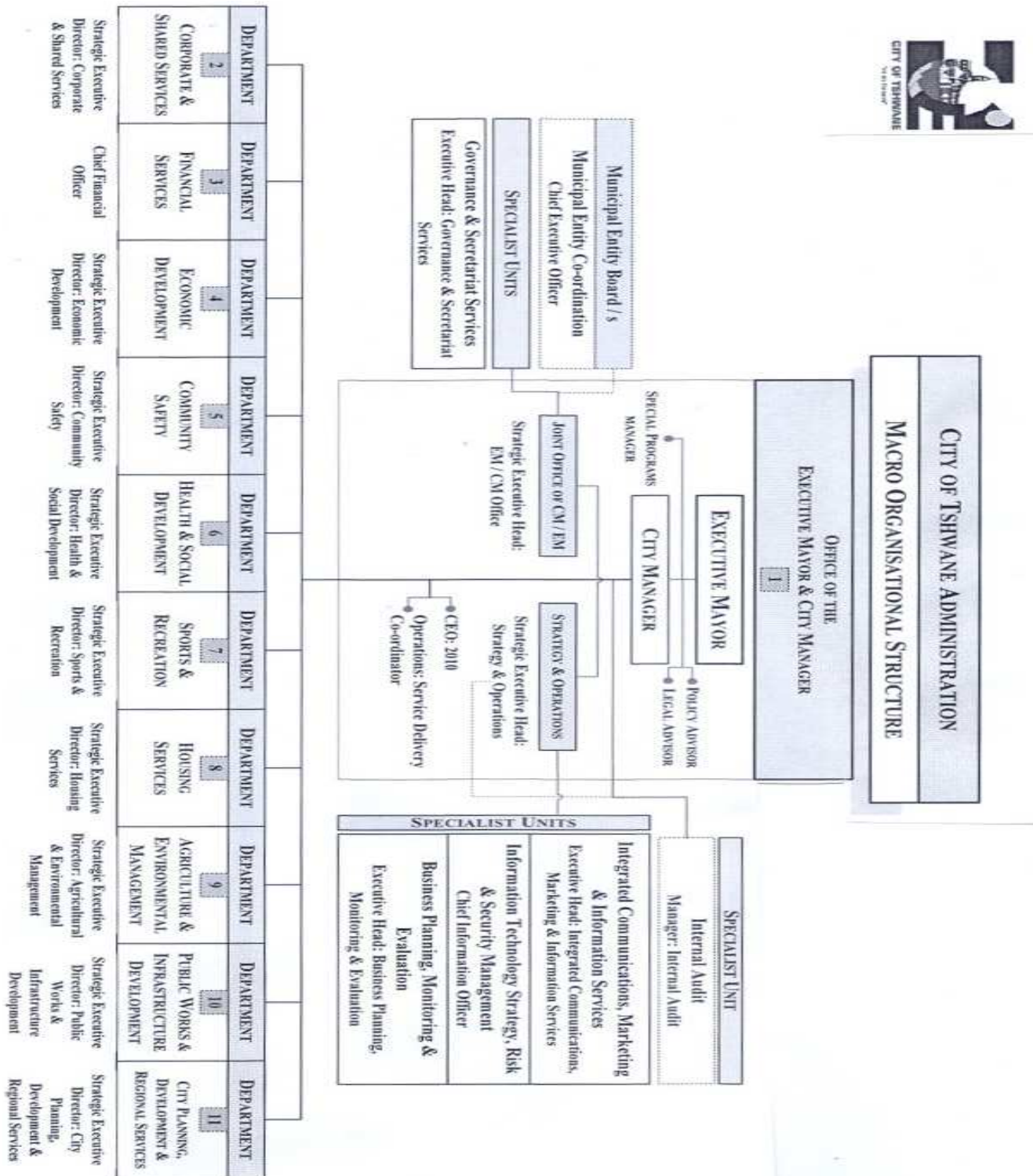
In terms of the administrative and operational arrangements, the Tshwane Metropolitan Municipality's city manager is able to execute his/her functions of monitoring the departments, assisted by the functional heads of the respective departments as mentioned below, as per the outline in the Annual Report 2008/2009 (2008/2009: 9);

- Community safety;
- Economic development;
- Health and social development;
- Corporate and shared services;
- Public works and infrastructure;
- Financial services;
- City planning development and regional services;
- Housing and sustainable human settlement;

- Agriculture and environmental management;
- Sports recreation arts and culture; and
- Office of the executive mayor and city manager.

In accordance with Figure 2.2, it is stated that the City of Tshwane is headed by the Office of the Executive Mayor as political executive and the municipal manager as the head of administration. However, according to section 82 of the Municipal Structures Act, 1998, the municipal manager is head of administration and is appointed by a council. Thus, the municipal manager is accountable to council and not the executive mayor, as depicted in Figure 2.2. The duties of these two offices are to ensure the maintenance and sustainability of a culture of high performance towards the improvement of the socio-economic conditions of Tshwane residents, through efficient service delivery. The corporate and shared services department is an internal service department that provides structural support to all the municipal departments, various political offices and the council.

Figure 2.2: Organisational Structure of the City of Tshwane



Adapted from: City of Tshwane Annual Report 2008/2009

The financial services department as headed by the chief financial officer is responsible for the management of corporate financial affairs of the municipality in ensuring the best possible services. This department is instrumental in the development of the annual municipal budget and in maintaining a system that generates accurate information about the municipality's financial position. City of Tshwane has established an economic development department, tasked with the role of ensuring that the municipality has a viable, sustainable economy that can help to improve the quality of life of its communities (City of Tshwane, 2010).

Community safety is a municipal priority in Tshwane, hence the community safety department as one other component of the municipality's administration, and it is composed by the emergency management division and the metro police division. The role of this department is to enforce law, prevent crime and managing disasters so as to obtain a safer environment in which communities reside. The department of health and social development in the municipality aims to promote health and development in communities, through an integrated and comprehensive system of social services, facilities and programmes.

As a diverse community, the Tshwane municipality strives to develop, maintain and manage the sport, recreation, arts and culture in the municipality through a versatile department. It is through the sport, recreation, arts and culture department that the enhancement of the quality of life through sport, recreation and development of education are promoted. Maslow's hierarchy of needs acknowledges housing (shelter) as a basic need, hence the establishment of the housing and sustainable development department. Through this department, the municipality ensures *inter alia* the provision of low cost housing to qualifying residents, the management of housing backlogs and educates communities on the problems caused by land invasions.

The City of Tshwane has a major responsibility towards the environment in its area of jurisdiction and must ensure that the environment is managed in a sustainable manner that will not be harmful to the health and wellbeing of the

residents (Tshwane Integrated Environment Policy, 2005: 4). Furthermore, the agriculture and environmental management department, strives to ensure a sustainable environment through an equitable agricultural development and efficient waste management.

The department of public works and infrastructure development can be regarded as a mechanism of ensuring the delivery of basic services. The department is divided into four divisions, *i.e.* water and sanitation, roads and storm water, electricity and transport development, each with its own specific duties. The city planning, development and regional services department aims to promote and guide the spatial and physical development of the city through strategic and regulatory frameworks. This is intended to be achieved by increasing access to services (City of Tshwane, 2010).

Various functions performed by the abovementioned departments, will ensure integrated, co-ordinated and sustainable basic service delivery. It is through the principles enshrined in Section 195(1) of the Constitution, 1996, that the above departments within the municipality must promote proper public administration when delivering services.

## **2.6 Legislative imperatives**

It would be virtually impossible for public participation by society without a policy framework. For as long, as citizen participation exists, it is inevitable that policies as well as relevant legislation will be utilised as the main enforcers controlling the local government system. As a result, this section will focus on the legislation that relates to local government.

The Constitution of the Republic of South Africa, 1996, serves as a cornerstone that transforms the society within which it operates. *Firstly* it states in its founding provisions that “the Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and obligations imposed by it must be fulfilled”. This (Section 2) emphasises the significance and the supremacy of the Constitution, 1996, as it serves as a guideline that



regulates the functions that institutional structures of the state perform. *Secondly*, the Constitution, 1996, establishes local government as a separate and independent sphere of government, mandated to deliver services through the support of the provincial and national spheres, as outlined in Section 40(1). The emphasis on the structured support provided by the provincial government to municipalities in case of incapacity is promulgated by Section 139 of the Constitution, 1996. *Thirdly*, in promoting democracy, Section 152, of the Constitution, 1996, addresses the objectives of local government as a requirement for local development. Consequently, it reflects the functional role of local government of facilitating public participation, through the utilisation of various legally established municipal structures. *Lastly*, Section 195(e) of the Constitution, 1996, identifies public participation as one of the principles of public administration, thereby encouraging the citizens to proactively engage in the affairs of government.

The Constitution seventeenth amendment bill, which is intended to amend Section 156 of the Constitution, 1996, is currently being considered. This amendment bill is important for the purpose of this dissertation, as it significantly affects the powers and functions of the municipalities, more specifically the municipality's right to govern, on its own initiative as set out by Section 151 of the Constitution, 1996. As such, the proposed amendment bill is in conflict with Section 151 and attempts to impede the municipality's ability to perform its constitutional mandate. This hampers the constitutional provision, where national government could circumvent provincial governments by intervening in the affairs of the local government, thereby contravening Section 139 of the Constitution. Simply put, the proposed amendment encroaches on the municipality's executive authority and its right to administer as it states that "national legislation may further regulate the executive authority of municipalities in respect of local government matters listed in Part B of Schedule 4 and Part B of Schedule 5", thus compromising Section 41 (1) (e) (f) (g) and (h), and more importantly undermining the supremacy of the Constitution, 1996.

The White Paper on Local Government is the focal point for a developmental local government system, to obtain co-operation with the citizens, in their social formations, to realise citizens' ambitions of creating sustainable human settlements to ensure a decent quality of life and strive to meet the needs of their communities (White Paper on Local Government, 1998: ix). However, the White Paper on Local Government is not legislation, but a policy framework which provides the intentions as well as the direction in as far as the development of local government is concerned. The establishment of this policy was the result of the efforts to attain the objectives of local government, as set out in Section 152 of the Constitution, 1996.

Having issued a policy document which focuses specifically on the sphere of local government, municipalities are encouraged to promote local democracy by developing strategies and mechanisms that continually engage with citizens across all the social formations (Putu, 2006: 16). The Municipal Structures Act, 1998, provides for the appropriate division as well as devolution of power, as regulated by the functioning of the appropriate category of municipality in ensuring a proper governing structure, which culminates in the election of municipal councils. More importantly the legislation enables a municipality to establish ward committees, to enhance participatory democracy in local government (Cloete and Thornhill, 2005: 102). The Municipal Systems Act, 2000, authorises the establishment of internal systems of municipalities, which serve as the mechanisms to obtain appropriate municipal administration guaranteeing efficiency and effectiveness in the delivery of services. Putu (2006: 18) states that the "Municipal Systems Act provides the core principles, mechanisms and processes that are necessary for the municipalities to fulfil their objectives", as a result the legislation turns out to be the regulatory framework, in as far as the functioning of municipalities are concerned.

Since municipalities need funding to function effectively, the pieces of legislation that guide the usage of finances will be highlighted. The *Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)* is such an Act. Its purpose is to regulate the financial affairs of municipalities, as

well as to ensure uniformity in accordance with the treasury norms and standards (SALGA, 2006: 5). The Municipal Finance Management Act, 2003, aligns the municipal budget with Integrated Development Plan (IDP), which requires and depends on public participation for its formulation. Even though, the Municipal Finance Management Act, 2003, does not explicitly make provision for ward committees, but it emphasizes community participation in financial processes such as the development of a municipal budget and Integrated Development Plan. A further legislative requirement for public participation as enacted by the national sphere of government, is the *Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004)* which highlights public participation, by stipulating that the public must actively contribute ideas to the determination of the municipal property rates.

Encircling all legislation involved in local government, it becomes clear that local government is built on an extensive legislative foundation. As such the intentions and the motives of municipalities are evidently defined in that the end product of municipalities must essentially be the effective provision of goods and services to the respective communities they serve. Noticeably, this function would not be possible without the decentralisation and demarcation of particular services to be provided, *i.e.* health and housing (to assigned municipalities). Decentralisation has been accepted by various governments, specifically in Africa as a strategy to facilitate transformation and promote the delivery of services, thus it leads to democratised government and administration with public participation (Mkhonta, 2007: 108-109).

As highlighted above, the need to establish structures that promote economic and social progress become a reality in a diverse society that is made up of people from different social and economic backgrounds. Accordingly, the purpose of the research is to highlight the functioning, role and the effectiveness of ward committees, to facilitate a programme to promote public participation. The Centre for Public Participation (2007: 6) identifies the three important characteristics to be fulfilled in an attempt to define the concept as;

- to enhance development and service delivery;

- to make government more effective; and
- to deepen democracy.

It is in this regard, that the definition of public participation as perceived by the World Bank (1996: xi) is valid *i.e.* “a multi-faceted process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them”. Public participation can effectively take place in the local government sphere, as local government is a legally established system with a clearly demarcated constituency, which makes it particularly suited for participatory governance.

In an attempt to explain the process of deepening democracy, it is of importance to firstly define the concept. Democracy in its original form, is derived from a *Greek* word ‘*demos-kratos*’ which simply means rule by the people (Heywood, 2002: 68). Houston and Liebenberg (2001: 1), define democracy as a process of “ongoing and regular interaction between the citizens and their popularly elected institutions”, by this it is meant that the citizens’ interaction or participation with their elected representatives in the relevant institutions is a fundamental principle of democracy in a country. Thus, it is important for the representatives to include the citizens concerned when taking decisions that relate to the functioning of government.

South Africa is characterised as promoting participatory democracy. The goal is to include the public in most of the operations of the government, through their participation, and this can be seen in mechanisms such as the integrated development plan, public hearings (*Izimbizo*) and consultations, as well as the policy discussion conferences. Consequently, local democracy is promoted through the improvement of public participation in municipal government. To accomplish this, the Municipal Structures Act, 1998, provides for the establishment of ward committees.

Taking note of the definition provided by the World Bank, scholars of Public Administration have not reached a consensus on a universal accepted

definition of the term: public participation. As a result of this, the term has been applied differently to refer to a variety of processes, but it is used when governments include civilians in the making of decisions that concern them. In the South African context, public participation, can be defined as an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making (Draft national policy framework on public participation, 2005: 1). This definition of public participation, applies throughout the research, so as to avoid ambiguities and obscurities. However, a thorough explanation of the concept of public participation, including its operations is made in Chapter 3.

Tshabalala and Lombard (2009: 369) conducted a study on assessing the role of public participation in the formulation of an integrated development plan. Through this study it was discovered that the community of a particular municipality through its wards, had participated in only the first of the five stages of the integrated development plan, which deals with the identification of the needs. The essence of this study conducted by Tshabalala and Lombard (2009: 369) is on the facilitation of participation by the public in finding sustainable means of meeting the social, economic and material needs, to improve their quality of life. An important function of public participation is that, as a process it improves the general wellbeing of the citizen and promotes participatory governance, where communities can identify and declare their views on issues affecting them.

For the duration of the process of public participation, it is inevitable that an extensive form of engagement, often characterised by different opinions, needs and expectations, would ensue. As a result, Van Rooyen (2003: 126) notes the need for an enforcement of a culture of community participation, as stipulated in Section 16(1) of the *Municipal Systems Act, 2000*. Furthermore, the development of public participation in municipalities would result in local government acquiring more legitimacy from the respective communities, via the ward committees as representative structures.

Public participation is essentially a process in which communities are engaged from the planning to the implementation and the evaluation phases of a particular activity or a project (Draai and Taylor, 2009: 114). From the statement, it can be understood that in every municipal developmental plan, consultation of the community is of importance. As a result of this, the establishment of ward committees, should enable the communities to take charge of the participation process, and according to Draai and Taylor (2009: 114), this will result in the transfer of skills, knowledge and ownership of the process of planning and implementation in accordance with the needs of the community

Nzimakwe and Reddy (2008: 670) state that due to the challenges of service delivery, considerable emphasis has been placed on ward committees as mechanisms to facilitate community participation. Further on, a close regulation and strict control of the ward committees should be emphasised with regard to the municipality's objectives.

## **2.7 Conclusion**

In most of the literature consulted, it was found that the authors acknowledge the importance of the establishment and functioning of ward committees in facilitating public participation in the local sphere of government. However, the particular authors omitted to make an analysis of the effectiveness of the ward committees, in promoting local democracy through public participation, which will ultimately yield the efficient provision of services by the municipalities. In this regard, participation will confirm that the municipal council is subjected to the genuine needs of the citizens, and this would ensure that the council will apply reasonable judgement before taking decisions.

The purpose of the chapter was to provide the theoretical framework of public administration, and this was done in establishing the relations between the theory of the discipline and practice. Local government has been identified as

the most relevant sphere, and more in particular wards are regarded as the most convenient structures to promote public participation. As a result of this, the composition of the local sphere of government was analysed, and the feasibility of promoting participatory local democracy through the usage of the existing municipal structures, was assessed.

Policy that pre-determines and evaluates the actions of municipalities in ensuring the attainment of their goals, was examined and this culminated in the notion that participation of the citizen is an imperative aspect in policy making and planning. The composition, functions and powers of structures within local government, more in particular in municipalities was made, so as to ensure an understanding of the system of local government and its essential role players. It was also, found that authors noted the importance of public participation, and agreed to its importance in the society, but their research differed fundamentally on the approach to its implementation.

## CHAPTER 3:

### Public Participation: a South African context

#### 3.1 Introduction

Public participation in South Africa has been construed to mean any activity from elections of representatives, to consultation of citizens in the formulation of legislation, by their representatives. As such the impact that the public make through participation cannot be underestimated. What is a great challenge in a contemporary state, is the undisputable growing number of citizens, which consequently leads to the predicament in the usage of the best form of government. Whether it is representative or direct democracy, the purpose of this chapter is to re-define the concept of public participation and contextualise it in the South African perspective.

*Firstly*, a definition of public participation is investigated, analysed and consolidated in an attempt to create a common understanding of the concept. The origin and the link of public participation to the system of government, is also interrogated. The chapter will further identify the categories of participation as devised by Arnstein (1969), in the ladder of citizen participation. These categories, differentiates between the different types of participation, *i.e.* the three categories provides an insight in what entails participation. Factors that influence participation will also be interrogated. As a best practice, the *third* aspect to be considered in the chapter is the analysis made in terms of the benefits of public participation.

More importantly, an extensive probe into the existence of public participation units or directorates within a municipality's Office of the Speaker in the local sphere of government is made. The investigation is made on the assumption that participation in meetings is an obligation of the speaker, and provides an overview on the Office of the Speaker in a municipality. *Fourthly*, the chapter will briefly focus on the importance and rationale for public participation. Decision making as a process that is mainly influenced by public participation, as well as the role of the public in participation processes will also be



examined. *Lastly*, the summary which aims to encapsulate issues highlighted in the chapter is provided.

### **3.2 Public participation defined**

Public participation is an essential element of democracy, which makes it a sacred notion that is applauded by everyone. It is imperative to provide a definition of the concept public participation, as it forms the basis of the dissertation. Public participation, like service delivery could have different meanings for different people, as such the development of a single common definition for the purpose of this research project is essential. Arnstein (2003: 246) defines citizen participation as a categorical term for citizen power, where the distribution of power is enhanced to deliberately include the underdeveloped (who could be excluded from the political and economic processes) to obtain their active participation in the future. This view asserts that public participation exists in different types and categories within which power is centred, and the definition could assist in eliminating misinformed perceptions and developing a common understanding on what public participation is.

Pearce (2010: 232) identifies the two distinctions of public participation, *i.e.* direct citizen participation and participation through associations. Direct citizen participation, is a process where all members of the society in their individual capacity participate in decision making processes. The latter is the participation through representation, where a representative is elected or appointed to participate in a decision making process, wherein they represent the views of and are accountable to those who elected or appointed them. Clapper (1993: 13-14) provides a distinction between citizen participation and public participation, where he contends public participation to be “the efforts of all the people included in the public to influence government activities”, and citizen participation referring to “purposeful activities in which people take part in relation to political units of which they are legal residents”. In both the definitions, participation is regarded as an activity, even though the definition

of citizen participation acknowledges an important component of legal residency, and its obligations thereof.

Creighton's (2005: 7) definition appears to be more methodical as it contends public participation as a two-way communication and interaction process by which the public concerns, needs, and values are made known and incorporated into the governmental decision making, and is adopted for use throughout the dissertation. Creighton (2005: 7) argues that public participation is not limited to government only, as private companies could use it as an overall goal of better decisions that are supported by the public, *i.e.* their clients. For the purposes of the research project the concepts citizen participation, community participation, and public participation are used synonymously.

### 3.2.1 Categories of participation

Through the usage of the eight rungs on the ladder of citizen participation, Arnstein (2003: 246) *cf.* Figure 3.1 has made great strides in so far as providing realistic differences by contrasting between participation and non-participation. The distinction between the two can be confusing, especially in a situation where a universally accepted definition on what participation is, does not exist, as such the distinction further leads to the classification of participation into categories, *i.e.* the *first* is non-participation which comprises manipulation and therapy; *secondly*, through informing, consultation and placation where tokenism is achieved; and *thirdly*, citizen power could be realised by ensuring partnership, delegated power and citizen control.

As a result Figure 3.1 provides an insight into participation particularly; the arrangement in terms of the extent to which citizens could be empowered to totally control the participation processes.

#### 3.2.1.1. *Non-participation*

The first part of the activity in the ladder of citizen participation, which is classified as non-participation, consists of the manipulation and therapy

processes. This part exists as the substitute for participation, where the citizens are not given the leverage to promulgate their views and ideas on issues that are of concern to them. As such non-participation serves as a single stream of communication that intends to educate the participants. Arnstein (2003: 248) argues that manipulation is a salient feature in non-participation, and as a result it is mostly visible in meetings where the officials or the power-holders, educate, persuade and ultimately advise the citizens and not *vice-versa*. This is the level where the power-holders aim to set the agenda so as to control all processes of participation. It follows the top-down approach, where a few elites make decisions for the citizens on behalf of the citizens without considering their views and inputs. More often than not, when citizens find themselves susceptible to this category of participation, they normally lose interest in participating in these activities.

In relation to the ward governance system, ward committees do not have original power and this results in some members of the society lacking confidence in them in so far as municipal decision making is concerned. Unfortunately, most ward committees could be classified under non-participation, solely because:

- they lack clear focus and lack clarity in their roles and responsibilities;
- they are misused to serve as the extensions of political parties and are easily subject to manipulation, as they would promote partisan interests (Naidu, 2008: 87).

Notwithstanding the identified challenges, ward committees appear to be inept, because of the lack of capacity to promote genuine public participation. In order to achieve their primary role, ward committees could provide the platform for citizens to raise their issues and influence policy in relation to their needs. This will serve as a worthwhile contribution by the community and will ensure the enhancement of community participation in municipal decision making.

### 3.2.1.2 *Tokenism*

As illustrated in figure 3.1, activities including; informing, consultation and placation form the process called tokenism. Tokenism is a stage where the power-holders inform the citizens and acknowledge their patronage. This is seen where participation exists with the power of setting the agenda residing within the influential power-holders. The challenge on this level is that citizens do not have enough power to ensure that their views are taken into consideration by the decision makers (Arnstein, 2003: 246). The placation process, better describes the intention of the legislation on the establishment of ward committees, with section 74 of the Municipal Structures Act, 1998, acknowledging that the ward committees may advise the municipal council on the issues that affect the respective wards. However, ward committees have no legislative or executive power to make decisions upon such issues.

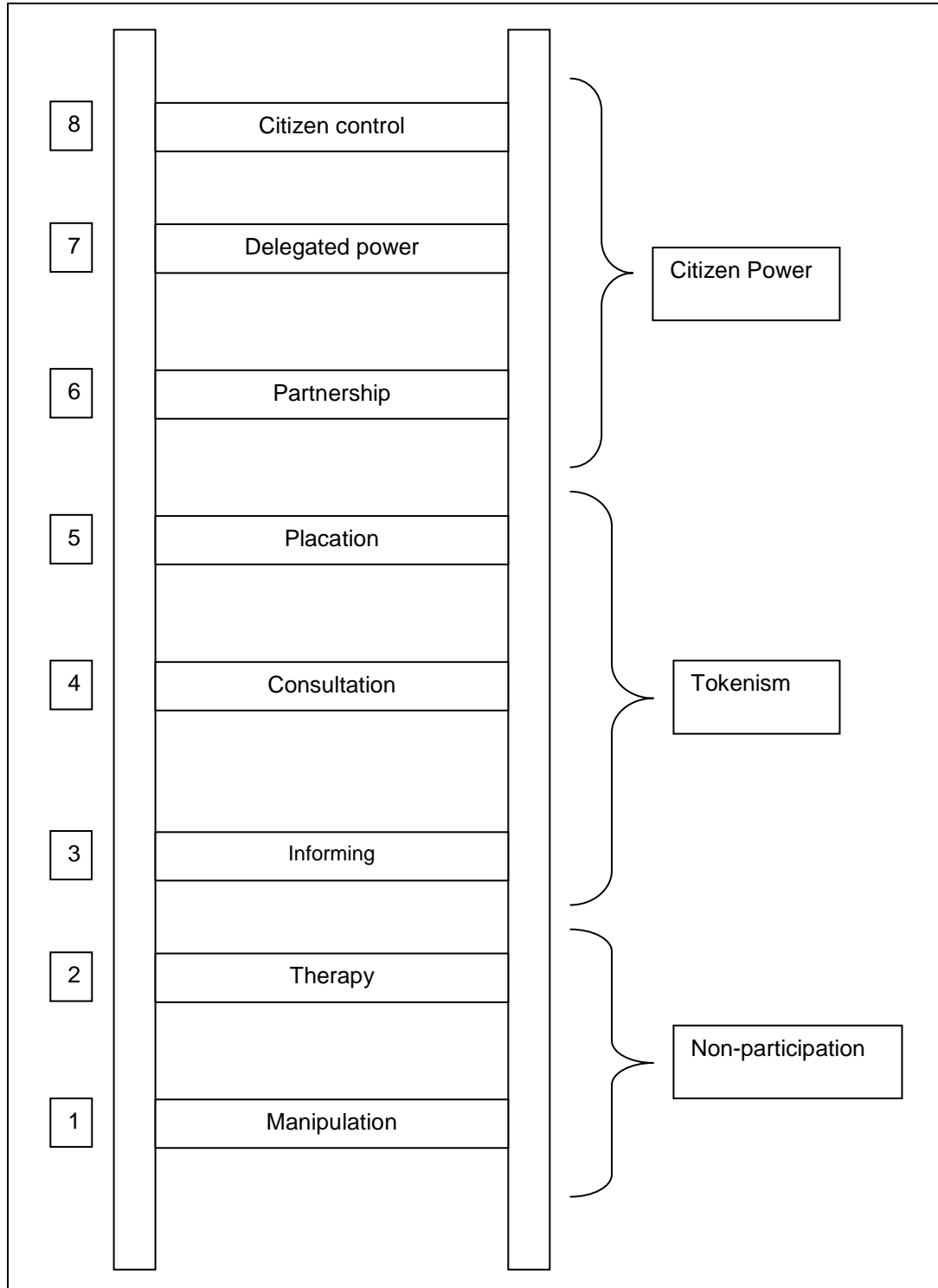
As the highest form of tokenism, through placation, some municipal councils are able to protect themselves, by establishing the ward committees to only satisfy Section 73 of the Municipal Structures Act, 1998 and not for the promotion of public participation. It should be understood that placation is an advanced level of tokenism which is being provided to the ward committees, and as such the municipal councils in this regard, still hold the legislative power to make decisions, in spite of the discretionary powers of the ward committees. Tokenism is simply characterised by the acknowledgement of the existing structures, *i.e.* ward committees, as per the legal requirement.

### 3.2.1.3 *Citizen power*

Citizen power is the ultimate ideal category of participation where both the citizen and the power-holders engage one another in an attempt to find solutions to a particular problem. As a category, it comprises three levels, namely; partnership, delegated power and citizen control. Citizen power is characterised by the distribution of power, through a process of negotiation, and it is mostly defined by the compromise made by the power-holders in an attempt to reach consensus on the issues of common interest. Consensus building is important in public participation, because it builds a solid

understanding between the parties involved, and further leads to improved decision making (Creighton, 2005: 19).

**Figure 3.1 Eight rungs on the ladder of citizen participation**



Source: Arnstein (2003: 247)

Citizen power is mostly driven by the needs of the people, *i.e.* where the citizen regulates the processes that involve participation. As a result, citizen control could be seen as the significant component towards direct democracy. Participation is also featured in representative democracy where, citizens elect their representatives and subsequently hold them accountable for the decisions made on their behalf (Creighton, 2005: 14). This means that all decisions made by the elected representatives should reflect the views of the general population they represent. Thus, those decisions must be in the public interest.

In understanding the concept citizen power, it would be important to briefly refer to the definition of democracy. Rule by the people, as an accepted definition, means that the citizen would have sufficient power to control and make decisions on the matters that are of concern to them. More clearly, citizen power could be related to the 1864 address by Abram Lincoln, which simplified democracy as, the government of the people, by the people and for the people (Heywood, 2007: 72). This means that the people are significant elements in the operation of state affairs, as such all decisions made must be orchestrated by them, or at least involve them. After all, extensive citizen power, will promote democracy, where everyone will be in a position to communicate their concerns, for a decision to be made.

Having provided some insight on the classification of the categories of participation above, it would also be important to briefly highlight the approaches to participation, *i.e.* structured participation, open participation and informal participation as simplified by Brynard (1996: 46-47).

- Structured participation

Structured participation approach is mostly defined by its legitimacy to pursue and promote public participation. Ward committees are established by an act of Parliament to encourage and promote participation. As a result of this formality, it is apparent that ward committees follow this approach of participation. More often, structures following this approach would possess

substantial decision-making authority. Through representation and collective responsibility, structures following this approach are empowered to make decisions.

- Open participation

Open public participation approach is flexible as it sets a platform that allows individuals to participate in their capacity as residents. Most scholars that proliferate this approach argue that the representatives cannot be trusted on advancing development, as they might eventually support the agenda of the authorities, over that of their constituents.

The expediency of such an approach, has a potential to improve the trust relation between the ward committees and the community members, in that, its processes facilitates the fast-tracking of development as every individual is expected to directly represent his/her own interest. Thus, open participation would create an expectation that necessitates the formation of a platform where all stakeholders *i.e.* residents, businesses, schools, non-governmental organisations, among others, are invited to deliberate and share ideas on the matters concerning the ward. Furthermore, some scholars are sceptical on the practicality of such an approach.

- Informal participation

The informal public participation is a combination of both the structured participation and the open participation approaches. This means that the identified public representatives as well as the people acting in their individual capacity are afforded platforms to raise their concerns with the authorities. For instance, during an integrated development plan (IDP) of a municipality, communities would be invited to make submissions, irrespective of representation. Ward committees as a legitimate structure, with the assistance of the relevant stakeholders make it possible for residents to make a worthwhile contribution in solving particular local government problems.

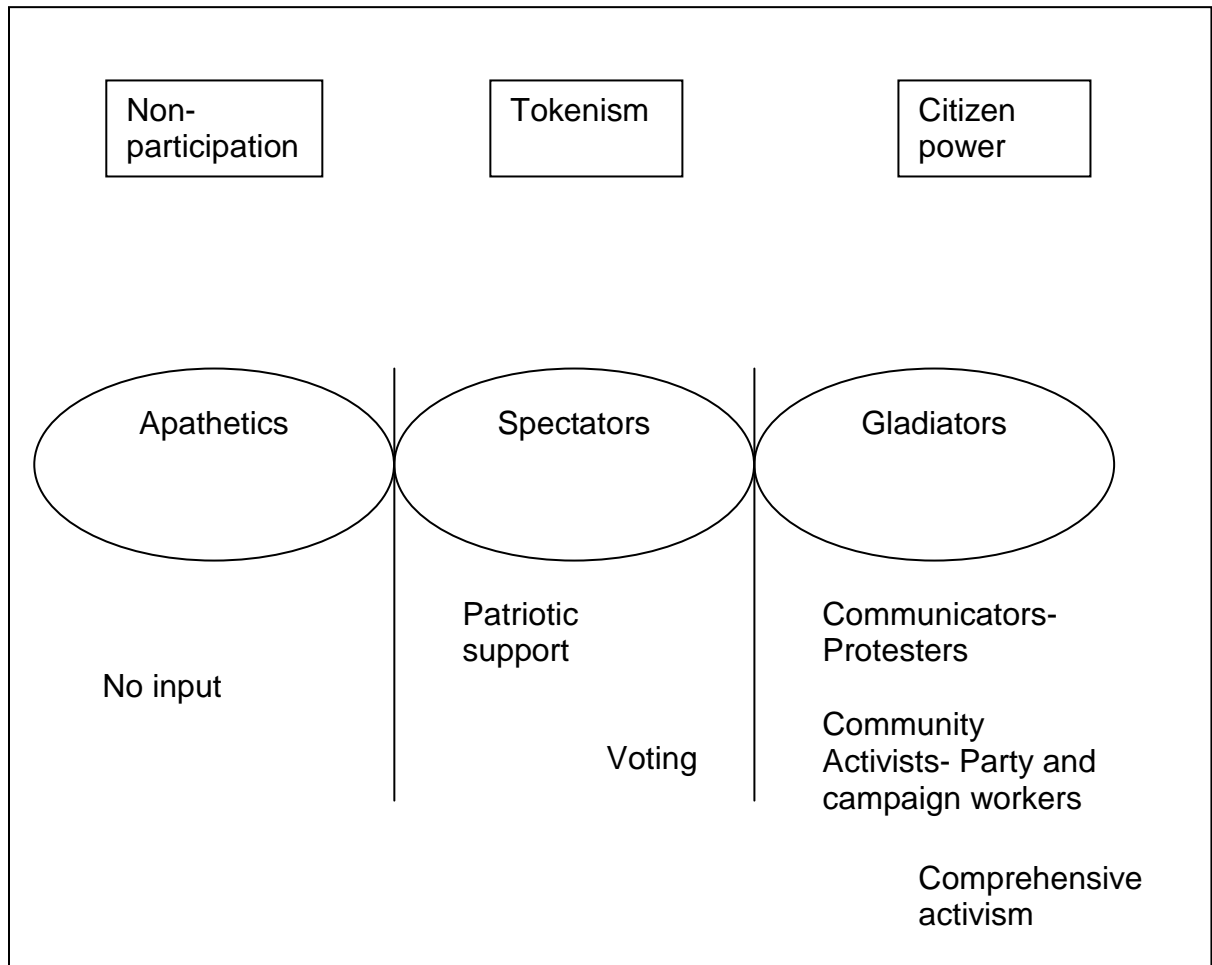
### 3.3 Factors that influence participation or non-participation

Participation as an activity can only exist in the presence of the people. That is, the people as the agenda setters are important in directing the participation processes. In support of Arnstein's (1969) ladder of citizen participation, Clapper (1993: 64-65; 1996a: 57-58) identifies the three types of persons who have a major influence on public participation. The people are identified as the apathetics, the spectators, and the gladiators, and could be represented in the ladder of citizen power as factors propelling non-participation, tokenism and citizen power, respectively.

Figure 3.2 below serves as an illustration of an integrated transformational process of public participation. In the figure below, it can be noted that there is a difference between the actors in public participation, as illustrated within the three different columns, *viz.* non-participation, tokenism, and citizen power. The dissertation focuses on the ward committees, and it would be appropriate to highlight the citizen power, where a comprehensive activism is envisaged. Within this phase of citizen power, communicators evolve into protesters and community activists into party campaign workers, both representing the genuine interests of the citizens.



**Figure 3.2 Integrated transformational process of public participation**



Source: adapted from Clapper (1996a: 59) and Arnstein (2003: 247)

### 3.3.1 Apathetics

Apathetics are the individuals that lack enthusiasm and interest, and consequently withdraw from the political activities. Most of them are less or ill informed about the political environment and its issues, and they do not foster public participation, as they do not get involved in governmental activities (Clapper, 1993: 65). In Arnstein's (1969) ladder of citizen participation, these are the citizens that are easily manipulated and could be seen promoting non-participation by not getting involved. The apathetics, would normally complain about a particular issue, but will not take action to change the situation.

### 3.3.2 Spectators

Clapper (1993: 65) acknowledges this group of people as those with minimal involvement within the socio-political environment. The role of these spectators is to mostly watch development emerging and processes unfolding, without them being actively involved. Spectators are utilised as the tokens of participation for the benefit of the power-holders as opposed to that which should benefit the citizen. Their activism is questionable as they do not have the means to influence decisions taken by the power-holders. Spectators would participate partially in the government activities and processes, but their participation is meaningless, as it only satisfies the compliance of citizen consultation and the power-holders make all the decisions. With reference to Figure 3.2, it should be noted that the spectators are the actors that pursue tokenism, intentionally through their patriotic support and unintentionally through voting, but having no power to influence decisions.

### 3.3.3 Gladiators

Gladiators are actively contesting the public discourse. These are the people who encourage participation through their active involvement in development and decision making (Clapper, 1993: 65). Their understanding of the socio-political environment affords them an opportunity to actively get involved in the key decision making processes, with an intention that change is inevitable. With educational and professional expertise, gladiators mostly have a greater bargaining power in terms of the influence towards decision making. Gladiators in Figure 3.1 could be represented by stages 6-8, which represent citizen power.

## 3.4 Public participation: a conceptual framework

The notion of public participation is originally centred in the theme of community problem solving. The advocates of public participation are of the

view that the provision of public services is critical and fundamental towards community development, arguing that service provision is centralised, mostly in the national government and that its administration is bureaucratic (Midgley, 1986: 8). As such, communities are responsible for their own development, that is, they need to devise mechanisms that will assist them in improving the quality of life within their own communities (Brynard, 1996: 39). The significance of public participation can be realised in its contribution towards well-grounded decision making and planning, as well as the proliferation of democratic ideals. However, Brynard (1996: 44) argues that throughout the participation process, the masses are not afforded real involvement, as a result of the representation by the interest and pressure groups. It should be noted that the processes of public participation in the different municipalities and wards differ substantially due to the nature of the political setting as well as the demands of that jurisdiction. As Midgley (1986a: 23) contends, an ideal public participation must entail the process of direct involvement of ordinary people in decision making in local government affairs.

It is important to highlight that decision making and planning cannot be left completely to the elected councils. This is evident in situations where the members of the public often complain that the authorities forced decisions upon them and that they were not afforded representation in the planning and decision making processes (Brynard, 1996a: 135). In the case of the Bus Rapid Transit system (BRT), Froschauer (2010) conducted a rigorous study into the implementation of the BRT system, and some of the findings were that, in the initial phase of the implementation, the public transport operators could not reach an agreement with the government agencies on the business model for future operations and as a result that phase was characterised by high levels of conflict. As a result of this study, one can deduce that public participation and stakeholder consultation forums had not been explored well by government.

### 3.4.1 Role of the public in the participation processes

It is expected of the public to enhance the concept of local democracy through participation, irrespective of its level or a degree. The social contract theory is a model that is being used in most democratic governments, thereby allowing the governed to provide an input to the local government affairs in an attempt to satisfy their needs and expectations. It is virtually impossible for a model that propagates direct democracy to flourish in the 21<sup>st</sup> century, as the population grows at a rapid rate and it will also be challenging to co-ordinate participation platforms, hence representation is the most favourable. Communities are represented through the interest groups including; the non-governmental organisations (NGOs), community based organisations (CBOs), political parties, and various other civil society movements and pressure groups.

Cloete and Meyer (2006: 113) argue that the interest groups exist as long as particular issues are not formally on the government's agenda, or issues are featured but are not prioritised. As such, it could be determined that the role of the interest groups is to advocate and lobby for the policies to be featured and prioritised in government's agenda. As a result, their participation could be seen as augmenting the capacity of policy advocacy in communities and subsequently to serve as an aid in decision making.

In the South African context, the South African National Civics Organisation (SANCO) is the most notable civil society movement that plays a pivotal role in an attempt to influence the local, provincial and national government policies. This is done through the mobilisation of the communities, as was seen in the 1980s, SANCO was used as a vehicle through which policy was advocated by addressing the basic needs, aspirations and the expectations of the members of the society. Furthermore, it serves as a complementary organisation, to the ruling African National Congress (ANC), as these two organisations have the same vision as contained in the freedom charter (SANCO Constitution, 2001).

### 3.5 Advantages and disadvantages of public participation in the society

In a democratic South Africa, the concept of public participation first came to popularity during the time when the government's strategic position of the Reconstruction and Development Programme (RDP) as well as the Masakhane initiative, were promulgated. Through these two programmes, the government had vehemently encouraged people to participate. This came about as a response to the tradition of South African citizens of not showing distinct interest in the governmental affairs (Bekker, 1996: 32). The Apartheid South Africa had racially segregated the society, in terms of *Group Areas Act, 1950 (Act 41 of 1950)*, and this led to the resistance of the acknowledgement of the governing authorities by the marginalised, *i.e.* Blacks, Coloureds and Indians. As a result of this segregation, the marginalised had utilised interest groups to raise their dissatisfaction on the issues relating to local government affairs, such as the concerns over basic service delivery issues.

#### 3.5.1. Advantages of public participation

According to Creighton (2005: 18-19) the following are the identified advantages that public participation will propel:

- Improved quality of decisions

Through the input by the ordinary citizens in the making of decisions, ambiguity can be cleared in terms of the needs as required by the citizens, and the synergy thereof, could ensure the achievement of efficiency in the provision of service. By involving the citizens in participation, the making of decisions would imply that even unpopular decisions made, would by default be supported by the people, as they themselves believe to be responsible for them.

- Minimising cost and delay

Uncertainty of the required services by the public could lead to the authorities investing money in research on what the public requires, as well as the method to dispense such a service. Instead, public participation will ensure a direct contact between the public and the decision makers.

- Consensus building

Public participation has a potential to synthesise the divergent views from the two parties, *i.e.* the authorities and ordinary people, thus ensuring a long term commitment thereof. In a municipality, consensus building is promoted by an integrated development plan, where a frame-work, initiated by the municipality and the residents is established to deliver services within the expected period of time.

- Increased ease of implementation

Once a decision has been made through the consultation and the involvement of the people, the implementation may be easier. Thus, it is unlikely for the public to reject a policy and/or legislation that they have significantly contributed to. For instance, during the apartheid era, the marginalised communities revolted against the government policies, on the basis that their interests have not been afforded representation, e.g. the students' uprisings of 1976 where the policy of Bantu Education was violently rejected by the marginalised.

- Avoiding worst case confrontations

Public participation will provide a platform for both the authorities and the people to appreciate the opportunity given to express their needs, expectations and responsibilities in an amicable environment. As such, public participation would create a sense of ownership among both parties. For example, even if policies do not turn out to be as expected upon implementation, the public would consider the responsibility to improve them as opposed to rejecting them.

- Maintaining credibility and legitimacy

The perception, the member of the public have about public institutions serves as the driving force of the confidence that the people will have in those institutions. As such, confidence could be instilled through the involvement of the ordinary people in matters that are of public interest in those institutions. This is particularly important as it could result in the public viewing them as being credible and legitimate, and hence promoting democratic values and principles.

- Anticipating public concerns and attitudes

From previous experience, the authorities can utilise the precedent set by the public in relation to the method that is used in undertaking particular processes. However this can only happen if a similar challenge has been encountered before. Through this anticipation, municipalities could develop models that they use in dealing with different residents requiring different services, *i.e.* municipalities must be able to predict and distinguish between the behaviour of residents that are in *dire straits* regarding access to water, from those that require electricity, and work out a model to meet those challenges with acceptable programmes of action.

- Developing civil society

One of the unintended effects of public participation is the creation of an educated society. Through public participation processes, the people familiarise themselves with *inter alia*; government policies, legislation and institutional processes, resulting in them being articulate in expressing their needs in terms of matters of public interest. For example, the Independent Electoral Commission (IEC) takes into consideration the level of illiteracy among adults in South Africa, hence the promotion of public participation in voter education before elections every five years.

### 3.5.2. Disadvantages of public participation

Public participation is often a protracted process that involves people and their governing institutions, and as such it tends to create the potential for conflict and because of governmental cumbersome processes, it is inevitable that it will be tedious. It is important to acknowledge that the members of a particular society are not homogeneous. As human beings, people are not all the same, even in terms of the views they possess on particular issues, as a result, when people participate in government activities the emergence of conflict should be anticipated, hence they often reach consensus through a compromise. However, such mutual concession may ultimately prove not to be the most effective solution. It may therefore, still require the governing body to exercise its discretionary authority.

### 3.6 Public participation: role of the speaker's office

In the Republic of South Africa, legislative authority is vested in particular components of government, *i.e.* Parliament, provincial legislatures and municipal councils. The Constitution, through section 59 (1) and section 72 (1) corroborate that both the National Assembly (NA) and the National Council of Provinces (NCOP) must collectively facilitate the involvement of the public in the legislative affairs and other processes of the Parliament and its committees. This can only be done by encouraging the participation of the people in the law making processes. As a result the public, through the mechanisms developed by the Parliament, may participate in any decision making process but would not be allowed to have a decisive say in the final decision or policy.

The origin of the word parliament is derived from a French word *parlement* which means a discussion through an act of speaking (Dictionary.com, 2011). In Parliament there are a variety of mechanisms to be used for formulating participation. Through these mechanisms, the representatives can get involved in critical decision making, in respect of the making of legislation.



Parliament has established the different portfolio committees which are critical catalysts in law making and allow for citizens to participate. Such participation is promoted through presentations of petitions and formal submissions by the public. These portfolio committees provide for extensive participation as the public representatives, apart from the political representatives, take part directly in affairs of concern to them. In terms of submissions, citizens have an opportunity to participate in Parliament through a written submission. Normally submissions are endorsed during the first phase of law making, which is done throughout the discussions of a bill in Parliament (Participation in Parliament, 2010).

Similar to the functioning of Parliament, the provincial legislatures, established public participation units that deal with, *inter alia* the suggestions, requests, and the complaints of citizens in terms of the legislation applicable to that province. This is done in order to mandate the members of the provincial legislatures, for consideration of their concerns on any legislative matter that is of public interest (Public Participation and Petitions, 2010).

In terms of the local sphere of government, there is an assumption that public participation should be promoted through the Office of the Speaker in a municipality. As the custodian of public participation, it is expected of each of the municipalities countrywide, through their respective offices of the speaker of the municipal council to assume the responsibility of enhancing public participation. As a result, the municipal council through the office of the speaker has an obligation in terms of section 152(1)(e) of the Constitution, 1996, to ensure the functioning of the ward committees, which culminates to the promotion of public involvement in municipal affairs, in particular, as it promotes public participation in the municipal decision making. It should however be noted that there is no legislation that monitors and obliges the speakers' office to facilitate public participation. Due to the lack of such legislation, it should therefore not be argued that public participation originates from the speaker's office. Parliament and the provincial legislatures have both established units and directorates that deal with matters concerning public participation in its entirety within their jurisdiction.

### 3.7 *Batho-Pele*

*Batho-Pele* is a Sotho word that means “people-first”. *Batho-Pele*, as an initiative is intended to reinforce excellence in the delivery of public services through the capacity building of the public servants in ensuring that they become service oriented. Through this initiative, it is anticipated that the citizens become the main focus of attention in so far as the public service planning and operations are concerned. As a result public participation becomes an important element of this initiative of ‘putting people first’. The *Batho-Pele* principles are as follows (*Batho-Pele*, 2011);

- Consultation

The public should be consulted about the quality of the services they receive as well as be given the leverage to choose the services offered. Prior to such consultations, it is expected of the government to communicate its intention to consult the people on a particular issue, through public participation.

In municipalities, consultation is normally done when the municipal council wants to obtain an understanding of how the residents perceive particular issues. Consultation extensively assists the council in decision making, and can be achieved effectively through public participation.

- Setting service standards

This principle of setting service standards attempts to hold government accountable to its people for the services rendered or to be rendered. This happens after the government has propagated the level and quality of public service as per the expectation of citizens. Through ward committees, the members of the community should be able to hold the municipal council accountable for the promises made regarding services and register their dissatisfaction, for improvement and consideration in the municipality.

- Increasing access

The government aims at increasing access of its services to the public, so as to reach a position where all citizens have equal access to the services to which they are entitled. To a larger extent, the ward councillor and the respective ward committee members, could be the first stop that the residents consults when they have queries that regards the municipal affairs. For example, ward committee members could clarify the expectations of the residents and also assist the municipality by identifying the indigent households in terms of the provision of free services in a particular municipality.

- Ensuring courtesy

When public servants render services, they must do so with consideration and sensitivity that they are working with human beings and not deprive them of their human rights as set out in the Constitution, 1996. The principle emphasises the communication of services. It may thus be argued that through the assistance of ward committees, the residents will deflate their negative perceptions about the municipalities. For example, by participating, residents will have the benefit and the understanding of the particular municipal processes.

- Providing information

Through the *Promotion of Access to Information Act*, Act 2 of 2000, the government consents to provide full and accurate information to the citizens about the public services that are to be provided. To a larger extent public participation plays a pivotal role in providing the community with information through an integrated development plan, relating to which services are to be expected from the municipality.

- Openness and transparency

As driven by the principle of accountability, involving openness and transparency allege that the government functioning is clearly communicated to the public, in terms of the local sphere. Municipalities should release their

draft integrated development plans, proposed by-laws and particular reports, among others, for public scrutiny and comment.

- Redress

This principle of redress highlights the need to devise the mechanisms for remedying purposes, where services rendered are below the public expectation and as promised by the government. This is facilitated by welcoming the complaints from the public and uses that as an opportunity to improve on the public services.

Redress in the provision of municipal services in a democratic dispensation is imperative. The principle acknowledges the historical injustices that the pre-1994 government practised in so far as the delivering of services is concerned. Municipalities are faced with a challenge of providing optimal and professional services to citizens of heterogeneous cultures, hence through the mandate received from respective communities, ward committees play a pivotal role in bridging such disparity.

- Value for money

The administration of the country is financed by the tax payers, thus all the monies that the government use must be accounted for. The principle advocates the effective, efficient and economical use of public money. This principle stems from the understanding that all the municipal services that are to be rendered are facilitated through public funds, *i.e.* money generated through water, electricity and municipal property tax, among others. A ward committee is the primary mechanism employed to devise a municipal budget, in line with the annual review of an integrated development plan.

As an operational plan, *Batho-Pele* principles are intended to directly relate to the ordinary citizens as the customers or clients of the public services. Furthermore, the *Batho-Pele* principles aim to pioneer a new approach to service delivery which put people at the core of government planning and decision making, as well as delivering services (*Batho-Pele*, 2011). Over and

above that, the *Batho-Pele* principles are pertinent in ensuring effective delivery of services, in particular the basic municipal services to respective residents.

### **3.8 Promoting participation through communication**

For a government to be regarded as being transparent, it requires an effective system of information dissemination. Information can be dispensed through a variety of communication models, for example through mass communication. This plays a significant role in assisting both the government and its people to collectively make decisions. It should be noted that, as a two-way dynamic process, communication requires the participation of both parties for it to be effective.

#### **3.8.1 Conceptualising communication**

Since participation requires the public to work together with the authorities in achieving their desired outcomes, an element of communication is of importance as it serves as a vehicle towards those achievements. Roux, Brynard, Botes and Fourie (1997: 86) argue that, for any organised structure that requires achieving the predetermined common goals, communication is key towards all the processes.

For the purpose of this dissertation, communication can be referred to as a process that ensures the transmission of information, both verbally and non-verbally which serves as a catalyst that assists in decision making for the execution of particular functions where common goals will be achieved. As such, it would be important that the channel within which communication flows is co-ordinated in such a way that it does not allow for the distortion of information. In this regard, communication will serve as an inextricable link between the two parties determined to co-operate and interchange (Roux *et al.*, 1997: 86-87).

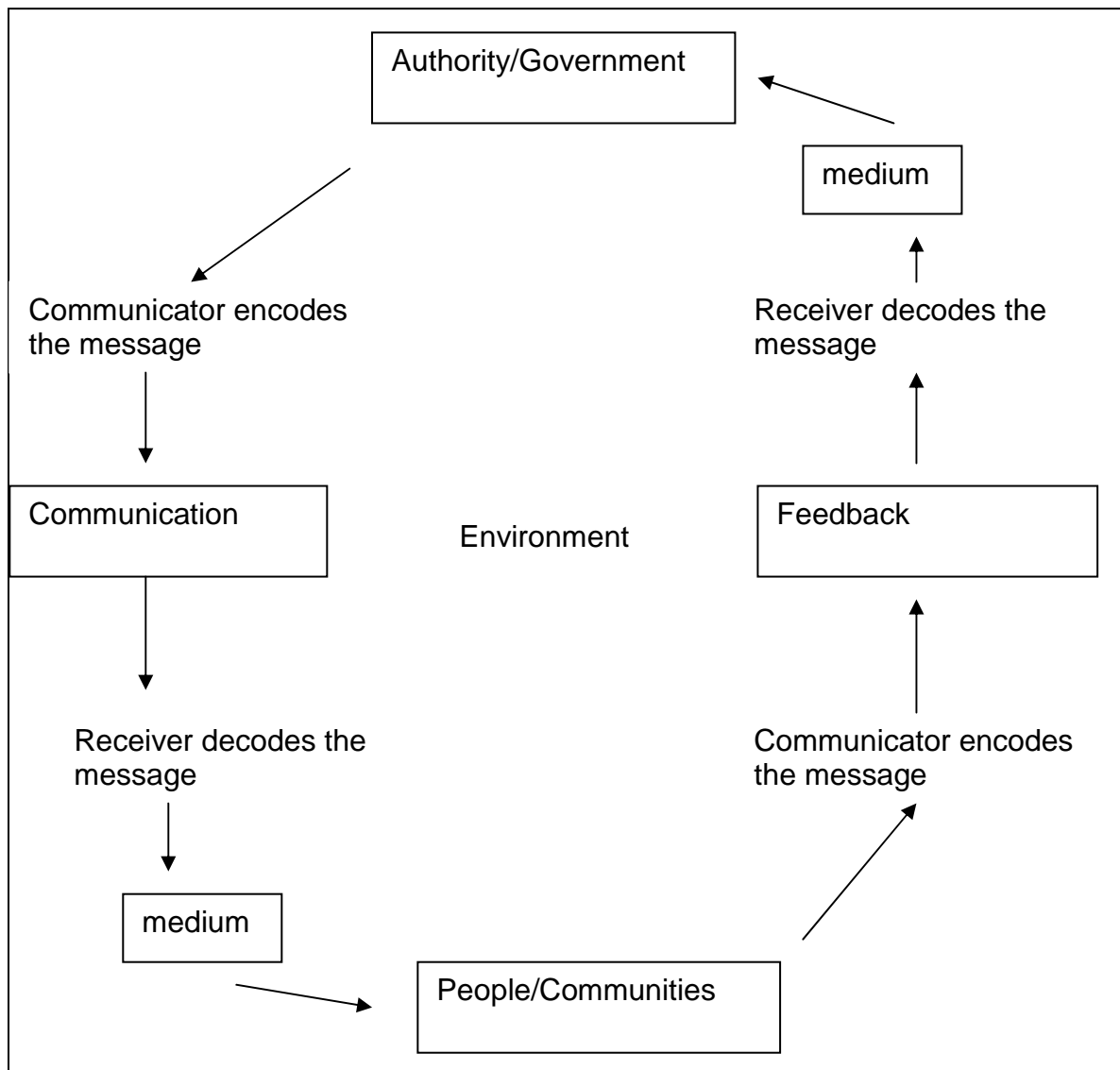
### 3.8.2. Process of communication

According to Roux *et al.* (1997: 87) various communication media can be utilised to enable successful communication between two parties. Consequently, the success of communication depends on the ability of the components, which propel the factors that direct the flow of communication. The components of communication include the:

- communicator;
- message;
- medium; and,
- receiver.

Communication is a reciprocal process that operates in a two-way functioning. As illustrated in Figure 3.3, on the one hand, the role of the communicator is to encode the message, which is to provide meaning to the information that is to be transferred, and on the other hand the receiver decodes the message, *i.e.* interpreting the message to his/her own understanding. The message can be conveyed through, either, communication or as a feedback, through the usage of a particular medium, e.g. newspapers, visual media, airwaves. The difference is determined by the receiver of the message. For instance, communication occurs when the clients of an institution /communities are the receivers (downward), and feedback occurs when the authority/government is the receiver, as illustrated in Figure 3.3 below.

**Figure 3.3 The communication process**



Source: adapted from Roux, Brynard, Botes and Fourie (1997: 88)

### 3.8.3. Participation and communication

As a rule of thumb, participation within the context of communication can be defined by explaining the relationship between the processing of information and decision making. Through public participation, which should be initiated by the municipality, via a ward committee, the municipality should be in a better position to communicate its vision and invite the relevant stakeholders to participate in governmental affairs, so as to ensure the delivery of the required goods and services, as expected by the municipal community.

### **3.9 Public participation as an institutional model for a developmental local government**

It should be acknowledged that the method used by the government in decision making has to be inclusive, *i.e.* it should involve the public. The involvement of the public can bring substantial benefits including, a satisfied and supportive public as well as the enhancement of a stronger democracy (Thomas, 1995: 2). As a result public participation should serve as an institutional model, which is supported by legislation that propagates the developmental agenda of the communities through the usage of the local government institutions.

A developmental local government is people oriented, and its initiatives are inclusive. Kotze and Kellerman (1997: 36) argue that through this people oriented approach the government policy will encourage participation, and subsequently support the people's initiatives that seek to develop and benefit the communities.

### **3.10 Conclusion**

The purpose of this chapter was to contextualise public participation that is applicable to South Africa. The literature consulted, has indicated that public participation is a concept that could symbolise any process in a relationship between the governors and the governed. As a result, the chapter highlighted the importance of using Arnstein's classification model through an analysis of the 'ladder of citizen participation' in corroboration with Clapper's factors involved in participation, in order to culminate in an integrated transformational process of public participation. A conceptual framework of public participation was engaged in an attempt to investigate the role of the public in the participation processes.

Public participation in the office of the speaker with particular focus on the local sphere of government was also interrogated by analysing the trend



assumption that the office of the speaker should be the custodian of public participation in the municipal sphere. The effective usage of communication within the society was assessed and related to the promotion of the participation processes. Lastly, an institutional model that propagates a developmental local government was highlighted.

## **CHAPTER 4:**

### **Role of ward committees in achieving efficient municipal service delivery**

#### **4.1 Introduction**

The ward committee system in South Africa was introduced in 2000. The introduction of ward committees is expected to serve as an inextricable link between the municipality through the ward councillors and the local communities as represented by ward committee members. This particular link is important, as it has a potential to render municipalities effective, in a sense that it provides for a mechanism to promote local democracy, and consequently, to ensure public participation in the municipal decision making and service delivery, through the Integrated Development Plan.

As a point of departure, the chapter will provide a comprehensive explanation of ward committees in South Africa. An explanation of the establishment of the ward committees, in particular the historical background of the ward committees in South Africa, will also be provided. Most importantly, the environment within which ward committees exist will also be investigated, as well as the roles and functions of relevant officials which make the system operate, holistically. An analysis of the roles and functions of ward committees in their efforts to execute their duties will be dealt with.

Furthermore, an exploratory study of systems used in India (Mumbai) and England (St. Helens), which to an extent are equated to what ward committees are to South Africa, will be engaged. Through an international experience, South Africa, can draw lessons for improvement and encourage the usage of the best practices, for improved local government.

## 4.2 Establishment of ward committees: the South African perspective

Wards were first introduced in South Africa in the Cape of Good Hope, when the *burghers* pressed for a greater share in the government of the Colony. These wards were governed by *wardmasters*. In 1786 a committee of the high court was established in the Cape of Good Hope, which was subsequently given municipal and policing functions in 1793 (Craythorne, 1997: 126). Initially the idea was that, all of the 23 wards in the Cape should be provided with two *wardmasters* each. Their functions were to *firstly* keep a register of the persons in their wards, and *secondly* to report on particular municipal or criminal matters to the committee of the high court. However, it later became evident that the role of the *wardmasters* evolved into a particular relation, where a contact between the people and the municipal commissioners was promoted (Craythorne, 1997: 127).

From the above historical background, it is clear that ward committees are regarded as the mechanisms through which public participation in local government is made possible. Ward committees should serve the purpose of representation, *i.e.* promoting local participatory democracy. As a result, they are established to ensure the necessary contact between the communities and government institutions, and further provides the support to the elected councillor to represent a specific sector in a municipal council, in terms of Part 4 of the Municipal Structures Act, 1998.

Currently, South Africa has 3 895 demarcated wards within the 283 municipalities. These wards, except in the Western Cape Province (as shown in Table 4.1), have established ward committees to pursue the ideal of a participatory democracy (CoGTA, 2009: 13). Albeit the complexities associated with the local government system in South Africa, it is important to highlight the ratio of the number of the municipalities as opposed to the population within a specific province, to explain the importance of participatory democracy, as explained in Table 4.1:

**Table 4.1 The Establishment of Ward Committees per province**

Province	Population	Number of Metropolitan Municipalities	Number of Local Municipalities	Number of Wards	Number of established ward committees
Eastern Cape	6 527 747	1	38	636	636
Free State	2 773 059	-	20	300	300
Gauteng	10 451 713	3	8	423	423
KwaZulu-Natal	10 259 230	1	50	771	771
Limpopo	5 238 286	-	25	513	513
Mpumalanga	3 643 435	-	18	365	365
Northern Cape	1 058 060	-	27	174	174
North West	3 271 948	-	21	365	365
Western Cape	5 278 585	1	24	348	243
<b>Total</b>	<b>48 502 063</b>	<b>6</b>	<b>231</b>	<b>3 895</b>	<b>3 790</b>

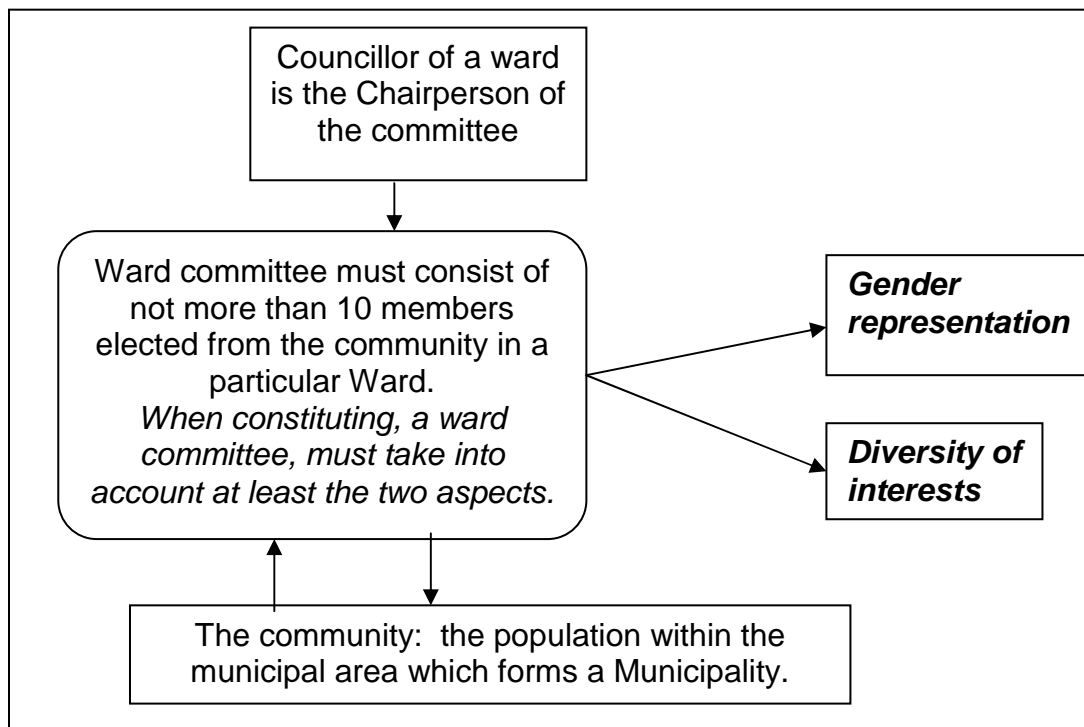
Adapted: CoGTA (2009: 14)

Local government plays an important role in enforcing municipal, provincial and national government policies within municipalities to ensure effective and accountable service delivery in a relative smaller jurisdiction. It is through this approach that wards are established. Ward committees are area based committees, whose boundaries coincide with the jurisdiction of the ward (White Paper on Local Government, 1998: 64). Through public participation, which should be initiated by the municipality, via a ward committee, the municipality should be in a better position to deliver the required goods and services, as expected by the municipal community. Section 72 (1) of the *Municipal Structures Act, 1998* determines that in the local government sphere, ward committees can only be established within the metropolitan and local municipalities of a special type. These are the municipalities in category A as well as the category B (Section 8 and 9 of the *Municipal Structures Act, 1998*). Ward committees do not have original legislative and executive powers; however they play an important role as consultants and advisors to the councils through ward councillors (White Paper on Local Government, 1998: 64). Furthermore, Section 72(3) of the *Municipal Structures Act, 1998*,

declares that the objective of the ward committees is the enhancement of participatory democracy in local government.

For a municipality, to effectively involve the public in determining the required public need, ward committees should be able to facilitate public participation. This will assist municipalities in identifying the goods and services, required by the municipal communities. As such the need for the formulation of an integrated development plan arises, so as to effectively develop a mechanism to identify community needs and priorities, and design administrative and managerial practices to fill the needs.

**Figure 4.1: Establishment of ward committees**



Adapted: Local Government: Municipal Structures Act 117 of 1998. Section 73

The research concerns the core aspects, such as the evaluation and the relevance of ward committees in municipalities. The importance of this research project lies in the role to be played by the ward committees, in terms of encouraging the public to participate in municipal activities, to assist the

municipality in developing an integrated development plan, in an attempt to ensure direct, economic, and effective service provision.

The abovementioned Figure 4.1 stipulates the manner and technicalities involved when ward committees are established, as authorised in Section 73 of the Municipal Structures Act, 1998. The Figure contends that the councillor of a particular ward, by default, becomes the chairperson of the ward committee concerned. A ward committee is not a political forum, and as such it should not be composed of the members of one interest group or only a political party to which the councillor may be affiliated. This is important because the Municipal Structures Act, 1998 in section 73(3) states that the representation of gender and diversity of interests within a particular ward are compulsory. A ward committee should therefore comprise the councillor and persons representing women, youth, religious groups, sports and welfare, environment, education, community-based organisations, ratepayers associations, traditional leaders, the disabled, informal traders' associations, agricultural associations and community safety fora. However, the committee must not exceed 10 members (Reddy and Sikhakane, 2008: 681).

The legislation does not make provision for double representation in terms of sectors or interest groups to be represented. As a result of this, one person could represent multiple sectors at once; e.g. a young female could represent three sectors which are women, youth and education concomitantly. A municipality has a prerogative to pass a by-law, which will serve as a regulatory framework for the municipal council in terms of the issues regarding the establishment, operations and functions of ward committees, within its jurisdiction (Municipal Public Participation Guidelines, 2007: 7).

#### 4.2.1. Ward committees in the City of Tshwane Metropolitan Municipality

The involvement of the civil society in government is gaining prominence internationally, hence the need for regulations on the management and administration of structures aiming to enhance such a process. In achieving its aims and objectives, the ward committee system in the City of Tshwane

utilises the executive mayor's office and the office of the speaker for structural support (City of Tshwane, ward committees, undated: 2).

#### 4.2.1.1 *Executive mayor system in the City of Tshwane*

As alluded to in the preceding chapter, the executive mayoral system can be established in category A, B and C municipalities with a mayoral executive system, which might be combined with either a sub-council participatory system or a ward participatory system, or both as per Section 54 of the Municipal Structures Act, 1998. The City of Tshwane is the administrative capital of South Africa and is a Category A municipality. It is located in the north-western corner of Gauteng Province covering an area of 2 198 km<sup>2</sup> almost 65 km in length and 50 km in width, which is approximately 13% of the Province's surface. As a background, it is important to note that the City of Tshwane is the second largest municipality in Gauteng, thus identifying it as one of the six metropolitan municipalities in South Africa. City of Tshwane Metropolitan Municipality consist of three sub-regions that are composed by the 13 municipal areas that were established as municipalities under the apartheid system. The areas are; Pretoria, Centurion, Akasia, Soshanguve, Mabopane, Atteridgeville, Ga-Rankuwa, Winterveld, Hammanskraal, Temba, Pienaarsrivier, Crocodile River, and Mamelodi, with 76 municipal wards (CTMM Annual Report, 2008/2009: 8).

The investigation focuses on wards that are in a metropolitan municipality that are situated in the administrative capital city of the country. In addition to this, the area of the research study entails analysing ward committees and the role, functioning and impact of public participation in the facilitation of service delivery in the wards comprising Mamelodi as an area formerly established as a black local authority in terms of the *Black Local Authorities Act, 1982 (Act 102 of 1982)*. The City of Tshwane as a metropolitan municipality has drafted a by-law on ward committees. This draft by-law confirms the municipality's intention of establishing a policy which gives direction in as far as the enhancement of active public participation by ward committees is concerned.

As noted above, the ward committees are established as committees and as such they operate under delegated authority from the metropolitan council.

#### *4.2.1.2 Establishment of ward committees in the Office of the Speaker*

In the City of Tshwane Metropolitan Municipality, ward committees as institutions of government are systematically arranged through the Office of the Speaker, within which accountability and democratic principles are promoted (Mtshweni, 2009: 91). As a result, a structure within the office of the Speaker in the municipality is established. The purpose of this component is to monitor and oversee the performance of these, area based (ward) committees, on behalf of the Office of the Speaker and the municipal council. Mtshweni (2009: 92) asserts that the ward committee component that has been established within the Office of the Speaker has to ensure the implementation of council delegated functions as well as capacity building and empowerment of ward committees in achieving their objectives. The legislation does not stipulate the origin of the mandate and obligation within the Office of the Speaker in relation to public participation, and ward committees in particular. After the local government elections of 2006 the municipal council of the Tshwane Metropolitan Municipality assigned specific functions to the office bearers, including the Office of the Speaker, and furthermore allocated roles to these office bearers. In terms of the City of Tshwane's guidelines on the roles, responsibilities and functions of the office bearers (2006), the responsibilities of the office of the speaker, through the speaker are mainly to:

- act as the custodian and image of council;
- convene council sittings;
- facilitate council meeting through the speaker as the chairperson;
- maintain discussions and decisions of council;
- provide policy and legislative guidelines on council decision making;
- serve as the custodian of public participation through ward committees.



City of Tshwane Metropolitan Municipality has an organisationally complex structure in a sense that, *firstly* it consists of 76 wards, which each has to establish a ward committee, and *secondly* the municipality has been divided into three sub-regions and consequently into nine zones, as explained below;

- Sub-region 1 (25 wards)
  - Zone A with 8 wards
  - Zone B with 8 wards
  - Zone C with 9 wards
  
- Sub-region 2 (25 wards)
  - Zone D with 8 wards
  - Zone E with 8 wards
  - Zone F with 9 wards
  
- Sub-region 3 (26 wards)
  - Zone G with 8 wards
  - Zone H with 9 wards
  - Zone I with 9 wards (City of Tshwane Metropolitan Municipality, 2001: 16).

Mamelodi is the focus area of the study and is situated in sub-region 2; zone F which consists of 9 wards, and their established ward committees.

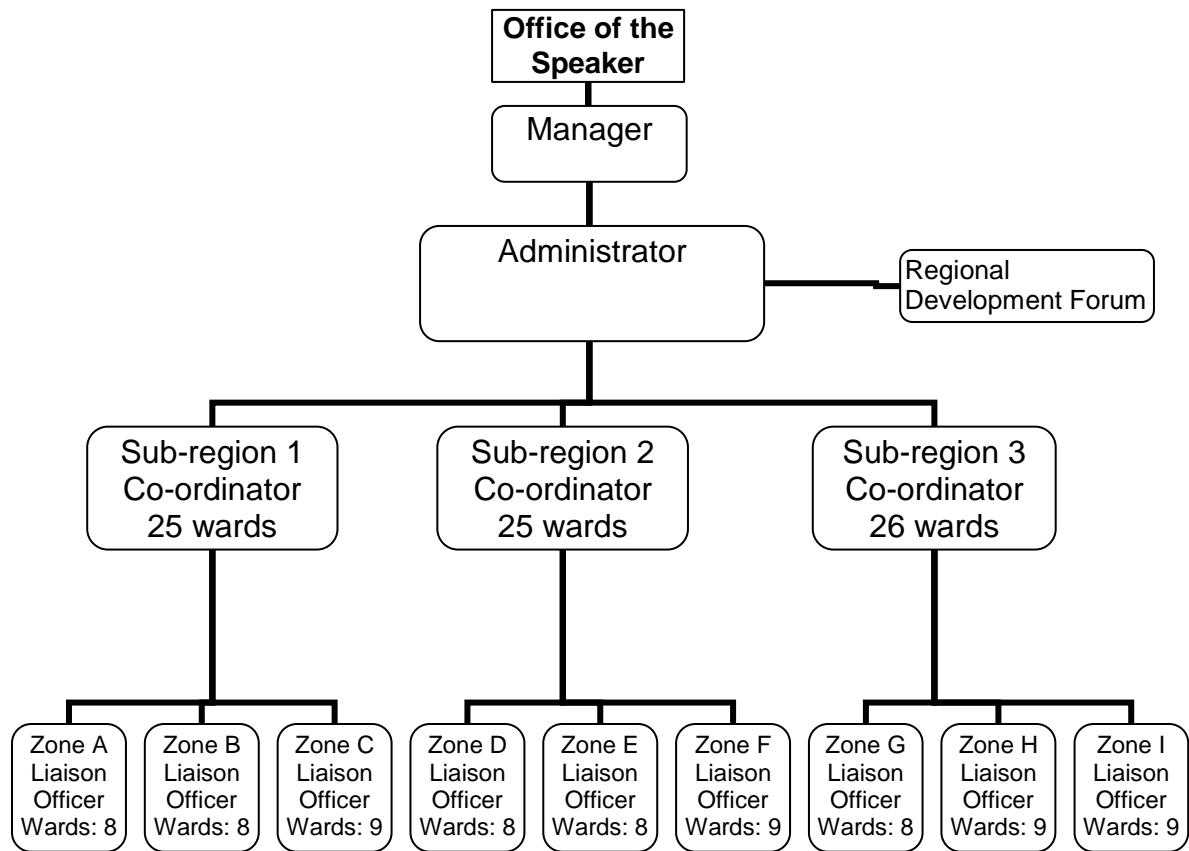
#### 4.2.1.3 *Administrative structure in the Office of the Speaker*

As depicted in Figure 2.1, *i.e.* generic organisational structure of municipalities in chapter two, it is clear that the Office of the Speaker is the second highest authority in the municipal hierarchy. As a result, it should also be noted that for the Office of the Speaker to perform its co-ordinating duties, a well capacitated workforce is required.

For the purpose of this research, a highlight of only a section in the Office of the Speaker concerned with public participation will be made. It is for this reason that the Office of the Speaker is co-ordinated and managed accordingly with established posts which ensure the efficient management of an office of its magnitude. The post in the Office of the Speaker includes *inter alia*; the manager, administrator, three sub-region co-ordinators, and nine zonal liaison officers, as shown in Figure 4.2. Individuals occupying such posts are assigned with the administrative responsibilities for the ward committees. The literature consulted, does not provide a clear linkage and co-ordination between the ward committee system and the Office of the Speaker, as it is evident that the Office of the Speaker is not solely responsible for ward committees, but have a responsibility in council meeting as well.

According to the City of Tshwane Metropolitan Municipality (2001: 20) the Regional Development Forum (RDF), Sub-regional Development Forum (SDF), and the Zonal Development Forum (ZDF) are established structures within the Office of the Speaker, for the purposes of ensuring efficient co-ordination of area-wide issues and for an easier consultative process by the council. It is important to acknowledge that these fora do not substitute ward committees, nor its responsibilities and functions, but solely to provide an opportunity for representation in council to business and religious communities, higher learning and research institutions, primary and secondary education institutions, women and youth organisations, and civic organisations.

**Figure 4.2: Organisational structure of the Office of the Speaker**



Adapted: City of Tshwane Metropolitan Municipality (2001: 25)

**a) Manager**

In the office of the speaker the manager is the most senior official responsible for the effective and efficient co-ordination and management of the ward committee system, and is accountable to the speaker on political matters and to the municipal manager on the administrative functions (City of Tshwane Metropolitan Municipality, 2001: 17).

**b) Administrator**

The administrator provides administrative support to the manager. The main responsibility of the administrator is to ensure management and co-ordination

of the ward committee system through which the regional development forum can be pursued (City of Tshwane Metropolitan Municipality, 2001: 17).

c) Sub-region co-ordinators

As illustrated on Figure 4.2, three sub-regions have been established in the City of Tshwane. As a result, each co-ordinator is allocated a sub-region, with the sole responsibility of monitoring the sub-regional development fora consisting of the various zonal fora. The sub-regional co-ordinators report to the administrator, but on urgent matters they may account to the manager (Mtshweni, 2009: 95).

d) Zone Liaison officers

Nine zone liaison officers have been appointed in Tshwane, who will be responsible for the zones allocated. Liaison officers play a significant role of providing secretarial and administrative services to the various ward committees in a particular zone. The liaison officers are accountable to the relevant sub-region co-ordinator, and can perform specific tasks for the regional and sub-regional development fora, when requested to do so (City of Tshwane Metropolitan Municipality, 2001: 17).

### **4.3. The role of ward committees in Mamelodi**

It should be noted that this section provides a foundation and serves as a centre for discussion in so far as the research is concerned. In deliberating on the role of ward committees, it is inevitable that functional and legislative imperatives would ensue. The primary role of the ward committees could be seen as the facilitation of communication between the citizens and appropriate governing structures, through encouraging public participation. Below are important elements which serve as imperative roles of ward committees, towards a successful and meaningful public participation.

#### 4.3.1. Educating residents/ citizens

Mandela (1994: 194) affirms education as a great engine of personal development, through which knowledge and enlightening experience is acquired. Through the involvement of the community members and civil society formations in government affairs, it becomes inevitable that learning would ensue. An example of this would be, the initiative that the City of Tshwane undertook to familiarise the residents with specific by-laws in specific areas. The Municipality had observed that specific communities had contravened specific by-laws, such as the illegal connection of electricity and water. As a result, the municipality had embarked on an awareness campaign where information was provided to such communities (City of Tshwane, Press Release, 2010). Councillors through ward committees play an important role in such initiatives as they assist in the mobilisation of the community and encouragement of communities to participate.

#### 4.3.2. Promoting public participation and local democracy

Citizen participation forms the basis of citizen power. Through public participation, power is redistributed to the people who are excluded from the political and economic processes that form the basis for decision making, for the betterment of their wellbeing and development (Pearce, 2010: 230). The ward committees in Mamelodi, have a responsibility to fulfil the obligation of encouraging involvement of the communities and community organisations in matters of the local government as set out by section 152(1)(e) of the Constitution, 1996. As such the legislation challenges the ward committees with the responsibility of enhancing participatory democracy through the promotion of local democracy.

#### 4.3.3. Ward committees as the agents of change and transformation

According to Fox and Meyer (1995: 130) the concept transformation is regarded as the process of a system through which the inputs are changed into outputs. Ward committees could be utilised as effective tool for

development, as most municipalities still face challenges regarding the provision of services to a society of heterogeneous cultures (Pretorius and Schurink, 2007: 19). As representative structures of the citizenry, Nzimakwe and Reddy (2008: 671) acknowledge that the design of ward committees should enable the promotion of the developmental goals through an effective two-way communication model.

This means that for development to materialise, the synergy of particular components such as ward committees, municipal council and communities is needed. As a result, ward committees could be considered as the only viable mechanism to ensure effectiveness, through which citizens are empowered to participate in the development agenda, in the current municipal structure (Naidu, 2008: 85).

#### 4.3.4. Ward committees as watchdogs of the municipal council and municipal administration

Leaders in municipalities have a responsibility to ensure the achievement of a mandate given to them through democratic processes. In essence, the election of the representatives to the municipal councils should reflect the sentiments and interests of the electorate, because of the social contract undertaken as provided by the principles of representation. Fox and Meyer (1995: 1) regard accountability as the commitment and the responsibility of a government towards the public in order to realise the previously targeted goals and objectives.

Ward committees have a potential to implement a system of monitoring and evaluation of the municipal affairs. By default ward committees through their ward councillors, as representatives in a municipal council, could hold the key decision makers accountable for their actions or inactions.

#### **4.4 Composition, functions and operations of the ward committees in Mamelodi**

It is important to acknowledge that ward committees in Mamelodi are faced with their own unique challenges, which will be elaborated further in the next chapter. However, matters associated with the delivery of services, dominate the deliberations in most ward committee meetings.

In terms of the composition, most ward committees comply with the Municipal Structures Act, 1998. Section 73 of Municipal Structure Act, 1998, contends that the formation of ward committees must take into consideration the two components, which are gender representation and diversity of interest, *i.e.* the representation of different sectors within a ward. Depending on a particular ward, the sectors that exist in a ward determines the creation of the portfolios within those wards. More specifically, the representation of gender parity as well as the diversity management are acknowledged in ward committees within Mamelodi. As entailed in the draft by-law of ward committees in Tshwane, an intention is made in terms of representation *i.e.* at least 30% of the committee members must be females. Thus, the issue of gender parity has been observed, and it was found that all ward committees that participated in the study had complied with the requirement on gender representation.

Through the research conducted in Mamelodi, it was found that ward committees performs various functions that concern the municipality, wherein ward committees serve as a conduit between the people (at the grass roots level) and the governing institutions. More specifically these area based committees assist their communities by directing their queries to the relevant stakeholders, through the Office of the Speaker. This was highlighted in one of committee meeting of a particular ward, where an issue of illegal electricity connection, *inter alia* was discussed. The primary focus of the discussion was that people who illegally connect electricity in a certain section of that ward have caused an electric fault that culminated to a serious damage to electrical appliances in about 23 households. As a result, the ward committee felt it was

their obligation to institute a compensation claim for the affected residents in the municipality through the office of the speaker, and also resorted to approach the Public Protector for advice in so far as the matter is concerned.

With regard to the functionality of ward committees, it is imperative to clarify their operations. The effectiveness of the ward committees is dependent upon the usefulness of their instituted portfolios, that is, if a specific portfolio in the ward underperforms, it will have a negative impact on the progress of the ward committee, holistically. The rationale of instituting the portfolios within the committees, rests in the notion that effectiveness and efficiency are achieved only through expert knowledge and division of labour, *i.e.* the ten sectors represented, with a person that is nominated from a particular sector for example, sport and recreation, must be a person nominated by that sector in a ward. In every ward committee meeting, it is expected of every member responsible for a portfolio to present a report and feedback, should it be necessary.

All ward committees within the City of Tshwane receive structural support from the Office of the Speaker. Through this support, ward committees are able to organise themselves, as the liaison specialist responsible for a particular zone make the necessary logistical arrangements for a proper management of ward committees. Recently, in the Office of the Speaker, secretarial functions provided for ward committees are assigned to specific personnel, who have to record, manage and reproduce any administrative documents, more specifically the minutes of the meetings in each ward within a particular Zone.

#### **4.5. International experiences**

It is generally believed that democracy originated in Greece, whereby cities such as Athens were typically controlled by the *clan* or *tribal* hierarchies (Held, 2006: 11). Public participation as a democratic model is practised in most contemporary democratic states, and further juxtaposes the different systems of democracy, *i.e.* direct democracy vs. representative democracy. Examples



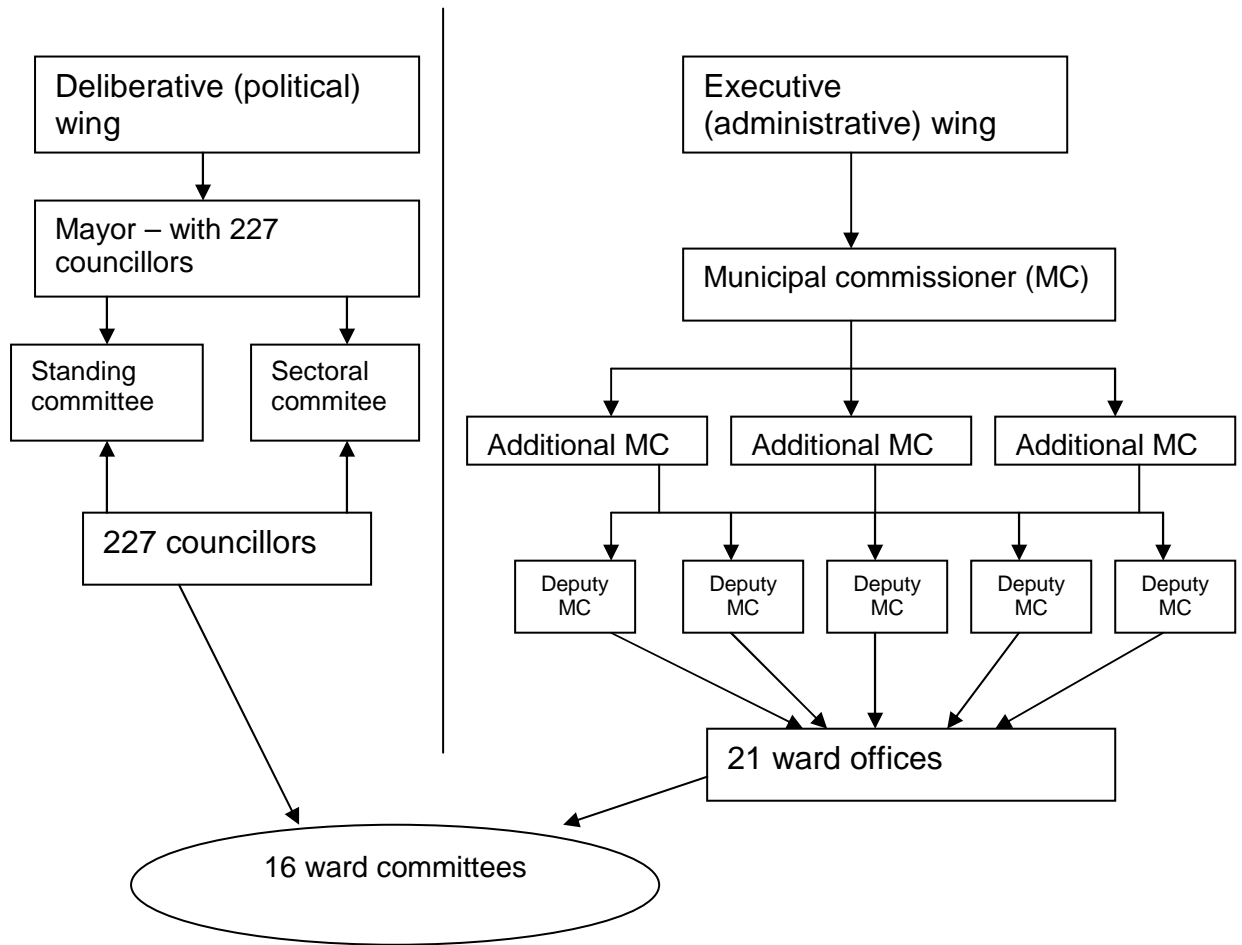
of the practices of participatory democracy are provided in the following section as exhibited by Mumbai (India) and St. Helens (England), in promoting effective local democracy.

#### 4.5.1. Mumbai

India utilises the *Gram Sabha* as a measure of promoting public participation. The *Gram Sabha* is an institution that promotes direct democracy, where all adults living in an area regulated by a system of *panchayat raj*, come together to discuss communal issues (Nambiar, 2001: 3114). Thus the system of *panchayat raj* is a traditional system where an assembly constituted by wise and respected elders are chosen and approved by the community members. It can be concluded that the *Gram Sabha* is legitimate and can be tantamount to the ward committees system in South Africa, as they are both established by legislation, *i.e.* Article 243 of the Constitution of India and Section 73 of the Municipal Structures Act, 1998, respectively (Nambiar, 2001: 3115). *Gram Sabha* is tasked with the role of *inter alia*; giving approval for the development plans, prioritising, identifying beneficiaries, and promoting active participation of people in implementing development programmes.

The Government of India provides autonomy to the respective states on the regulation of such basic government units. In response to this, Mumbai, as a capital of Maharashtra state, with a population of over 16,4 million people, coined the *invited spaces* initiative in an attempt to promote participation of the residents in the delivery of the basic services (Baud and Nainan, 2008: 486). Thus, the *invited spaces* belong to the executive and the political wing of the Municipal Corporation of Greater Mumbai. On the one hand the political wing comprises the councillors and the mayor, and on the other hand the executive wing is composed of commissioners and employees of the Municipal Corporation of Greater Mumbai, as depicted on the Figure 4.3 below.

**Figure 4.3: Mumbai corporation government: political and administrative wings**



Adapted from: Baud and Nainan (2008: 487)

#### 4.5.2. St. Helens

St. Helens is a large town in Merseyside, England and accommodates a population of over 100 000 people. As a metropolitan area, the Borough of St. Helens consists of ward committees, whose main aim is to *firstly* allow residents to put their views directly to the councillors and *secondly* influence the development within their area (St. Helens Council, 2010). Thus, ward committee members, are regarded as the community advocates that pursue development by assisting the council and its partners when delivering

services to the community. Contrary to the South African system, ward committees in St. Helens Council are relatively formalised and comprises:

- three ward councillors;
- representatives from Merseyside police;
- representatives from St. Helens housing;
- representatives from community empowerment network;
- tenants and residents association;
- parish councillor;
- faith representative; and,
- registered social landlords (St. Helens Council, 2010).

Through the establishment of St. Helens' ward committees, as shown above, it is clear that ward committees in this municipality provide more of a formalised consultation forum utilising the consultation toolkit as developed by the Metropolitan Borough of St. Helens. The toolkit provides a comprehensive mechanism, through which participatory democracy is encouraged, for the effective provision of services. The consultation toolkit provides, *inter alia*; the advice and guidance on planning consultation, and information on ensuring diversity in engagement (St. Helens Council, 2010). The existence of ward committees in St. Helens:

- provide a framework with partners to facilitate the meaningful participation by residents in local decision-making with a view of improving local accountability, the quality of services and quality of life;
- consider the development, monitoring and review of Neighbourhood Action Plans;
- monitor quality and performance of services provided by council and its partners;
- advise the council on budget and policy framework as well as other municipal initiatives; and,

- identify potential sponsors of community based initiatives, in enhancing the quality of life and environment for local communities (Ward Committee's Terms of Reference, 2010).

From the above two cases of Mumbai and St. Helens, it is clear that the primary objective of establishing institutions such as the ward committees at a local government platform, is to promote participatory democracy in pursuit of effective service delivery. Thus, an analysis of the composition, functions and powers of the *Gram Sabha* (Mumbai) and ward committees (St. Helens) can culminate in the creation of the best practices that will ensure the enhancement of an effective ward committee system from which South Africa can draw its lessons, for improvement. The lessons that can be drawn from the above two case studies, *firstly* is that the St. Helens ward committee recruits professional people who are knowledgeable and familiar with the functioning and structures of their local government system. *Secondly*, the Gram Sabha provides an ideal model of governance. The two cities display a significant margin on the degree of development among them, *i.e.* St. Helens in England being relatively developed as compared to City of Tshwane in South Africa, and Mumbai being significantly less developed than Tshwane as a result of poverty in the latter municipality. Mumbai and St. Helens were chosen on the basis that they are both administrative capitals with a dense population, and a reasonable Gross Domestic Product (GDP) in the regions within which they exist. As such they were deployed as they both have an outlook that is the same with that of City of Tshwane, hence they face similar challenges (St. Helens, Merseyside, 2011 and Mumbai, 2011).

#### **4.6 Conclusion**

As a democratic principle, ward committees are used for the representation of the concerns of the inhabitants of a specific area. Ward committees are therefore established to achieve the purpose of inclusion of the ordinary citizens in the making of decisions and subsequently of policy that would regulate and restrict some aspects of their lives. Legislation within which the

establishment of ward committees rest, will ensure that they effectively function, so as to reach their full potential, which is to promote local participatory democracy.

## **Chapter 5:**

### **Challenges facing ward committees in pursuit of development**

#### **5.1. Introduction**

For effective participation by the public to ensue, it is necessary to acknowledge the need for developmental local government. Most municipalities in the Republic of South Africa are faced with challenges that range from social, economic, to political, among others. The State of the South African local government report that was released in 2009, acknowledges that significant strides have been made since the new local government dispensation that was ushered in since the year 2000.

The objective of the study is to establish whether ward committees serve as effective mechanisms to promote public participation in local government and administration. As such, the chapter will highlight the challenges that were identified throughout the empirical research. The epicentre of this chapter is on the analysis of the responses that were provided by the ward committee members through the interviews conducted. The chapter will briefly focus on the technicalities that were faced during the observations of meeting procedures. The functions, roles and responsibilities of committee members are also investigated in an attempt to provide a clear understanding of the expectations that the community members hold.

Critically, an emphasis will be put on the issues that dominate the agenda setting of most ward committees. These are the issues that form the basis for a ward developmental plan. More importantly, the challenges that were identified during the research project are carefully assessed, in an attempt to find a solution. Finally, the chapter focuses on the monitoring and evaluation of the programmes and processes of ward committees alongside the deficiencies that might exist.

## 5.2. Systematic approach

This section provides an analysis of the questions given to the members of the ward committees including the ward councillors within zone F of the City of Tshwane Metropolitan Municipality, *i.e.* Mamelodi during the interviews. The analysis is postulated by the responses given by the participants. Prior to the interviewing process, the participants were informed that they participate on a voluntary basis, as such they could withdraw from an interview at any stage. Furthermore, it was also emphasised that the participation will be done anonymously and the names of the participants will not be recorded, as a result the information obtained is confidential and will be used only by the interviewer.

From these sixteen questions, as presented in the interview schedule (Appendix 2) it is assumed that the study will clarify particular misconceptions on the role and functions of ward committees, and provide a clear understanding, knowledge and insight into the operations thereof. The intention of acquiring accurate information is based on the presumption that the respondents are the people directly involved with the operational processes within ward committees.

The interview schedule (Appendix 2), has developed particular themes that aims to clarify pertinent subjects involving ward committees. These questions are chronological open-ended questions, aimed at acquiring the necessary information for the research.

### 5.2.1 Processes of ward committee meetings

Through the attendance of the ward committee meetings, it has been discovered that most of the committees are organised structurally in accordance with the legislation. Thus, most ward committees had satisfied the composition requirement of 10 members with an emphasis of gender representation as per section 73 of the Municipal Structures Act, 1998. What seems to be a challenge in the composition of ward committees is to

determine which sectors are to be represented in the committees, because the ward committee can only cater for ten sectors and in most wards, although more than ten sectors usually exist.

In some wards, meetings had to be postponed as the meeting could not muster a quorum on the initial date prescribed by the council. A quorum is determined by the number of the people present for a meeting, for instance a ward committee has ten members, for a quorum to be present it is required that a simple majority of at least six members be present at the meeting for a ward committee meeting to be legitimate and make valid decisions. As indicated in Appendix 1, the liaison specialist should ensure that a specific ward committee meets at least once a month as determined by the municipal council. Failure to meet on the specified date determined by the council, due to the lack of quorum (which comprises 50% of WC members + 1 WC member) or unavailability of members, it would then be required that the ward councillor in his capacity as the chairperson of the committee, arranges directly with the Speaker for an alternative date. Once the date has been scheduled, the liaison specialist in consultation with the zonal secretary ensures the necessary logistical arrangements, such as the print-outs of the minutes of the previous meeting, arrangement of meeting venue, the disbursement claim forms and so on.

The municipal regulations on ward committees, highlight that the municipal council requires that at least one ward committee meeting be held each month. However, through the established sub-committees and the discretion of the ward committee members, a meeting can be organised more than once per month. In May 2009, only one ward committee had managed to organise a public meeting, and the meeting had reportedly been attended by approximately 150 local residents. These public meetings are vital, because they serve as a vehicle through which the residents raise their concerns to the municipality.

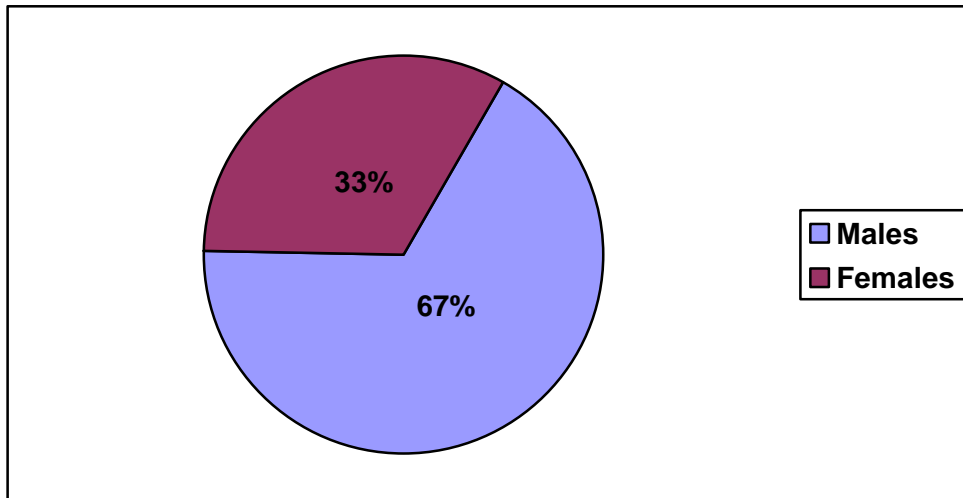
With reference to question two of the interview schedule (Appendix 2), about 80 percent of the participants responded that a quorum is present every time



the ward committees met. However, the ward committee liaison specialist indicates that every time prior to a ward committee meeting of a particular ward, he takes an initiative of contacting the members of ward committees to confirm their attendance. This is done to determine their availability and subsequently a quorum. Thus the research could not determine if the previous meetings of the ward committees took place on the initial date set by the municipal council as illustrated in Appendix 1. The scheduling of meetings by the municipal council, is done in accordance with section 73(3)(c) of the Municipal Structures Act, 1998. This determines that it is the responsibility of the municipal council to make rules and regulate the frequency of meetings of such ward committees. As a result of this, the municipal council of the City of Tshwane had already established the time-frames of the meetings for the year. In the beginning of each year the office of the speaker through its liaison specialists communicates the plan of action as well as the proposed ward committee meeting dates for the year. Appendix 1, is an example of the ward committee meeting schedule.

It has been observed through the meetings that the participation among members is not equal. In other words, the ward committee members do not have the same passion, enthusiasm and zeal towards the activities of the ward committee. Perhaps, this depends on the issues discussed as the eagerness or interest on a particular issue differs from one person to the next. As seen on Figure 5.1, an analytical record of effective participation in committee meetings, between the male and female members is made. From the illustration below, it is clear that about 67 percent of the males that attended the ward committee meetings had dominated the discussions, as opposed to the 33 percent of the female participants. This illustration, disregards the number of the male vs. female participants in the general composition of a ward committee.

**Figure 5.1 Discussions of ward committees: participation by male vs. female members**



Source: Data Sampled, 2010

It could be assumed that among the reasons why males participated more effectively relative to their female counterparts, could be ranging from the perception that males are better leaders as bred by the dogma of paternalism in the society.

### 5.2.2 The functions, roles, and responsibilities of ward committees

The functioning of ward committees is multifaceted, *i.e.* ward committees deal with a range of various issues, including issues that are beyond municipalities' control, such as housing, education and unemployment. Throughout the research it is established that ward committees, should receive their mandate from the communities they are representing and convey this directly to the municipal council through the office of the speaker. As a result, a necessity to classify the issues which are often discussed in ward committee meeting for further analysis, develops. The research further classifies and distinguishes between the issues as primary and secondary issues.

#### a). Primary issues

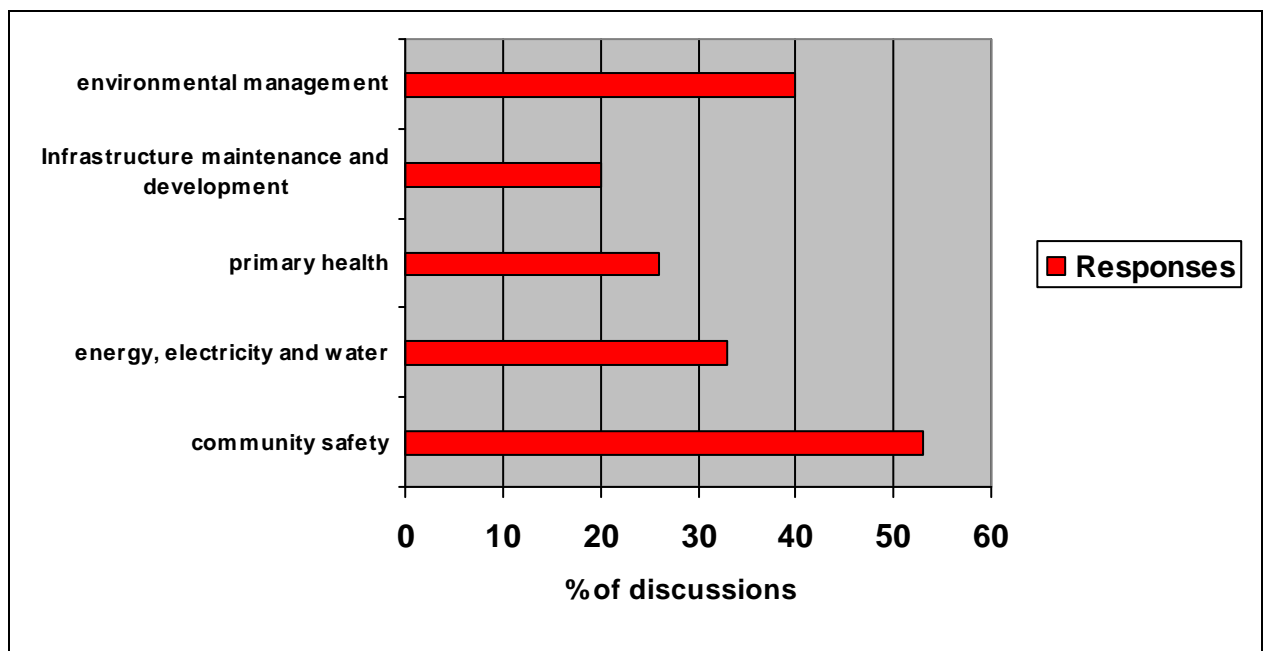
The issues within which ward committees deliberate upon, on a regular basis will be referred to as the primary issues. These are the issues which are

within the discretionary powers of the ward committees. From an investigation conducted, the primary issues raised were:

- community safety,
- energy, electricity and water,
- primary health,
- infrastructure maintenance and development , and;
- environmental management.

These issues have a direct major impact on the development of the communities and ultimately contribute significantly to the improvement of the living conditions of an individual resident. More often, the communities as well as ward committee members refer to these issues as the expected delivery of services from municipalities. For instance the lack of provision of such services in a municipality would be tantamount to poor service delivery. An illustration of the responses of the ward committee members as far as the primary issues are concerned is as follows.

**Figure 5.2 Frequency of the issues that forms part of the plan of action of ward committees**



Source: Data sampled, 2010

### *5.2.2.1 Community safety*

As shown in Figure 5.2, the issue that dominated in most of the plans of action of most wards were issues of community safety. The promotion of the concept of community safety promotes an environment that is free of criminal activities, and also undertakes the initiative of ensuring that communities do not live in fear of particular criminal elements within their midst. Community safety is a component that forms the basis of the Community Policing Forums (CPF) in wards led by the officials of the South African Police Service (SAPS) with the co-operation of the portfolio leader of community safety of a particular ward committee. The Community Policing Forum comprises the volunteered residents who commit themselves to combat and prevent criminal activities within the local areas where they reside.

With regards to community safety, ward committee members indicated that crime is generally linked to a variety of social elements, including poverty and unemployment. Though crime, poverty and unemployment are the secondary issues it is important to note that they are significant contributors towards the development of a community. The secondary issues are those beyond the control of ward committees. Thus, secondary issues are common issues of national interest. Ward committees have indicated their structural support to SAPS on the measures that could best suit their wards in the prevention of crime. Interventions taken include crime awareness campaigns in a form of public participation through the ward committees.

### *5.2.2.2 Energy, electricity and water*

Ward committees play an important role in providing sensitive and accurate information to the residents, moreover in terms of the water and electricity rates complains. As such, ward committees are expected to be fully aware of issues relating to energy, electricity and water. Often, regarding the rates, the deliberations in meetings of ward committees are dominated by the

discussions over the billing system of the municipality. At one particular meeting in a ward that encloses a section of an informal settlement, there was a scenario where a school was exorbitantly charged by the municipality for their usage of municipal services, *i.e.* water and electricity. After an intervention by the ward committee, it was discovered that water and electricity were illegally drawn from the school to serve the households that resided in an informal settlement within the vicinity of the school.

Critically, ward committees play a pivotal role in assisting municipalities to identify and register the indigent households, for compulsory free basic services. These basic services include, water and sanitation, electricity, and refuse removals. However, households will receive a pre-determined quantity of electricity, water and sanitation free of charge on a monthly basis (City of Tshwane Indigent Policy, 2010: 7).

#### *5.2.2.3 Primary health*

In accordance with section 27(1)(a) of the Constitution, 1996, “*everyone has the right to have access to health care services*”. Thus, the ward committees deliberate on how the municipal health facilities can best improve their services for the benefit of the people living within the entire municipality. Ward committees have discretionary powers to organise the health and wellness campaigns, in an attempt to educate the residents about the communicable diseases and healthy lifestyles.

#### *5.2.2.4 Infrastructure maintenance and development*

About 20 percent of the discussions in meetings involved issues relating to infrastructural maintenance and development. This was a platform utilised to deliberate on the issues that concerned municipal infrastructure, *i.e.* complaints made about the roads and street light maintenance. Most ward committee members have indicated that, their allegiance and participation in

ward committees, create a perception developed by communities which acknowledges them as the immediate agents of the local sphere of government. This therefore creates access for residents to lay complaints about the lack of the expected services within a particular ward. Normally the issues identified as those that are concerned with infrastructural maintenance and development, are taken up with the relevant department within the municipality. This is where public participation is vital, because the members of a ward committee will not be aware of such issues without them being raised by the residents. For instance, ward committee members will not know if street lights of a particular street are not functioning properly if the people residing along that street have not alerted them of such a problem.

Furthermore, the infrastructural maintenance and development also entail the issue of renaming of public facilities. The participation of ward committees in renaming processes is particularly an important role of the ward committees, because during this process, ward committees are expected to facilitate public participation for the communities to raise their concerns and views. Through an interview, a ward councillor of a particular ward, had emphasised the importance of promoting public participation, and also referred to a citizen participation meeting that was held at Atteridgeville to rename the Super-Stadium. He indicated that about 36 residents of all the wards in Atteridgeville had attended that meeting, and reached a consensus to rename the stadium to Lucas “Masterpieces” Moripe stadium.

#### *5.2.2.5 Environmental management*

Forty percent of the discussions were contaminated by the issues regarding environmental management, to which the deliberations were on how to best utilise the environment to benefit its communities. Environmental management in essence, involves the mechanism used to regulate the usage of the environment, *i.e.* the safe disposal of solid waste, management of refuse waste, and agricultural development among others. It frequently emerged that ward committees discussed the mechanisms to be employed in addressing the management of solid waste generally, and illegal dumping in

particular. Within Mamelodi, illegal dumping is a common problem and some ward committees have attempted to organise workshops to try and educate residents on the benefits of a healthy and sustainable environment. Central to environmental management is the maintenance of a clean environment within the city and in particular the municipal facilities, such as resorts, parks and general open spaces.

#### b). Secondary issues

These are issues that are beyond the control of ward committees and municipalities. However, through the perception that ward committees are the immediate agents of government, as held by the local residents, this causes the emergence of such secondary issues, and they include;

- poverty alleviation,
- unemployment,
- eradicating the housing backlog, and;
- education.

Such issues have been identified and to a larger extent, a municipality attempts to address them, even though restrictions, such as lack of resources exist. However, through co-operative government, the execution of the Expanded Public Works Programme (EPWP) aims to improve the livelihoods of the people by ensuring sustainability, through the provision of skills. EPWP has targeted to capacitate the local residents by providing them with employment within the four sectors, *i.e.* infrastructure, environmental, social and the economic sectors. Through ward committees, the Expanded Public Works Programme is able to identify a need in a particular ward, preceded by the concomitant provision of employment and skills to the people residing within the vicinity to render such identified services, so as to eventually improve their wellbeing.

### 5.3 Challenges facing ward committees

The office of the speaker, as the custodian of public participation, have an obligation to monitor the progress and performance of ward committees as the legal structures recognised by the Municipal Structures Act, 1998. This section will address the challenges that were discovered during the processes of research. Furthermore, the findings will be identified which will lay a foundation for the following chapter, where solutions will be proposed and recommended.

It is evident that performance management of ward committees is done through the assessment of the monthly reports that are prepared by the ward councillor in his/her capacity as the chairperson of the committee, in consultation with the committee members (Mtshweni, 2009: 142). Such monthly reports are then compiled and sent to the relevant liaison specialist in the municipality, who then compiles a consolidated report for the speaker. The Key Performance Indicators (KPI), included in such reports intend to assess the:

- frequency and types of meetings that are co-ordinated by a ward committee,
- relationship between ward committee members, councillor and a liaison specialist (officer),
- projects within the municipality other than the Integrated Development Plan (IDP) listed projects,
- face-value challenges of ward committees, and;
- non-categorical achievements of a ward committees.

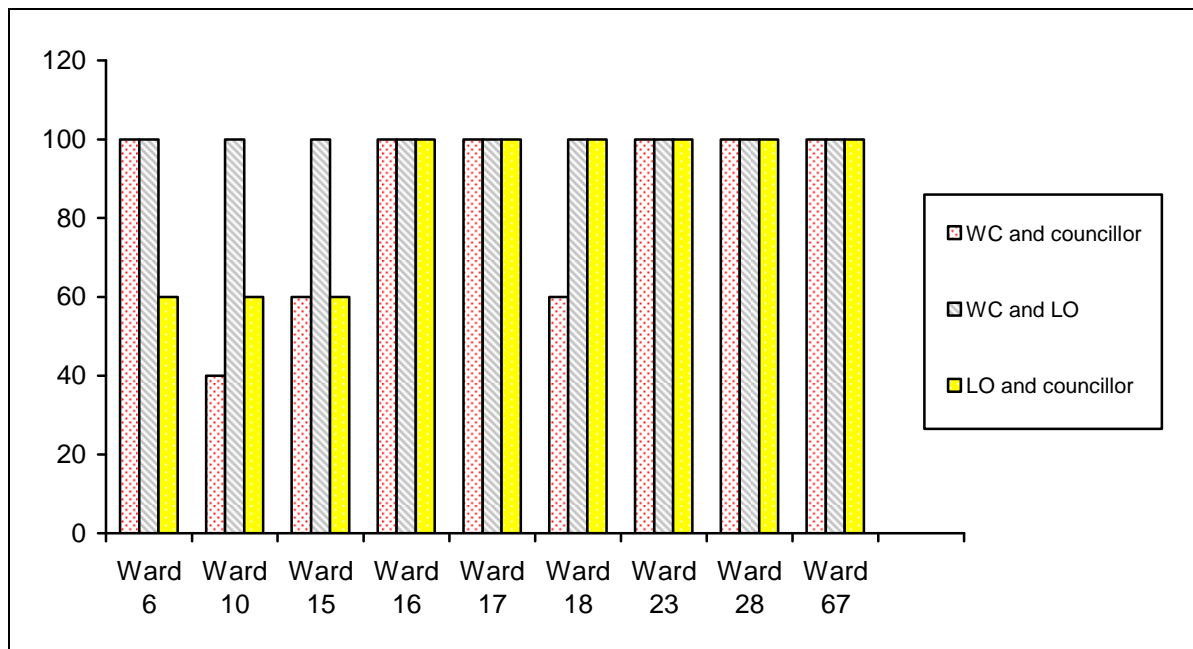
Primarily, in terms of the relationship between those involved in the realisation of public participation, it is imperative to interpret and further provide an analysis of the relations between the ward committee members and their councillor. The second aspect to be assessed is the relationship between the



ward committees and the liaison officers, and lastly, the analysis will be that of the councillor and the liaison officer.

Through the assessment of a relationship between the two parties, their degree of co-operation can be determined, and also the particular problems associated with the communication can be detected. As such, the illustration below (Figure 5.3) will provide an analysis of the relationship between the three variables, *i.e.* ward committee and councillor, liaison officer and councillor, and ward committee and liaison officer, by means of the May 2009 monthly report.

**Figure 5.3 Analysis of the relationship between the three variables**



Source: Data sampled, 2011

LO= Liaison Officer

WC= Ward committee

Figure 5.3 as deduced from the 2009 May, monthly report on ward committees, clearly indicates that the relationship between ward committees and liaison officer is good for optimum co-operation, and thus promotes work relations for the maximum achievement of the planned goals within the ward. The second variable, interrogated is the relationship between the liaison officer and the councillor. Figure 5.3 illustrates that ward 6, 10 and 15 have a

below average relationship and subsequently all the remaining wards, their councillor and the liaison officer are relating to each other exceptionally well.

In terms of the third variable, *i.e.* the relationship between the ward committee members and a councillor, ward 10, 15 and 18 have difficult work relations, and this predisposes the ward committees to inefficient functioning. The phenomenon could be attributed to a variety of issues, including the reluctance of ward committee members to work with the councillor, due to political reasons, *i.e.* ward committee members are affiliated to an opposition party.

Throughout the research, it has been established that this relationship forms the basis of engagement of a ward committee. To a greater extent, it is established that some ward committee members had alleged that the problem is with the councillor as they often do not recognise particular members as part of the committee, and the members have indicated that they retaliate by not being co-operative with the councillor. Among other reasons, ward committee members have developed a perception that their councillors do not represent their genuine interests in the municipal council. Ultimately, a hostile perception towards the councillor ensues.

Over and above, the May 2009 monthly report acknowledges some ward committees and also commends them for the exceptional relations between the councillor, ward committee members and the liaison officers. As shown on Figure 5.3, ward(s) 16, 17, 23, 28 and 67, had relations that were above average, and this allows for optimal co-operation between the relevant stakeholders, that will promote efficient service delivery.

The Local Government: Turn Around Strategy, (2009: 71) indicates that the City of Tshwane Metropolitan Municipality has about 686 640 households with 28,7% of them being informal dwellings. Consequently, the municipality must be in a position to implement a strategic plan that attempts to eradicate such

backlogs, and ensure improvement in terms of proper sanitation, access to clean water and access to safe and secure electricity.

As a result of the empirical research undertaken, it is found that particular challenges are present and have a potential to impede the processes of public participation as facilitated by ward committees. Thus, it is important to highlight such aspects so that public participation can be improved for the benefit of ward committees and subsequently, the communities. Furthermore, it is acknowledged that the established ward committees in the City of Tshwane Metropolitan Municipality are expected to perform functions that are outlined in the Municipal Structures Act, 1998, in addition to the functions designated by the municipal council through a by-law or a council resolution. The aspects that determine the fate of a ward committee in so far as effectiveness and efficiency, are concerned are noted as follows.

#### 5.3.1. Involvement of the public

Establishment of ward committees is aimed at promoting local democracy by enhancing participation by the citizens in local government matters. As such, the existence of ward committees is to ensure as much involvement and participation are as effective as possible by the members of the public, so as to improve decision making in the local sphere of government. More often, when a municipality invites the members of the public to a meeting intended to address their issues collectively, the municipality is often faced with a challenge of poor attendance. However, this depends on the nature of the issues intended to be discussed in such meetings; as a result, the attendance of a public meeting is proportional to agenda of that particular meeting.

For instance, in the informal settlements of Mamelodi, when a public meeting is called to address issues of crime prevention or substance abuse, the attendance is often very poor, but when an agenda has described housing or employment, venues are often filled to capacity. This further reiterates that, different wards have different needs, and as such a one-size-fits-all approach,

where meeting agendas are drawn single-handedly by the municipal council for a meeting that concerns the needs of the public, will not be effective. During the research, it was not clear what the causes are, for poor attendance in public meetings that are organised by the ward committees. Lack of proper communication between the local residents and the ward committees, is highlighted as a salient feature. In South Africa, a significant portion of the population is apathetic, in that they prefer not be involved in developments that concern their government. Apathy leads to the non-participation by the public in municipal activities and as such, their ineffectiveness towards participation can be related to illiteracy, ignorance and the lack of interest of the local residents. As a result of illiteracy, an inferiority complex tends to prevail as people generally become afraid to participate in municipal affairs, arguing that they cannot make any worthwhile contribution (Fourie, 2001: 222). Furthermore, Reddy and Sikhakane (2008: 680) note that since their inception, some ward committees had never been effective.

Taking cognisance of the socio-political environment within which local government functions in South Africa, it is important to emphasise the training and development of the residents on when, how and why they should participate in municipal affairs. Failure to do so, often results in the residents not knowing how their lack of participation can negatively impact on the decision making processes of the municipality. Consequently, the ineffectiveness of such a participatory structure would have a direct negative impact on the democratic character of the Republic of South Africa (Reddy and Sikhakane, 2008: 682-683).

### 5.3.2. Political interference

Throughout the research in almost all the wards, there was an indication of the influence by political organisations as well as profound political individuals. It was discovered that some of the ward committee members agree to be party to the ward committees with the hope that they will get a sustainable income. A question of why did you become a member of a ward committee?,

was often responded to by reasons of being unemployed and that he/she became a member, because of the promise made that after the ward committee term ends, they will be deployed to the administration of the municipality. This was experienced in a ward, where it took the ward committee almost four months to fill a vacancy of a member who had previously resigned from the committee. The arguments among the ward committee members were based on who to appoint when filling that vacant post in the committee. Some members exploited the platform of ward committees to settle party political scores. Subject to such a manipulation of power relations as a deficiency of functional ward committees, a potential loophole is thus created. Some municipal councils utilise ward committees as only a token of compliance with the legislation. In most African National Congress (ANC) led wards, the Branch political head, normally becomes the ward councillor, who is in turn a chairperson of a ward committee. This often creates confusion in as far as the responsibilities are concerned, and thus ends up establishing ward committee as the mere extensions of political parties, *i.e.* ward committees that are mostly composed of members of the ruling party in the ward. As a result this is tantamount to a ward committee used as a ladder that is utilised to raise political attention of the political leaders.

### 5.3.3. Lack of structured/ co-ordinated plan of action

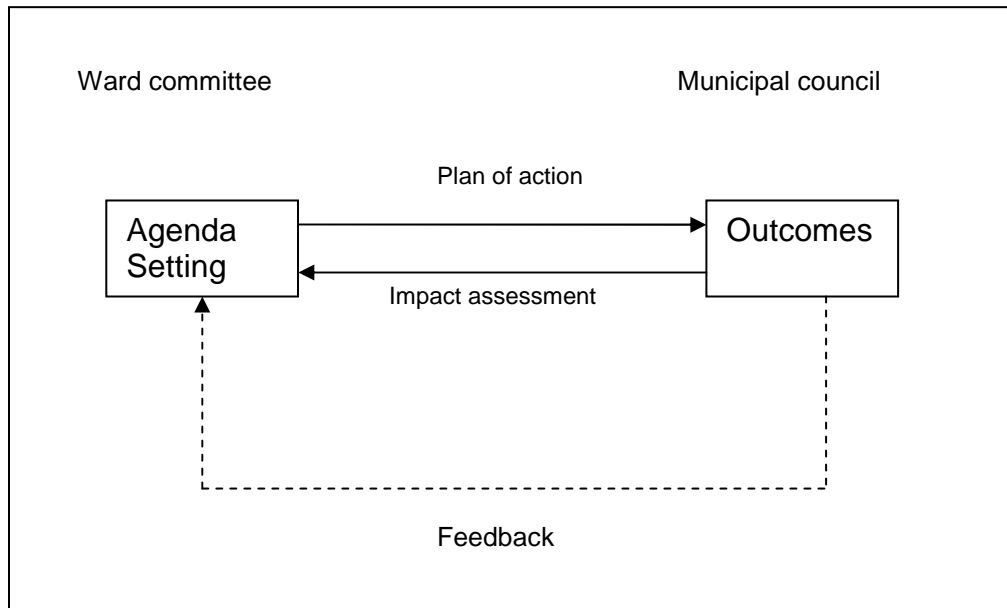
In organisational studies, evidence is provided that organisations require *inter alia* a well co-ordinated and structured plan of action (POA) for them to flourish and eventually function effectively. Plan of action is a tool used to direct the organisation towards the successful completion or achievement of their goals. It is thus imperative for a specific ward committee to be able to set its targeted goals and strategically translate them into a plan of action for the members to implement. For a convenient plan of action to exist, it is important that the ward committee includes all stakeholders in its planning where members are given the freedom to participate in compiling such a plan, which later serves as a guideline towards the determination of goals.

Central to the issue of planning is agenda setting as a fundamental requirement for public decision making. Cloete and Meyer (2007: 105) define a policy agenda setting as a deliberate planning process through which issues are identified, problems defined and prioritised, support mobilised and decision makers lobbied to take appropriate action. The ward councillor as the chairperson of the ward committee is obliged to compile an agenda for every ward committee sitting. Councillors, compile an agenda after having consulted the members of the ward committees at least seven working days prior to the meeting. In simple terms, an agenda is defined as a structured list of items to be dealt with during a meeting.

An indication was made during the interviews that most of the ward committee members, had not been effective in contributing to the agenda setting of the ward committee affairs. The argument is that the ward committee members, identify the issues, but those issues are not discussed at length, due to the time constraints of their meetings. Arguably, this could imply that the councillor does not carry a mandate of his/her ward committee and as such he/she cannot provide feedback to the ward committee members after having attended a municipal council meeting. During the interview, it was discovered that almost all the ward committees did not possess a well structured plan of action, and with no clear outline of what ought to be done *i.e.* plan of action or simply poor agenda setting, it is inevitable that a ward committee will not achieve their stated goals.

Figure 5.4, depicts the aspects that have a potential of influencing the flow of information, when engaged with the processes of agenda setting in an attempt to achieve the desired goals. Firstly, it must be noted that agenda setting is influenced, by the environmental setting within which the ward committee operates. Through the critical issues defined by a ward committee, it is then important to set the targeted outcomes through the determination of a plan of action. As a result, an assessment of the impact is then made in order to determine if the setting of the agenda was able to achieve the set outcomes, and subsequently this will serve as a mode to provide a feedback.

**Figure 5.4 Flow of information in ward committees**



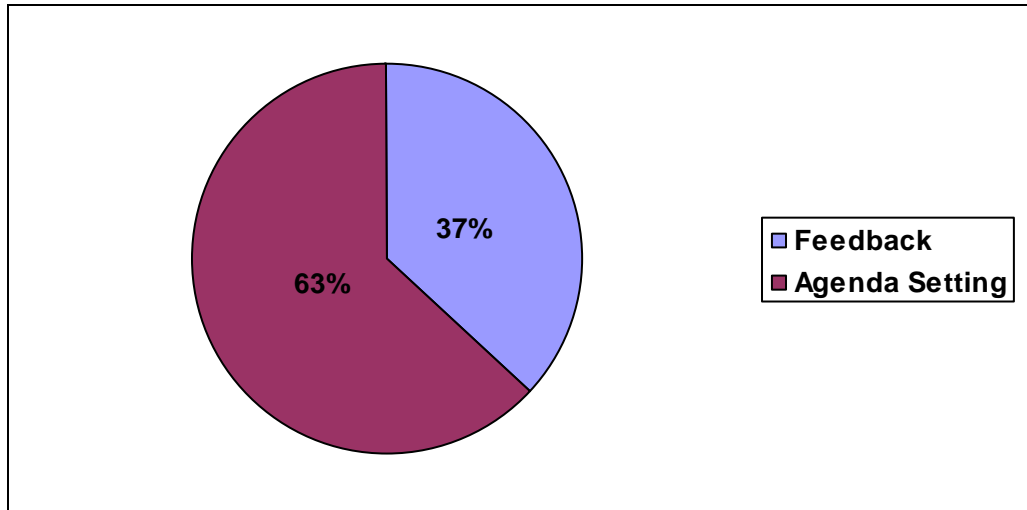
Source: Sampled data, 2011

More importantly, during the interview, it was discovered that at most 63 percent of the respondents had consented to the agenda that the ward councillor had compiled for the meeting. This means that the ward councillor has consulted with the ward committee members on the issues that are to be discussed in a ward committee meeting. However, a contrary view exists in that the ward councillors are at times inconsiderate and egocentric hence they opt not to consult the committee members but to impose terms to be discussed at ward committees meetings.

As an accountability mechanism, ward committee members should expect a response or a feedback from the municipal council on particular issues that the committee had raised in the council through its chairperson. Furthermore, it must be noted that the research established that almost 37 percent of the respondents acknowledge that ward councillors had provided a feedback in as far as the council discussions and resolutions are concerned. To an extent, the feedback profoundly depends on the processes of the municipal council, precisely because it normally takes time for the municipal council to resolve a particular issue. The relationship between agenda setting and feedback is endowed in Figure 5.5, below, where it is clearly illustrated that feedback

relates to the agenda setting processes. This is possible because the feedback is clearly dependent upon the issues discussed in ward committees as per the agenda, as a result, feedback entails the response from the municipal council after resolving such issues.

**Figure 5.5 Feedback and Agenda setting: the responses**



Source: Sampled data, 2011

#### 5.3.4. Dynamics of co-operative government

In terms of section 40 of the Constitution, 1996, the three spheres of government are interrelated, interdependent and distinctive. This means that any sphere of government, has a leverage to make a decisions that it deems necessary. However, the provincial and national spheres of government, have a tendency to undermine the authority of the local sphere of government, based on the capacity at the disposal of the municipality. This argument is in line with section 139 of the Constitution, 1996, where the issue of provincial intervention in local government is highlighted.

Through the research it has been discovered that projects exist in particular wards within the municipality, but are not listed and does not exist in the respective integrated development plans. For instance, in the Gauteng



province a rapid rail network (Gautrain) is created where it is expected that the initiative will create a link between Pretoria and Johannesburg. As a result, specific wards *i.e.* the Hatfield area within the City of Tshwane are affected and the Gautrain initiative does not reflect on the integrated development plan (IDP).

#### **5.4. Monitoring and evaluation**

Effectiveness and efficiency of ward committees can only be regulated by implementing a mechanism for monitoring and evaluation. Through monitoring and evaluation, the office of the speaker should be in a position to assess the strengths and weaknesses of the respective ward committees in order to structurally assist them, should a need arise. As such, the burden lies on the office of the speaker, as a custodian of public participation to develop a mechanism to monitor the committee. The empirical research shows that the committee members are confident of the progress and pursuits of ward committees, however they are mostly concerned of how the community members perceive the ward committees. Monitoring and evaluation are valuable to the municipality as it set a base for the assessment of the impact on participation by the public.

#### **5.5. Conclusion**

Through an empirical study undertaken, the chapter managed to highlight the importance of establishing effective ward committees for the greater benefit of the citizens of South Africa. The chapter was able to expose particular misconceptions about the expectations of the residents in terms of the roles and functions of ward committees in facilitating public participation.

As extensive as it has been, the field-work set the foundation for focus on the core issues that serve as the impediments that distract ward committees, as the legal municipal structures from achieving the targeted goals. Discoveries

of the challenges preventing the functioning of ward committees in municipalities were identified. As a result, the composition of ward committees, and the development of the plans of action are in the epicentre of the arguments presented in the chapter. Over and above, the chapter managed to analyse the challenges that are facing the ward committees in their pursuit for local development.

## **Chapter 6:**

### **Recommendations and conclusion**

#### **6.1 Introduction**

Since the inception of the new local democratic dispensation, over ten years ago, the transformation and development of municipalities in promoting service delivery have been prioritised in the local government agenda, in South Africa. Significant strides have been made in as far as the development and transformation of local government are concerned. In an attempt to achieve the developmental objectives of the municipalities. The custodians of co-operative government have played a major role in identifying the maladies that have a potential to derail local government progress.

The new dispensation introduced in the year 2000 allows and advocates a greater participation of the citizens. Through the usage of ward committees, local government is able to ensure a representative local democratic structure, where community based planning is fostered. Consequently, public participation is established to narrow the social disparity between the electorate and the elected institutions, thus it should include all relevant stakeholders.

More importantly, the legislative framework that informs a need for public participation, serves as a theoretical pedestal that establishes ward committees. In achieving development in the local government sphere, legislation such as the Municipal Structures Act, 1998, and the Municipal Systems Act, 2000, have been established to augment chapter 7 of the Constitution, 1996, for the development of the local sphere of government. The White Paper on Local Government, 1998, serves as the terms of reference for the transformation and development of a democratic local government.

This chapter focuses on a review of the research project, as it provides for a general summary of the research holistically. As such, it provides a critical analysis in terms of the clarification of the objectives to which the research project aims to achieve, and also highlights the discoveries made.

Firstly, a synopsis of the previous chapters is provided, where a framework of the research project is explained. Furthermore the findings that were discovered during the empirical research will be explored, and the recommendations will thus be made. Lastly, a summary that serves as a final concluding remark will be supplied.

## **6.2 Synopsis of the previous chapters**

The study was segmented into six chapters, where descriptions, an explanation and predictions were made in an attempt to critically analyse the subject matter for maximum contribution to the discipline of Public Administration and the body of knowledge in general.

Chapter one provided a brief introduction and a background on the ward committees in South Africa with an intention to provide a broader scope for the rationale for which ward committees exist. The chapter further focused on the justification for the prioritisation of the subject matter by conceptualising the research topic. This was done by analysing the significance of the research, clarifying the aims and objectives and most importantly providing the problem statement. The problem statement of the research project is:

**“The research is aimed at establishing whether ward committees serve as effective mechanisms to promote public participation in local government and administration.”**

The problem statement culminates in an investigation launched with an intention to assess the impact of ward committees in ensuring effective municipal government and administration.

Chapter two provided the review of the literature, which serves as the framework for the empirical study. Through an engagement of the theoretical framework, the chapter was able to comprehensively provide the origin of the discipline and further provided a distinction between Public Administration and public administration. An emphasis of the historical perspectives was initiated with the view to link ward committees, as the subject matter, to the discipline of Public Administration, *i.e.* municipal government and administration in particular.

Furthermore, the chapter briefly introduced public participation and attempted to relate the concept to the idea of the existence of democracy at the grassroots level. Generally, the chapter focused on the theoretical foundation of the research project.

Chapter three outlined public participation in the South African context. This analysis culminates in the understanding of the concept public or citizen participation as a model utilised to ensure efficiency and effectiveness in the government decision making processes. This chapter also enabled the differentiation of the types of participation as well as an investigation of the factors that were deemed as having an influence in the participatory processes. After having done that, the rationale for public participation was probed and the benefits thereof were provided.

In Chapter four, a comprehensive analysis of ward committees was provided. This was initiated through investigating the roles, composition and legislation that regulates ward committees. The establishment of ward committees in South Africa was highlighted, which consequently led to a link with other municipal structures in an attempt to promote effective local participatory democracy. A brief explanation of the need and historical background of ward committees was also given.

A comparative study on the local governing structures representing the residents in the municipal authorities was engaged, and this resulted to an

investigation into the municipal structures of the St. Helens in England and Mumbai in India.

Chapter five, analyses the challenges that are facing ward committees. After the foundation laid by chapter(s) one to four, enables chapter five to analyse the field notes, in terms of the questions asked during the interview sessions with the participants of the study. This chapter managed to develop particular themes where the empirical field-work research was analysed to further enable the research to identify the challenges facing ward committees in facilitating public participation in the municipality. Chapter five provided a foundation for chapter six, which is to recommend and provide a conclusion for the research project.

### **6.3 Findings and Recommendations**

#### **Finding 1: Lack of a framework that regulates ward committees**

Presently the City of Tshwane does not possess a framework that could be utilised to regulate the functioning of ward committees in its jurisdiction. Such lack of a framework compromises the functioning of ward committees, as there are no guidelines that stipulate how ward committees operate, other than the Municipal Structures Act, 1998.

Equally important, it is necessary to acknowledge the intention of the City of Tshwane municipal council of improving the current status regarding ward committees, by establishing a proposed by-law that aims at serving as a mechanism utilised to direct and assess the performance of the committees within its jurisdiction. Thus the proposed by-law and a document on the establishment of ward committees in the municipality do not have a legal status, and consequently they both cannot be used as the mechanism for compliance and performance management.

Due to the lack of such a framework, it thus creates a vulnerable situation where the different liaison officers manage the committees on the orders of their supervisors, which could be easily infused by political interference. Ward committee monthly reports, are used only to gather the information concerning the committees, and can only be used for rectification and improvement where deficiencies exist. It cannot, however, compel a committee to function accordingly.

### **Recommendation 1**

**The office of the speaker should provide the ward committees with a leverage of establishing their own specific frameworks, on how the committees should function and the public expectation thereof.**

Thereafter, the speaker should conceptualise the proposed frameworks for consolidation into a single framework applicable to all the committees in the wards in Tshwane, with the overall view of eventually passing the by-law on ward committees in the municipality. Through the framework, it should be possible for the City of Tshwane in particular to establish a regulation that enforces ward committees to meet at least once a week. This could serve as a critical element that ensures the consistent flow of debates and will provide an effective mechanism of feedback, where ward councillors timely report back to the committees on the mandate given.

Through an effective implementation of a framework by the office of the speaker, it is expected that these set guidelines will enable committees of particular wards to properly structure their plans of action. **It is further proposed that these plans of action be regulated by the office of the speaker through which, the councillor in his/her capacity as the chairperson of the committee would be called by the speaker to account on the failures or successes of the committee on behalf of the ward committees.** This will subsequently promote the sense of responsibility and ownership by councillors, who often think of their political mandate as opposed to the concerns of the residents generally.

## **Finding 2: Non-involvement of the public**

One critical perspective that was uncovered during the research project was that of protests in municipalities. Protests over service delivery are to a reasonable extent caused *inter alia* by the non-involvement of the residents in municipal affairs. It has been established that the non-involvement of the residents in municipalities have a negative impact on the development of the democratic nature of the South African government.

### **Recommendation 2**

**It is suggested that the municipality should channel resources towards the development of a study to investigate the mechanism that will ensure efficient involvement of the residents in municipal affairs.**

Depending on the needs of a particular ward, it is important to acknowledge that for the public involvement initiatives to be successful, it is imperative that the agenda setting of public meetings in a particular ward has to be inclusive of all the issues that concern that ward. More importantly, demonstration through protests is utilised by the communities to register their dissatisfaction in terms of the elected institutions, hence such protests could be regarded as the negative form of participation. Accordingly, protests as negative-participation is to an extent, observed as participation that emanates from the receiving end, and this could assist in understanding the concerns of the residents even clearer, just that it tends to be passive and after the decision has been made.

Critically, the involvement of the public is of great value to decision making in the municipality, and after all, participation promotes the democratic ideals where a maximum involvement by the residents promotes democracy in the local sphere of government. **Given the complex nature of the South African society, the municipality should invest their resources in inventing programmes that aim to emphasise the training and development of the residents, so that the residents could be in a position to understand why they should participate in the municipal affairs.** The municipality provides exclusive goods and service to the



residents, *i.e.* water, electricity, sanitation, solid waste management, and primary health care, among others. As a result it would be virtually impossible not to have access to either of the municipal services, as juxtaposed on the services provided by other spheres of government. For instance, it is not entirely necessary for one to possess a passport, but one cannot survive a week without water.

It is important for the municipality to formalise the processes of ward committees, because through a perceived legitimate ward committee, it is inevitable that community members will converse and subsequently participate in their government.

### **Finding 3: Political Interference**

Political interference has been a challenge. This challenge is caused by the current ward committee system, where a ward councillor becomes the chairperson of the council by default. This system allows for easy manipulation by the power-holders and the political principals. Manipulation exists as a result of the confusion caused by the lack of understanding of the difference between the roles and responsibilities by the ward councillor as opposed to those of the PR councillor. Thus, it positions the ward councillor to find him-/herself in an awkward position in a committee. Possibly this could be because of the assumption that the ward councillor is campaigned for by a political party, thus a perception that he/she must be political party bound. A PR councillor is a politician elected to represent a political party in a municipal council and, a ward councillor exists contrary to the PR councillor who represents the views and interests of the ward committee and the ward in general, regardless of the diversity. In terms of the ward committee monthly reports, due to political reasons, the chairperson of the committee may easily manipulate and distort the information that appears on the report, to the benefit of political party he/she favours. An analysis of the relationship among the stakeholders of public participation has highlighted the imperativeness of encouraging the sense of togetherness in ward committees, for the efficient achievement of the desired goals.

### Recommendation 3

**It is recommended that the entire ward committee system in South Africa be reviewed, as a result of particular committee members not taking the initiatives of the committee serious.** This could be caused by the fact that, committee members are not remunerated for the work they are doing, rather they get a transport fee *pro rata*. Quite extensively, after having established a framework (as proposed in recommendation 1), a feasibility study would be required to check the possibilities of delegating powers to the ward committee, where they would be able to make executive decisions for their respective wards.

Aristotle states that “*a man by nature is a political animal.*” Accordingly, this belief thus, creates a view that in an environment where human beings are involved, a political activity would ensue. **It is then proposed that either the structure fundamentally changes, where ward committees are made legitimate extension of political parties or the ward committee structure dissociates itself from politics.** Firstly, as a legitimate political party extension, it is proposed that the ward committees serve their purpose in the similar way as that of the standing committees of Parliament, *i.e.* the committee comprises of representation from political parties representing their partisan interest, by means of a system of proportional representation. For example, in Ward X, if Party A obtained 61%, Party B: 19% and Party C: 20% of the votes in local government elections, it is suggested that the composition of a ward committee should reflect the voting outcome of that specific ward.

In order to ensure that the composition of ward committees become as diverse as possible, after the elections the performance of political parties should be assessed, so that the composition of a ward committee could be determined. **Furthermore, it is proposed that the chairperson of the ward committee becomes an individual seconded by the strongest opposition party in that particular ward, and not the ruling party of a ward.** In an example provided above, it would imply that Party C seconds an individual to become the chairperson of the committee, after the municipal council has

constituted. In this way, ward committees are going to serve as the watchdogs of the municipal council and this will further nullify the tendency by municipal councils to utilise the ward committees as only a token of compliance with the legislation.

#### **Finding 4: Lack of structured and/or co-ordinated plan of action**

For any group of individuals with a common purpose or simply an organisation to function, it requires a properly structured plan of action. The plan of action should be used as a tool to guide such an organisation towards the achievement of their goals, and the lack of the plan of action thereof, means the organisation will not be in a position to deliver on the desired goals.

#### **Recommendation 4**

**Ward committee chairpersons must ensure that an individual member establishes its own targets in terms of the sector represented.** This will enable a plan to be inclusive and comprehensive, as it will cover a broader scope in terms of the needs and the concerns of the people residing within that ward. Subsequently, the chairperson should also ensure that the proposed plan of action by the portfolio leaders are aligned to the core objectives of a ward committee as outlined in the proposed framework (recommendation 1). This will ensure that the speaker has total control of the programmes of the ward committees, and it thus becomes inevitable that the liaison officer will be able to invest resources properly to ensure the achievement of ward committees in a particular zone.

An inclusive plan of action means that everyone concerned with the functioning of the ward committees are to be involved in the planning of the programmes of such ward committees. This will promote the involvement by the members of the public as the active participants.

## **Finding 5: Co-operative government challenges**

It is evident that ward committees exist in the local sphere of government and as such they currently do not possess legislative and executive decision making powers. To a reasonable extent this will render the ward committee hamstrung in the execution of its functions. Quite frankly, the provincial government has a tendency to undermine the authority of a municipality, and subsequently that of a ward committee, in terms of the ward based projects, initiated by the province. The emergence of Community Development Workers undermines the importance and the role of ward committees, regardless of the purpose that they were established to augment the functioning of ward committees.

### **Recommendation 5**

It is imperative that the public servants and the municipal officials understand the importance of correct statute interpretation. More often, when the provincial government undermines the authority of municipalities, the officials would base the argument in line with section 139 of the Constitution, 1996. However, the interpretation of the said section highlights the importance of the intervention by the province in a municipality and not the interference with municipal issues by the province. **Perhaps, if the key decision makers are provided with training on legal interpretation, they will be able to clearly understand the importance of correct interpretation of legislation and policies.**

**It is proposed that the role of the Community Development Workers (CDWs) be changed so that it does not cause a duplication of the functions of the ward committees.** However, this would require that ward committees be empowered to act as the liaising avenues, whereas the CDWs possess the assigned functions to simply assist ward committees should a need arise.

## **Finding 6: Lack of monitoring and evaluation mechanisms for ward committees**

Through a system of monitoring and evaluation, it is inevitable that the strengths, weaknesses, opportunities and threats (SWOT) can be analysed. A SWOT analysis is a critical component of monitoring and evaluation as it would assist in calculating the effectiveness and efficiency in terms of the performance by a ward committee. More importantly, the impact that ward committees make in transforming local government and promoting development thereof by fast tracking service delivery initiatives, should be measurable. The assessment of an impact made by ward committees, to their respective communities and/or wards, could be measured through an effective monitoring and evaluation mechanism.

### **Recommendation 6**

**It is proposed that the desirability of developing and implementing an impact assessment policy be investigated, which will have the potential to align the ward committee goals, as per the plan of action, to the needs of their respective communities, i.e. the specific wards they represent.** The importance of assessing the impact on the residents, could lead to conclusions that assist municipalities in understanding the core significance of establishing, functions and roles of ward committees.

## **6.4 Summary and conclusion**

Post the 1994 elections, after the ushering of a democratic South Africa, it has always been evident that the government advocated a developmental local government. However, challenges exist as a result of the injustice and legacies of the past regime. It should be noted that the disparity in terms of the delivery of services in municipalities is presented at a greater margin. As a result, the under-privileged after the ten years of the new democratic and developmental local government still protest to show their dissatisfaction of

the rate at which municipalities provide their services. Municipal services such as the provision of water, electricity and proper sanitation, impact the daily livelihoods of the society.

The chapter provided a summary of the arguments presented in the previous chapters. The findings of the research project suggest that the subject matter of the study, which is to investigate the promotion of public participation through ward committees, be prioritised and advocated for by the municipalities. Furthermore, the study suggests that the subject matter be utilised by municipalities as a strategy to ensure effectiveness and efficiency when making municipal decisions.

The chapter provided the recommendations to the identified challenges. It is inevitable that the identified challenges will expose the City of Tshwane's Mamelodi ward committees' strength and weaknesses. However, this assessment should be done to ensure that in future the municipality is able to deal with similar challenges, should they occur.

As a result the study provides a response to the question of “do ward committees serve as effective mechanisms to promote public participation in local government and administration?”

Taking cognisance of the socio-political environment within which ward committees are established, it has been evident that public participation in Mamelodi wards had not served its purpose. However, the study provided the challenges facing ward committees and the comprehensive understanding of the subject matter.

Given the South African experience, ward committees are relevant stakeholders in bridging the communication gap between the municipal councils and the respective communities they govern. As it provides for a platform for engagement on the issues pertinent to local government and its processes, ward committees are in a better position to represent the genuine

interest of their communities, for improvement of the municipal service delivery.

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Appendix 1: COUNCIL ANNUAL PROGRAMME (COMMITTEES): JULY 2010 TO JUNE 2011



# JULY 2010

(Theme: African and International Solidarity)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1*#\$	2*#\$	3*#\$
4*#\$	5*#\$ <i>Constituency Day</i>	6*#\$	7*#\$ Ward 38(18h00)	8*#\$	9*#\$	10*#\$
11*#\$	12*#\$ <i>Constituency Day</i>	13\$ Ward 16 (10H00) Ward 67 (18h00)	14\$ Ward 23(18h00)	15 Ward 15(18h00)	16	17
18	19 <i>Constituency Day</i>	20 Ward 17(18h00)	21 Ward 28(18h00)	22 Ward 06(18h00)	23	24
25 Ward 10(14h00)	26 <i>Constituency Day</i>	27 Ward 18(18h00)	28	29 10:00 Council (To approve IDP and Budget Process Plan)	30	31

(\*) = School Holidays  
# = Recess  
\$2010 FIFA SOCCER WORLD CUP – 14 JUNE 2010 TO 14 JULY 2010

# AUGUST 2010

(Theme: Women's Emancipation)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 <i>Constituency Day</i>	3	4 Ward 38(18h00)	5	6	7
8	9 <b>National Women's Day</b>	10 Ward 16 (10H00) Ward 67 (18h00)	11 Ward 23(18h00)	12 Ward 15(18h00)	13	14
15	16 <i>Constituency Day</i>	17 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	18 Ward 28(18h00)	19 Ward 06(18h00)	20	21
22 Ward 10(14h00)	23 <i>Constituency Day</i>	24 Ward 17(18h00)	25 Ward 18(18h00)	26 10:00 Council	27	28
29	30 <i>Constituency Day</i>	31				



# OCTOBER 2010

*(Theme: The Rights of the Child)*

(\*) =  
School  
Holidays

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1*	2*
3*	4 <i>Constituency Day</i>	5	6 Ward 38(18h00)	7	8	9
10	11 <i>Constituency Day</i>	12 Ward 16 (10H00) Ward 67 (18h00)	13 Ward 23(18h00)	14 Ward 15(18h00)	15	16
17	18 <i>Constituency Day</i>	19 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	20 Ward 28(18h00)	21 Ward 06(18h00)	22	23
24 Ward 10(14h00)	25 <i>Constituency Day</i>	26 Ward 17(18h00)	27 Ward 18(18h00)	28 10:00 Council	29	30
31						

# NOVEMBER 2010

*(Theme: The Environment)*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 <i>Constituency Day</i>	2	3 Ward 38(18h00)	4	5	6
7	8 <i>Constituency Day</i>	Ward 16 (10H00) Ward 67 (18h00)	10 Ward 23(18h00)	11 Ward 15(18h00)	12	13
14	15 <i>Constituency Day</i>	16 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	17 Ward 28(18h00)	18 Ward 06(18h00)	19	20
21 Ward 10(14h00)	22 <i>Constituency Day</i>	23 Ward 17(18h00)	24 Ward 18(18h00)	25 10:00 Council	26 Council in Recess	27
28	29 <i>Constituency Day</i>	30				

# DECEMBER 2010

(\*) =  
School  
Holidays #  
= Recess

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1*#	2*#	3*#	4*#
5*#	6*# <i>Constituency Day</i>	7*#	8*#	9*#	10*#	11*#
12*#	13*# <i>Constituency Day</i>	14*#	15*#	16*# <b>Day of Reconciliation</b>	17*#	18*#
19*#	20*# <i>Constituency Day</i>	21*#	22*#	23*#	24*#	25*# <b>Christmas Day</b>
26*# <b>Day of Goodwill</b>	27*# <b>Public Holiday</b>	28*#	29*#	30*#	31*#	

# JANUARY 2011

(Theme: Education)

(\*) =  
School  
Holidays #  
= Recess

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1*# New Year's Day
2*#	3*# Constituency Day	4*#	5*#	6*#	7*#	8*#
9*#	10* Constituency Day	11* Ward 16 (10H00) Ward 67 (18h00)	12	13	14	15
16	17 Constituency Day	18 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	19	20	21	22
23	24 Constituency Day	25	26	27 10:00 Council (Consolidated Annual Report, Mid-year Budget and Performance Assessment Report, Adjustment Budget)	28	29
30	31 Constituency Day					

# FEBRUARY 2011

*(Theme: Safety and Security)*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 ) Ward 38(18h00)	3	4	5
6	7 <i>Constituency Day</i>	8 Ward 16 (10H00) Ward 67 (18h00)	9 Ward 23(18h00)	10 Ward 15(18h00)	11	12
13	14 <i>Constituency Day</i>	15 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	16 Ward 28(18h00)	17 Ward 06(18h00)	18	19
20 Ward 10(14h00)	21 <i>Constituency Day</i>	22 Ward 17(18h00)	23 Ward 18(18h00)	24 10:00 Council	25	26
27	28 <i>Constituency Day</i>					

# MARCH 2011

(Theme: Human Rights)

(\*) =  
School  
Holidays

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 Ward 38(18h00)	3	4	5
6	7 <i>Constituency Day</i>	8 10:00 Special Council (STATE OF THE CITY ADDRESS) Ward 67 (18h00)	9 Ward 23(18h00)	10 Ward 15(18h00)	11	12
13 Ward 10(14h00)	14 <i>Constituency Day</i>	15 Ward 16(18h00)	16 Ward 28(18h00)	17 Ward 17(18h00)	18	19
20	21 Human Rights Day	22 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	23 Ward 18(18h00)	24 Ward 06(18h00)	25	26*
27*	28* <i>Constituency Day</i>	29*	30*	31* 10:00 Council (The Annual Report together with MPAC's Oversight Report and the public comments report and Debate on the State of the City Address)		

# APRIL 2011

(Theme: Health)

(\*) =  
School  
Holidays

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1*	2*
3*	4*	5* Ward 17(18h00)	6* Ward 18(18h00)	7* Ward 38(18h00)	8*	9*
10*	11 <i>Constituency Day</i>	12 Ward 16 (10H00) Ward 67 (18h00)	13 Ward 23(18h00)	14 Ward 15(18h00)	15	16
17 Ward 10(14h00)	18 <i>Constituency Day</i>	19 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	20 Ward 28(18h00)	21 Ward 06(18h00)	22 Good Friday	23
24	25 Family Day	26* School Holiday	27 Freedom Day	28	29	30

# MAY 2011 *(Theme: Rural, Urban and Community Development)*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Worker's Day	2 Public Holiday	3	4 Ward 38(18h00)	5 09:00 Council	6	7
8	9 Constituency Day	10 Ward 16 (10H00) Ward 67 (18h00)	11 Ward 23(18h00)	12 Ward 15(18h00)	13	14
15	16 Constituency Day	17 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	18 Ward 28(18h00)	19 Ward 06(18h00)	20	21
22 Ward 10(14h00)	23 Constituency Day	24 Ward 17(18h00)	25 Ward 18(18h00)	26 10:00 Special Council (Consideration of MTREF and IDP) 14:00 Council	27	28
29	30 Constituency Day	31				



# JUNE 2011

(Theme: Youth)

(\*) = School  
Holidays #  
= Recess

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Ward 38(18h00)	2	3	4
5	6 <i>Constituency Day</i>	7 Ward 16 (10H00) Ward 67 (18h00)	8 Ward 23(18h00)	9 Ward 15(18h00)	10*	11
12	13 <i>Constituency Day</i>	14 Ward 17(18h00)	15 Ward 28(18h00)	16 Youth Day	17* School Holiday	18
19 Ward 10(14h00)	20 <i>Constituency Day</i>	21 14:00 ANC Caucus 16:00 DA Caucus 16:00 Multi-Party Caucus	22 Ward 18(18h00)	23 Ward 06(18h00)	24	25*
26*	27* <i>Constituency Day</i>	28*	29*	30* 10:00 Council	# Council in Recess	

## Appendix 2

### Interview Schedule

**Date:**

**Time:**

**Ward:**

#### Opening

Respondent/ Interviewee

You are invited to participate in an academic research study conducted by Mr. Onkgopotse Madumo, Masters Student from the School of Public Management and Administration at the University of Pretoria.

The purpose of the study is to evaluate the relevance and the effectiveness of ward committees in ensuring the involvement of the citizens when a municipality is in a process of formulating the programmes to achieve effective and equitable service delivery. Thus your participation is of importance towards this. Please note that your participation is voluntarily, hence you can withdraw from an interview at any stage. The participation is done anonymously and names are not recorded. The information obtained is confidential and will be used by only the interviewer. The results will be safeguarded in accordance with University policy

#### Questions

1. How often does the ward committee meet?
2. Is a quorum present every occasion when you meet?
3. What issues do the ward committees, deal with? e.g. community development, crime etc

(Mention at least three)

4. In terms of the identified issues/problems, what impact does the ward committee make in the decisions of council, in your view?

5. How does the ward committee determine which issues to discuss at a meeting? As well as the method through which the information is obtained? Why this?
6. In your opinion, do you think ward committees are doing justice to the communities they are representing, do you really represent the genuine interest of the people?
7. Taking into consideration the recent service delivery protests, in particular the one that took place in Mamelodi, do you think ward committees are still relevant in addressing the community issues?
8. To what extent does political interference hinder the programmes and progress of the ward committees?
9. From your experiences, what do you think can be done to improve the functionality of ward committees in promoting public participation in the jurisdiction concerned?
10. What support do ward committee members receive from the municipal council and/or office of the speaker
11. Do you know your roles, functions and responsibilities that pertain to the work you are doing?
12. In your view, do you think all the interests groups are being represented in ward committees? How do you find the composition of the committee?
13. Does the chairperson (councillor) attend regularly?
14. Is an agenda compiled for every meeting?
15. Does the chair provide feedback (from council) at every meeting?
16. Mention one significant success achieved through the ward committee