

CHAPTER 5

IMPROVING LOCAL GOVERNANCE

5.1. INTRODUCTION

Along with the attention that is given to the performance aspects of public organisations (the subject of discussion in chapter 3) there is renewed focus on their governance aspects as well. The terms governance and good governance have featured prominently in debates about how public organisations in contemporary society ought to be managed if they are to succeed in their mission. The current emphasis on governance, particularly good governance in Africa, is indicative of the fact that the political dimensions of public management, to be examined in this chapter, were given insufficient attention in the past and that scholarly and public interest in governance have increased remarkably in the more recent period of time.

It has been observed that Africa's history over the last fifty years has been blighted by weaknesses in two areas: firstly, *capacity* - the ability to design and execute policies; and secondly, *accountability* - how well the state and/or public bodies answer to the people. Improvements in both are judged to be a necessary condition for the emergence of effective public institutions that can promote development through the effective and efficient delivery of public services. In the same breath the research notes that along with the weaknesses in accountability in African states, deficiencies have also been observed in relation to the other

components of good governance, to be discussed in detail in the relevant sections of this chapter. Whilst improvements have been reported in getting systems right i.e. capacity building and building governance across Africa and the situation is considered to have improved markedly from a decade ago, much still has to be done in this regard (Commission for Africa, 2005: 133; Economic Commission for Africa, 2005).

Governance and good governance are highlighted in this inquiry to underscore the compelling argument that reforms – the various strategies designed to enhance the effectiveness of public bodies to deliver services to their people – ought to be purposeful and comprehensive. Even more crucially, such reforms should be a coherent package because the problems they address are interlocking. Thus, without progress in building effective governance, all other reforms will have limited impact (Commission for Africa, 2005:133).

Governance describes the process of decision-making and the process by which decisions are implemented (or not implemented). In this system, public institutions provide public services, manage public resources, and guarantee the realisation of basic human rights. *Good governance* accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law (wikipedia.org/wiki/governance).

In general terms, governance is accomplished through various interdependencies i.e. through methods that involve governments and the state bureaucracy; through linkages that involve local government institutions; through market mechanisms operating under government regulation; and through networks involving public-private partnerships or with the collaboration of community based organisations (wikipedia.org/wiki/governance). The typical criteria for assessing governance in a particular context include the degree of legitimacy, representativeness, popular accountability, and efficiency with which public affairs are conducted. It is considered that good governance defines an ideal which is difficult to achieve in its totality. However, to ensure progress towards a desirable form of society characterised by sustainable development it is vital that actions be taken to realise the ideal of good governance (Turner and Hulme 2002:231).

For Africa, this new century has often been described as the democratic century (African Development Report 2001:179). The renewed interest on democratic governance coincided with the period of time, dubbed the second wave of independence, when awareness in the continent of Africa increased about the need to reform the political and administrative structures, which until then were clearly dysfunctional and associated with failure. Several factors have combined to propel the issue of governance, particularly good governance, to the top of the agenda in the development debate. One of the factors is the strong revulsion that people now have of corruption as well as the rising public awareness of its

adverse effects. Pervasive corruption weakens government, undermines the ability to function effectively, and severely detracts from the efficient and effective provision of public services. The other driving force behind the growing emphasis on governance is the rise of the pro-democracy movement demanding good governance and more responsive forms of government (World Bank, 2000).

It has been observed that the subject of governance is broad and has many aspects or dimensions: international governance, national governance, corporate governance, economic governance and local governance. This chapter considers the question of governance in the context of local government. On this, writers have observed that in the past decade the question of local governance - the political process that enables citizens to influence the determination of decisions in their own communities - emerged as an issue for substantive debate by analysts and other stakeholders (Marshall, N. 1998:643-5).

Based on the assumption that local governance has emerged as a substantive issue for intellectual debate, the research discusses this aspect in detail. Given the focus of the research on Swaziland, the various components of good governance are identified, discussed and applied to urban government in the country of Swaziland. An attempt is made to assess whether urban government has embraced the democratic principles and values of public administration. The discussion reveals whether there is progress in constructing a local government system in Swaziland's urban areas that is oriented towards good governance –

which is an approach that potentially will increase the capacity of the administration to deliver services more competently.

5.2 GOOD GOVERNANCE

The trend toward democratic governance is a global phenomenon. The terms good governance and bad governance are being used with increasing regularity in the literature. Bad governance is increasingly regarded as the root of evil within modern societies whilst good governance is regarded as the most desirable form of governance. Infact, since the 1990s it has been argued convincingly that the various good governance elements can contribute significantly to the strengthening of public administration capacity in particular and to the achievement of developmental goals in general. Hence, a major development in public sector reform internationally has been governments' commitment to adopt the principles associated with good governance. (World Bank, 2000; African Development Report, 2001:50).

On the continent of Africa, at the present time, there is growing realisation that good governance in its political, social and economic dimensions, underpins development. Consequently attention is increasingly being devoted to good governance in a significant number of countries, a strong indication that the promotion of a democratic culture is a growing trend (African Development Report 2003).

New Partnership for Africa's Development (NEPAD) has provided impetus to the reforms of recent years aimed at promoting democracy and good governance in Africa. There is a view in Africa, associated with the good governance project that trends in the continent will need to change radically for the recovery process to materialise. This will require better and/or effective governance – developing stable and representative constitutional arrangements, implementing the rule of law, managing resources transparently, and delivering services effectively to communities.

The governance project in Africa is partly a partnership between Africa and the international community. Increasingly major donors and international financial institutions are basing their aid and loans on the condition that reforms be undertaken to ensure good governance. NEPAD from this perspective is seen as a bargain game with the international community in terms of which in return for increased aid, investment, debt relief and trade access, Africa will commit to good governance, democracy, human rights and conflict resolution (Vil-Nkomo, S. 2002). The World Bank and the International Monetary Fund (IMF), for instance, are increasingly basing their aid and loans on the condition that reforms ensuring good governance are undertaken; wikipedia.org/wiki/governance).

It is postulated in this discussion of local government in Swaziland that better urban governance is a vital element in the service rendering efforts of local authorities. Any local government institution that wants to succeed in the service-

rendering endeavour needs to give priority to good governance. In underlining the importance of good governance in local government, writers note that whilst the national government has placed considerable emphasis on the function of local government as an efficient provider of services, this perspective is also been accompanied by a concern to foster democratic values. Municipal councils are required to take important decisions on behalf of the communities they represent. Each municipal authority should ensure that the decisions it takes are aimed at meeting the needs of the local community, and benefit the local area. It should account to local residents for the decisions it takes, and for the way in which it spends public funds. For example, councillors and administrators must manage scarce resources, decide which services are most urgently needed and on what basis to allocate limited resources. These responsibilities have to be carried out within the framework of democratic, accountable and development-oriented local government, if municipal authorities are to successfully meet the challenges (Ismail, et al 1997:76-77; Fourie, L. 2000:33).

In this research, the following elements of good governance have been selected for discussion: *accountability and transparency, representativeness, responsiveness, participation and leadership*. The aforementioned principles are offered as the essential pillars for effective administration and management in government in general and local government in particular.

It is postulated that these elements are essential prerequisites not only for effective service rendering but also for social and economic development; and that they serve as potentially important benchmarks of success in the future. To succeed in service rendering, the local government system, especially in urban areas, must pay attention and/or give priority to all of them.

As already alluded to, evidence was collected from the selected municipalities to determine whether urban government in Swaziland does adhere to good governance principles in their day-to-day practices. The results from the survey are presented in summary form on the table below.

Table: Performance on good governance

City council - Manzini	Excellent performance	Average performance	Poor performance	Total
Accountability	13	59	23	100
Tranparency	11	-	84	100
Responsiveness	7	66	22	100
Representativeness	18	49	27	100
Participation	-	58	31	100
Leadership	40	-	31	100
Town council - Nhlngano	Excellent performance	Average performance	Poor performance	Total
Accountability	9	42	29	80
Tranparency		64	10	80
Responsiveness	1	40	39	80
Representativeness	9	47	28	80
Participation	8	49	25	80
Leadership	17	-	63	80
Town Board - Mankayiyane	Excellent performance	Average performance	Poor performance	Total

Accountability	-	8	12	20
Tranparency	-	7	13	20
Responsiveness	-	8	12	20
Representativeness	-	6	14	20
Participation	-	5	15	20
Leadership	-	2	18	20

The figures (being the absolute number of respondents) indicate how the councils were rated in relation to known indicators of good governance – accountability, transparency, responsiveness, representativeness, participation, and leadership. In the following sections these issues are elaborated further.

5.3 ACCOUNTABILITY AND TRANSPARENCY

In this section the research considers the issues of accountability and transparency with reference to urban government in Swaziland. The question to be determined is whether the local government system in Swaziland’s urban areas has been re-oriented towards good government and is accountable and transparent.

5.3.1 Accountability

Accountability is a broad yet complex concept. It has assumed special significance in the context of public administration. Its attainment is a leading objective of most public sector reforms. It is a significant factor that generates the impetus for key players, such as councilors and the staff of municipal authorities,

to be responsible for and ensure good public service performance (Turner, M. & Hulme, D. 2002: 122-123; Paul, S. 1991:5).

Traditionally, accountability mechanisms were designed to prevent the arbitrary exercise of power by political and bureaucratic leaders. This principle has now been recast broadly to encompass all activities that help to ensure that the activities, transactions and performance of public officials are in accordance with legal mandates and also meet the highest expectations of institutional stakeholders. At its core, accountability refers to the obligation imposed on public officials to provide information, explanations, and justifications concerning their actions, inactions, decisions and performance to overseeing bodies and to the people. It is answerability for one's actions, inactions or behaviour (Romzek & Dubnick, 1987: 228).

It may focus on regularity where public servants are expected to follow formal rules and regulations set by a bureaucratic type organisation to influence or control behaviour. More recently the notion of performance accountability has embraced effectiveness and the achievement of goals in a public organisation. Financial accountability, for instance, is no longer a matter of probity but also encompasses an evaluation of whether public officials achieved particular targets which they had set and whether services of the appropriate quantity and quality were delivered to citizens (Hulme & Turner 2002:122-123).

Accountability is considered to be fundamental to the legitimacy of a state. Governments must answer to all their people – the citizens of all races, ethnic groups, ages, sexes, social and economic class, educational levels, and political persuasions. Accountability to all citizens is a prerequisite for better access to public services, political stability as well as for development in general. A local government system is accountable when its leaders, the councillors, are responsive to the demands of the governed. As stated by the Report of the Commission for Africa – since good intentions are obviously not enough, mechanisms are needed to make sure that the voices of citizens are heard, to monitor how governments respond to what they hear, and to enforce the rights of ordinary citizens (Report of the Commission for Africa, 2005:145).

Accountability can be enforced through regular procedures, including elections, financial accounting, recall, and referenda. In constitutional democracies, the accountability of the government officials to the citizenry facilitates the citizen's responsibility for the acts of government. The most obvious example of this two-directional flow of responsibility and accountability is the electoral process. A member of a local government council is elected by citizens and thereby vested with authority and power in order to achieve those goals to which s/he committed himself/herself at election time. At the end of the term of office, the electorate has the opportunity to judge performance and to reelect or dismiss the elected member from office. Governmental institutions must be accountable to the public and to their institutional stakeholders. In general organisations and institutions

are accountable to those who will be affected by decisions or actions (Encyclopedia Britannica (Vol. 16:6912b).

For the different mechanisms of enforcing accountability to function properly, it is important that the public have access to government information e.g. information on the services provided by the public body. Public access is critical to the work of the mass media - press, radio, TV especially with respect to their role as public watchdogs on the conduct of government business. A widely acknowledged index of weak accountability and lack of transparency is the phenomenon of corruption especially as this relates to the abuse of public office for private gain (Adamolekun, L.1999: 1-10).

The dominant view amongst the residents of the poorer sections of the Manzini municipality is that the local government system rarely or never acts in a publicly accountable manner. A striking observation is that the Manzini city council has more favourable ratings in the affluent neighbourhoods (*Coates Valley, Fairview, Madonsa, Selection Park*) than in the poor sections of the municipality (*Ngwane Park, Zakhele and Two Sticks*). Even in the affluent areas of the city, the majority of the respondents gave the city council average ratings in terms of accountability, which is to say that there is a certain level of accountability which however does not reach the desired level or a satisfactory level. The ratings for Nhlanguano and Mankayiyane are similar to those of Manzini, in the sense that the council does not get a high approval rating, even though the council is not

judged to be not accountable at all. The reason for the average ratings could be that there is a sense that the council is not always accountable.

5.3.2 Transparency

Transparency in a public body such as a municipal authority is a vital component of good governance. In a municipality, for instance, openness about policies and decisions makes it easier to hold the elected and appointed councillors to account for their actions. It makes it more likely that existing resources and capacity will be better utilised. It reduces the scope for inequitable allocation of resources, which leaves sections of the community, such as the poor, inadequately provided for. It minimises the possibility that financial resources would be diverted from public use to private use. Greater access to information about the local government's activities strengthens the community's ability to participate in the policy making process by making their voices heard. This increases the commitment and ownership which citizens feel (Our Common Interest: Report of the Commission for Africa: 145).

It is vital that transparency be observed in relation to public finances. As reports of misappropriation and other forms of corruption have been on the increase there is growing concern about who spends particular budgeted amounts and how that money is spent and for whose benefit, at all levels of government particularly local government. The values of good governance require that local government institutions observe transparency in their day-to-day activities.

Budget transparency is one of the most critical areas where transparency can promote better governance. Budget transparency is facilitated when citizens have a right to information about how budgets are spent. In this regard, transparency is seen as a means of preventing corruption. Without budget transparency, corruption goes undetected (Our Common Interest: Report of the Commission for Africa: 145).

The survey considered this aspect specifically in the investigation of the compliance with good governance principles in urban government in Swaziland. The survey sought to gather evidence regarding the level of transparency demonstrated by the local government system. The respondents were to comment on whether or not the local government in their area acts in a transparent manner. With regard to budget transparency, it is found that the town council does not practice budgetary transparency. Most residents reported that they do not have easy access to information concerning council matters and hence, they were ignorant about the city council and its activities or services. This suggests that they have not had much contact with their local authority. It was reported by most that they had never seen the annual financial and performance reports of the council. Even though the legislation requires the publication of the financial report this was not the practice in the urban governments save in the Manzini municipal authority. Most respondents were also not aware that they as residents are not aware that they are entitled to get annual reports.

5.4 REPRESENTATIVENESS

The issue to be addressed in this section is how effectively councillors in urban government in Swaziland perform their role of being representatives. To represent refers to the right to make binding decisions on behalf of the body or person that is being represented. It means to be present on behalf of someone else who is absent. In this regard the councillors act as representatives of the local community, empowered to make and enforce decisions which are binding on the citizens within the council's jurisdiction. This role results from the election process that takes place to constitute a municipality as a political institution based on representative democracy (Fourie, L. 2000: 24).

Theoretically, those in office, the councillors, must conduct themselves as the representatives of their constituents. Elections of course are not the only means of securing representation or of ensuring the representativeness of government. The elected status of officeholders is sometimes considered no guarantee that they will be truly representative of their constituents, unless they share with the latter certain other vital characteristics, such as race, religion, sex and age. Hereditarily kings considered themselves and were generally considered by their subjects to be representatives of their societies. As the level of government that is closest to the people, which is grass roots, and responsible for performing the functions of service delivery, adequate representation and participation are expected from local government (Encyclopedia Britannica Vol. 16:6912b).

The survey reveals that councillors sometimes do consult their constituency regarding council matters and sometimes give them feedback. The ratings consistently indicate that the residents are neither satisfied nor dissatisfied with representatives. This may be due to the fact that the system provides for the direct election of councillors and they are aware that they are in local government as their representatives. The dissatisfaction apparently stems from the rather low level of interaction between the councillors and the constituents.

5.5 RESPONSIVENESS

Responsiveness has emerged as an important component of good governance. A responsive administration is one that is sensitive to the needs and views of the citizens and whose personnel represent their interests and serve their needs. Institutions that are responsive try to serve all stakeholders to satisfy their needs, demands, grievances, and aspirations and within a reasonable time frame.

Responsiveness is one of the positive benefits of decentralisation. Decentralised organisational systems may bring government into closer contact with citizens or client groups. Government is improved because local representatives are best placed to know the exact nature of local needs and how they can be met in a cost-effective way. Through the creation of social territories, government's response to client needs and problems can be better and effective. The means of

achieving responsiveness include – consultation, debates, advisory bodies, public meetings and freedom of speech (Smith B.C 1985: 18-30).

The issue of responsiveness is examined with reference to urban local authorities in Swaziland. Evidence was collected on this aspect of governance from the key players in the urban government system. Evidence reveals that there is average level of satisfaction. The main problems identified were that the communication systems for addressing complaints from the residents were not clear; residents do not know where to report their problems, thus the relationship between the city council and residents remains fluid due to poor communication channels. Local government sometimes meets the residents' demands and expectations; yet some respondents report that their grievances are never adequately addressed.

5.6 PARTICIPATION

The term participation holds a variety of meanings but in essence it is about people expressing their views and taking part in the decisions that affect their lives. Policies often fail because they are created without a full understanding of the local situation, people or history. Participation is advocated because it is considered that people have a clearer idea of the problems and opportunities affecting their communities than outsiders do. According to this view, local expertise should be invested in. For many years in the past participation was associated with community development projects, yet it is obvious that this

process is required broadly - from projects to local government and to national government - because of its many advantages. Creating opportunities for people to be heard has the potential to inform policies, improve accountability and improve service provision (Commission for Africa, 2005: 141).

Participation in decision-making has long been a feature of many African societies. Traditional leaders for instance claim to derive their legitimacy from collective decision-making which is to say that their actions are allegedly founded on resolutions that are taken after consultations and after entertaining the views of and receiving inputs from the various stakeholders. Within participatory approaches, it is suggested that experts and the educated have given insufficient attention to participation due to their assumption that they know best and partly due to institutional pressures for quick and anticipated results, whilst the more powerful often have not allowed participation because of vested interest in maintaining the status quo. Meaningful participation is a political phenomenon and requires that those who traditionally make decisions relinquish some of their control and hear voices they may not agree with or may not usually listen to, including those of women and youth. Social disenfranchisement, lack of confidence, and respect for social and gender norms will disproportionately restrict some people from being heard (Commission for Africa, 2005: 141).

Local authorities are a good entry point for democratic debate. Every municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance. Councils

must demonstrate increased scope for community involvement in decision making by creating an environment that allows residents to have more say in their government. In this regard they should respect, encourage and create conditions for local community participation, easier access by citizens to the process of government and better information about its activities (Thornhill and Cloete, 2005; Marshall, N: 1998: 644). Thus, on this issue the following aspects are worth highlighting specifically:

- participation should be by both men and women;
- participation requires the removal of obstacles to full inclusion that prevent the poorest people from being able to participate;
- participation could either be direct or through legitimate intermediate institutions or representatives;
- participation also means freedom of association and expression on the one hand and an organised civil society on the other hand;
- Decision makers should allow for long time frames for participation and ensure that the least powerful are able to express themselves.

The question to be addressed is – to what extent is the community afforded the opportunity to participate in council affairs in Swaziland? Residents fall into either of two opposing views. The first view is that local government has moderately effective mechanisms for community participation and the second view is that there are no mechanisms for community participation all.

5.7 LEADERSHIP

Strong leadership, committed to change is one of the key drivers of progress. Developing the capabilities of leaders at all levels and in all spheres is critical to development (Commission for Africa: Our common interest: 2005:139). Within municipal authorities leadership is about deciding what ought to be done and how it ought to be done and mobilizing people to work towards achieving what has been determined as the principal goals and priorities of the municipal authority. The main goal is to ensure that the local government body succeeds in advancing development in urban communities, providing the kind of services that improve livelihoods and fulfill the needs and aspirations of the people. The responsibility of leadership rests with the councillors.

Evidence was collected to establish whether municipal authorities possessed the kind of leadership that is needed to advance development goal in communities. The respondents were required to report on whether the individuals who are elected to councils possess leadership potential or provide leadership. This question was posed in the context that local government just like national government requires effective leadership, the kind of leadership that will enhance rather than hinder the process of development. In all areas residents express a high level of dissatisfaction with the leadership abilities of the individuals who are elected as councillors. In all cases the overwhelming majority of the respondents were dissatisfied with the quality of leadership in municipal authorities.

5.8 CONCLUSION

In examining the issue of service delivery, the research is anchored in a governance approach. Good governance is highlighted as an important issue because it implies a focus on accountability for performance and results in local government. Good governance directs attention to the need to provide public services to citizens in a competent and responsive manner – a paradigm shift that is of vital importance for the functioning of the public sector.

The question the study sought to examine was whether urban government in Swaziland had been re-oriented to good governance. To this end, the discussion identified several elements of good governance which are offered as potentially the essential pillars of effective administration and management in local government in Swaziland. Those that were discussed were the following:

- *Accountability* – how well the public institution answers to the people;
- *transparency* – the openness about policies and decisions and greater access to information about the authority’s activities as a strategy to counteract corruption;
- *representativeness* – the right to make binding decisions on behalf of the body or person that is being represented;
- *responsiveness* - being sensitive to client needs, problems and views and taking action to meet the needs in a cost –effective way;

