The Role of Ward Committees towards Enhancing Public Participation:

The Case of the Mpumalanga Province, South Africa

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Abstract: The advent of democracy in 1994, and the first non-racial local government elections in 1995 in South Africa, brought about a new era of leadership and promoted certain basic values and principles at all spheres of government. Such values and principles include the notion of active democracy through public engagement in planning and managing domestic development processes. This is core to any modern public management system in a democratic state. However, after fifteen years of democracy, South Africa is still faced with the daunting task of fully experiencing meaningful public participation in government institutions. This process entails a transformation from an inactive (unacceptable) to an active and democratic (acceptable) way of governance. Section 152(1)(e) of the Constitution of the Republic of South Africa mandates municipalities "to encourage the involvement of communities and community organizations in the matters of local government". Thus, the notion of participation becomes a key cornerstone of good governance and constitutes an integral component in the policy making process. Within this context, public participation at the Local Government sphere is considered by some to be a primary value for democracy. It is the authors' perspective that Local Government in South Africa is bestowed with the responsibility of driving the process of building participation in democracy at local level and that the ward committee system may be a mechanism to increase community participation. It is argued that voting alone does not constitute meaningful citizen participation and this paper forms part of a greater on-going research endeavour set to investigate the system-imposed structures designed to promote the ideal of participatory democracy. The case example of ward committees in the Mpumalanga Province of South Africa is presented where an assessment is made of the role of ward committees in relation to the enhancement of citizen participation whilst acknowledging other important stakeholders such as Community Development Workers (CDWs), ward councillors, Non-governmental Organizations (NGOs), and the Business Community. Finally, some postulates are presented *en route* to stimulating debate in this regard.

Key words: democracy; governance; policy making; public management; public participation

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1. Introduction

Since South Africa is young in exercising democracy, it should be expected that citizens will be given

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opportunities to participate in local government issues. However, participation is often confined to the elections process only. In fact, experiences elsewhere on the continent seem to suggest that there is often commitment to citizen participation in theory only and, that important aspect of the governance process is often ignored in practice. If one of the ideals of democracy is maximum participation, then why should citizens still feel not been involved in the governance of local municipalities?

The introduction of a new system of local government in the year 2000, have seen a creation of Ward Committees as a vehicle to give practical meaning and subsistence to the basic political commitment as appears in the Freedom Charter stating that "the people shall govern" (ANC, 1958). In fact, local government structures are conceptualized and placed at the cutting edge of addressing basic national challenges such as underdevelopment, unemployment, stagnation and poverty. According to the former Minister of the then Department of Provincial and Local Government (2005), Ward Committees are representative structures of the community and citizens, and they need to inform the municipality about the aspirations, potentials, and problems of the people. He further argued that Ward Committees should form a bridge by facilitating proper communication between municipal councils and citizens they represent.

Furthermore, in 2003, government introduced the Community Development Workers (CDWs) system administered at the provincial sphere, but operating in municipalities according to the geographic demarcation of their wards. CDWs are appointed public servants governed by the Public Service Act (Act 103 of 1994) (Department of Public Service and Administration, 2007). According to the former Minister of Public Service and Administration (2007), CDWs are a fundamental building block of the public service registering an important step forward in South Africa's developmental agenda. Thus, it can be argued that CDWs are formed to bridge the gap between government and citizens in great need of services provided by it. It is a complimentary structure to existing structures in municipalities with different, and to a certain extent, some overlapping responsibilities. The researchers are of the opinion that both CDWs (of which is not forming part of this paper) and Ward Committees were formed to bring and enforce democracy to people where they live.

The above structures seem to be experiencing challenges in executing its legislative obligations in the sense that the year 2009 has been plagued with service delivery protests nationally, and the Mpumalanga Province was leading. The municipalities that experienced the most violent protests in the province are Thaba Chweu, Albert Luthuli, Emalahleni, Emkhondo, Pixley ka Seme, Govan Mbeki, Steve Tshwete and Msukaligwa, http://www.info.gov.za/speeches/2009/09072411551001.htm 22/02/2010.

In terms of the ministerial report on service delivery protest in Mpumalanga Province (2009), the following issues became the findings that perpetuated the protests:

- Lack of responsiveness to issues raised by communities,
- Tensions between the political and administrative sections of municipalities,
- Ward committees that are not fully functional, resulting in poor communication with communities,
- Financial mismanagement and allegations of fraud and corruption,
- Poor planning, maintenance and management of infrastructure resulting in poor service delivery, and
- Integrated Development Plan (IDP) and budgeting processes not aligned in some municipalities.

The above serves to illustrate some of the challenges that government experiences while structures to enforce citizen participation have been formed. The researchers are of the opinion that establishing and adding new governing structures to what it is now, are and will not be a solution to the problems of the society. Additionally, creating new structures with different reporting channels and unclear terms of references have potential of conflict

to emerge. Furthermore, the researchers argue that greater citizen participation is likely to increase the overall satisfaction of communities with municipalities because of the increase in public understanding of the problems faced by the local officials and councilors in their attempts to deliver qualitative services.

2. Location of the Mpumalanga Province

The Province of Mpumalanga is one of the nine post-1994 provinces in the Republic of South Africa. The Mpumalanga Province is a culmination of mainly the former KwaNdebele, KaNgwane, parts of the former Lebowa and Gazankulu homelands in the Bushbuckridge Local Municipality areas (Municipal Demarcation Act, Act 27 of 1998).

In terms of the above mentioned Act, the Mpumalanga Province is divided into three distinct districts, known as:

2.1 Nkangala District

This District of Mpumalanga comprises mainly of the former homeland of KwaNdebele, former Witbank now known as Emalahleni, some north eastern parts formerly attached to the Province today known as Gauteng, Middleburg and the respective surrounding farmlands areas.

2.2 Gert Sibande District

Gert Sibande is in Mpumalanga Province comprising of areas previously under the northern eastern KwaZulu-Natal homeland, the main power/energy supply industry areas of the pre-1994 Eastern Transvaal Province and their adjacent enormous streaks of farmlands.

2.3 Ehlanzeni District

The Ehlanzeni District of Mpumalanga Province comprises among others, mainly of former KaNgwane homeland areas, also former Lebowa and Gazankulu homelands. Ehlanzeni is the biggest district in terms of the population in the province but it constituted by only five of the eighteen municipalities in the province, namely; Nkomazi, Umjindi, Thaba Chweu, Bushbuckridge and Mbombela, the capital city of the province (Municipal Demarcation Act, Act 27, 1998).

The above identified local municipalities where the study forms base, is dominated by Gert Sibande District with five local municipalities, followed by Nkangala District with two local municipalities, and Ehlanzeni District has one local municipality.

The province had a population of 3,476,593 according to the 2001 census (Statistics South Africa). The current population is estimated to be approximately 4,600,000 in 1,165,000 households, (Statistics South Africa, 2001). Please see the attached annexure on the location of the Mpumalanga Province.

3. Legislative Framework

For the purpose of this study, it is necessary that the following documents, which enhance citizen participation are briefly discussed in order to clarify the fact that the environment has been made conducive by government for citizens to fully participate in government matters. According to Van der Waldt (2007, p. 40) in Mzimakwe (2010, p. 510) legislation can be regarded as a collection of rules devised and enforced by a government that has authority over the public. It ensures that government bodies adhere to the spirit and stipulations of particular legislation in the design and execution of policy programmes. It is therefore understandable that there would be enabling legislation which makes provision for the extension of citizen

participation in the governance of local municipalities.

(1) The Constitution of the Republic of South Africa, 1996

Nzimakwe and Reddy (2008, p. 668) points out that the concept of community participation derives from section 152(1) (e) of the Constitution (1996), which mandates municipalities to encourage the involvement of communities and community organizations in local government matters. In terms of the Constitution (1996), public institutions have a mandate to ensure that all citizens receive the services they require satisfying their basic needs. Municipalities throughout the country are encouraged to involve the public and community institutions in the affairs of local governance.

(2) The White Paper of Transforming Service Delivery, 1997

The White Paper on Transforming Service Delivery (1997) considers the citizens as customers who must be given priority in terms of the *Batho Pele* (People First) principles. Section 1.3.3 stipulates the enhancement of public participation. This implies listening to their views and taking account of them in making decisions about what services should be provided, treating them with consideration and respect, and making sure that the promised level and quality of service is always of the highest standard (Holtzhausen in Fox and Van Rooyen, 2004, p. 114).

(3) White Paper on Local Government, 1998

The White Paper on Local Government (1998) provides a new vision of a developmental local government system. It suggest ways in which municipalities across the country can engage the public and community institutions in the affairs of the municipality in their capacities as voters, citizens affected by municipal policies, consumers and end-users of municipal services, and partners in mobilizing resources for the development of a municipal area.

(4) Local Government: Municipal Structures Act (Act 117 of 1998)

The Local Government: Municipal Structures Act of 1998 (Act 117 of 1998) provides for the establishment, functions and powers of ward committees in the South African local governance system (Chapter 4, Part 4 of the Act). A ward committee consists of a councillor who will act as the chairperson and includes not more than ten other persons from the ward concerned. The ward committee offers ordinary citizens who may not be interested in campaigning or being fully involved in municipal matters an opportunity to contribute to their communities by way of representation on ward committees. The ward participatory system of municipal government allows for the establishment of ward committees to facilitate citizen participation in the matters of local governance (Mzimakwe, 2010, p. 511). A detailed exposition on ward committees will follow after this section on legislation framework.

(5) Local Government: Municipal Systems Act (Act 32 of 2000)

The Local Government: Municipal Systems Act of 2000 (Act 32 of 2000) requires municipalities in South Africa to develop a culture of municipal government that complements formal representative government. Section 16 states that the South African Local Municipalities must be encouraged to participate on the affairs of the municipality. Public participation takes place through political structures, public meetings, consultative sessions, report back sessions with the local community and through mechanisms such as *izimbizo* (informal gatherings with councillors where questions can be asked on any issue related to municipal matters (Craythorne in Mzimakwe, 2010, p. 511).

4. Research Design and Methodology

The research design used on this paper is in accordance with the qualitative approach. The objective of

qualitative research is to promote understanding and increase insight into human conduct (Garbers, 1996, p. 283). The research depended on empirical observation and the researchers needed to study real cases of management behavior, thus enabling them to reflect meaningfully and with clarity on the matter under investigation. Due to the fact that this paper was conducted within a social sciences context or setting, the selected methodology was appropriate for probing in depth the complexities and processes involved and explored the operations of ward committees in Mpumalanga Province through observation and interviews. The qualitative research method applied in this paper was furthermore appropriate as it enabled the researchers to interact closely with the subjects in their respective *loci* and settings.

5. Ward Committees

The Education and Training Unit and the Black Sash (2005, p. 80) argue that ward committee model is being used in category A and B municipalities. For the purpose of this study, the different categories of Local Government are not discussed fully since they do not form part of the core problem statement of the research. However, it is suffice to mention that Chapter 7 of the South African Constitution (1996) creates a framework for local government. The different categories are dealt with in terms of the Local Government: Structures Act (Act 117 of 1998). Ward committees are mainly advisory committees which can make recommendations on any matters affecting the ward. The municipal council makes the rules that guide the ward committees. The rule say how the members of the ward committee will be appointed, how often ward committee meetings will take place and the circumstances under which a member of a ward committee can be told to leave the committee. Furthermore, the Education and Training Unit and the Black Sash (2005, p. 80) present the purpose of ward committee as follows:

- To solicit better participation from the community to inform council decisions,
- To make sure that there is more effective communication between the council and the community, and
- Assist the ward councillor with consultation and report-back to the community.

Reddy and Sikhakane (2008, p. 681) argue that ward committees are seen as development partners working in close collaboration with the government. They are also viewed as a two way communication channel for both government and local communities on matters pertaining to local governance and delivery of basic services (Ababio in Reddy and Sikhakane, 2008, p. 681). The Local Government: Municipal Structures Act (act 117 of 1998) provides the role of ward councillor, and the framework for the powers, functions, terms of office, remuneration and dissolution of the committee. It is an advisory body which is independent and supposedly impartial in the performance of its functions (Reddy and Sikhakane, 2008, p. 681).

5.1 Perspective on Ward Committees

Local Government in South Africa is bestowed with the responsibility of driving the process of building participation in democracy at local level and ward committees are a mechanism to increase citizen participation. The Education and Training Unit (2005, p. 23) solicit the argument that ward committees are an important link between government and the community. The South African approach to democracy is guided by the core values encapsulated in the Rural Development Programme (RDP)—democracy should be people-cantered and development should be people driven. Ward committees are an important vehicle to mobilize, educate and empower people to become involved in addressing their needs and problems. Powerlessness can only be addressed when people have a say in the decisions that affect their lives and when they become active participants in development.

In practice, ward councillors are the elected representatives closest to the people and it is at this level that democracy and participation should be most vibrant and visible. Ward committees are used to help achieve the South African vision of people's participation. They advise the ward councillor and assist him/her with staying in touch with the community. Furthermore, ward committees should do research to understand the needs of residents, assist with consulting residents on key choices around development, budgets and service delivery and communicate municipal information residents need to access services (The Education and Training Unit, 2005, p. 23).

It is the researcher's opinion that ward committees should not be a substitute for other forms of consultation and accountability. It should be a mechanism that will assist the ward councillor to become a better representative of the people in the area, to do broader consultation and to become more accountable to the people. The ward councillor should remains accountable to the people who elected him/her and to a particular party, if they stood as a party candidate. The ward committee should never be the sole place where consultation takes place.

5.2 Composition of Ward Committees

A ward committee comprises of the councillor (as chairperson) who represents the ward as elected in the local government elections, and a maximum of ten people from the ward who are elected by the community they serve. The ten persons should be representing the diversity of interest reflected in the ward raging from women, youth, religious groups, sports and welfare, environment, education, community-based organizations, rate payers associations, traditional leaders, the disabled, informal traders' association, employment agricultural associations to community safety forums (Reddy and Sikhakane, 2008, p. 681).

5.3 Powers and Functions of Ward Committees

The main function of ward committees is to assist democratically elected ward councillor to effectively carry out their mandate to represent the people of the ward. The Local Government: Municipal Structures Act (Act 117 of 1998) states that the objective of a ward committee is to enhance participatory democracy in Local Government. According to a handbook for ward committees by the then Department of Provincial and Local Government in 2005, the ward committees have to perform the following functions:

● Increase the participation of local residents in municipal decisions making, as they are the direct and unique link with council,

● Are representative of the local ward, and are not politically aligned,

● Should be involved in matters such as the Integrated Development Planning (IDP) process, municipal performance management, the annual budget, council projects and other key activities and programmes as all these things impact on local people,

● Identify and initiate projects to improve the lives of people in the ward,

● Support the councillor in dispute resolutions, providing information about municipal operations,

● Monitor the performance of the municipality and raise issues of concern to the local ward, and

● Help with community awareness campaigns, for example, waste water and sewage, payment of fees and charges, as members know their local communities and their needs.

The Education and Training Unit (2005) in emphasizing the above functions of ward committees put forward its arguments that ward committees should advise on and assist the councillor with:

● Doing research to understand the conditions, problems and needs of residents in the ward,

● Outreach work to sectors and general consultation meetings to consult and inform residents on municipal issues like IDP, budget priorities and service delivery options,

● Spreading relevant information to residents that will help them access municipal services,

- Interacting with other forums like community police or development forums, playing resource and advice role for residents with problems, and co-ordinating ward programmes of council – for example HIV/AIDS.

Naidoo in Reddy and Sikhakane (2008, p. 682) argues that ward committees should play an important role in:

- Monitoring the progress of projects planned and implemented, as it inculcates a sense of ownership of projects and solidarity with the efforts of the municipality,

- Providing feedback to council through minutes, setting key performance areas (KPAs) and key performance indicators (KPIs), and measuring efficiency and effectiveness of municipal service delivery.

The above functions serve to illustrate the fact that the ward committee system is a representative and consultative structure that should play a vital role in improving service delivery given the important link between the local community and the council.

5.4 Challenges Facing Municipal Ward Committees

Malefane (2007, p. 1) argues that the municipal ward system, from which many policy makers and practitioners had hoped for positive results, is failing. The reasons for the failure of the system have been linked to constricted, superficial and its under-representative composition of the municipal ward system, which makes it incapable of attracting broader inputs form other sectors of the environment. He further argues that the municipal ward system is inconsistent with the objective of democratic principles since it is often manipulated to focus on vested interest of municipal councillors. Furthermore, the operation of the municipal ward system is biased because of existing confusion between participation and the process of providing feedback. Even though initiatives for participation are said to be carried out, they are in the form of providing feedback about the development projects rather than initiative seeking and role playing from the part of local players, especially local communities (Malefane, 2008, p. 711). The phenomenon limits the amount of input from local players, and often limits local players to spectators in the development process. Moreover, these initiatives are often concluded with local committees, and exclude the major role players such as local business.

Tshishonga and Mafema (2010, p. 779) have summarized the challenges as:

- Lack of synergistic action plan taking to policies,
- Policies exist, but it's business as usual,
- Conservative and unchanged mindsets, and
- Dependency syndrome is still prevalent.

Based on the above identified challenges, the researcher can argue that the Mpumalanga provincial municipalities has no exception on these practices, hence the researcher developed interest in conducting the study. It is clear that structures can be formed with intent to fast track service delivery and be stipulated on its terms of reference that the structure is apolitical, in contrary, practice dictate the opposite.

6. Findings

For the purpose of this paper, the following section provide a summary of the research findings without a detailed discussion due to the limited number of pages however, they covers matters relating to governance, financial management, and service delivery and infrastructure.

6.1 Governance

- In most of the identified municipalities the relationship between the Mayor, Speaker, the Chief Whip and the Municipal Manager is strained;

- In municipalities where Municipal Managers hold positions in the political office as senior politicians, this resulted in the tilting of lines of accountability, for example, in Delmas, Dr JS Moroka, Nkangala, Emalahleni, Mkhondo, Nkomazi, Mbombela and Albert Luthuli municipalities;
- There is external political interference that seeks to undermine the decisions of council's, for example, the suspension of the eMalahleni and Mbombela Municipal Managers in 2009, and the these councils were forced to rescind the decision;
- Ineffective public participation and communication, through ward committees and CDWs;
- Lack and poor implementation of Performance Management Systems;
- The lack of monitoring systems for implementation of council resolutions has impacted negatively on good governance and the relationship between the councils and communities;
- Organizational structures are not aligned to key performance areas in municipalities;
- There is abuse of powers and functions by some political office bearers, that is, councilors and council officials;
- In some these municipalities, there is a lack of resources to support the functioning of ward committees; and
- High vacancy rate in these municipalities.

6.2 Financial Management

- The Supply Chain Management regulations and policies are not adhered;
- Limited revenue base, non implementation of revenue enhancement initiatives contributes towards poor financial viability resulting in grant reliance;
- Lack of financial management capacity and capabilities in most municipalities due to the low grading which results in appointment of consultants
- Municipalities are facing challenges with the implementation of the Municipal Property Rates Act;
- Government departments and businesses are owing municipalities;
- Some municipalities are experiencing cash flow problems, to the extent that payment of major creditors like Eskom are not honored or paid timeously; and
- Municipalities do not attend to the Auditor General's recommendations on the management letters.

6.3 Service Delivery and Infrastructure

- Insufficient funds to eradicate infrastructure backlogs;
- Incomplete infrastructure projects, for example, houses, roads, electricity and water;
- The quality of drinking water is poor due to contamination amongst other mining activities as well as VIP toilets;
- Poor workmanship and material utilized by the contractors affects sustainability of qualitative services;
- Fast growing informal settlements which are caused by the booming mining industry put pressure on the municipalities to provide more services with scarce resources;
- The aging infrastructure leads to constant interruption of the delivery of services;
- The non maintenance of access roads in these municipalities is impacting negatively in the provision of other services;
- Development projects are implemented without considering the Integrated Development Plan priorities by sector departments. Districts municipalities implement projects without consultation with local municipalities; and
- Poor Spatial Planning and population growth result in overload of basic services, for example, water, electricity, etc.

7. Conclusion

The preceding discourse highlighted the complexities associated with public participation in a relatively newly democratized society, and the role that ward committees may play therein. It may be stated that evidence seems to suggest that the ward committee system, at least for the most part in the areas under scrutiny, is under pressure. Three main areas of concern impact on the actual effectiveness and efficiency of this system, being governance, financial management and service delivery and associated infrastructure. These research findings may suggest that well-considered interventions are needed to improve the functioning of the municipalities under investigation. This research paper serves to merely reflect *initial* findings in an ongoing research undertaking currently underway toward the completion of an extensive analysis of public participation modalities in South Africa.

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Available online at: http://www.info.gov.za/speeches/2009/09072411551001.htm.

ANNEXURE 1

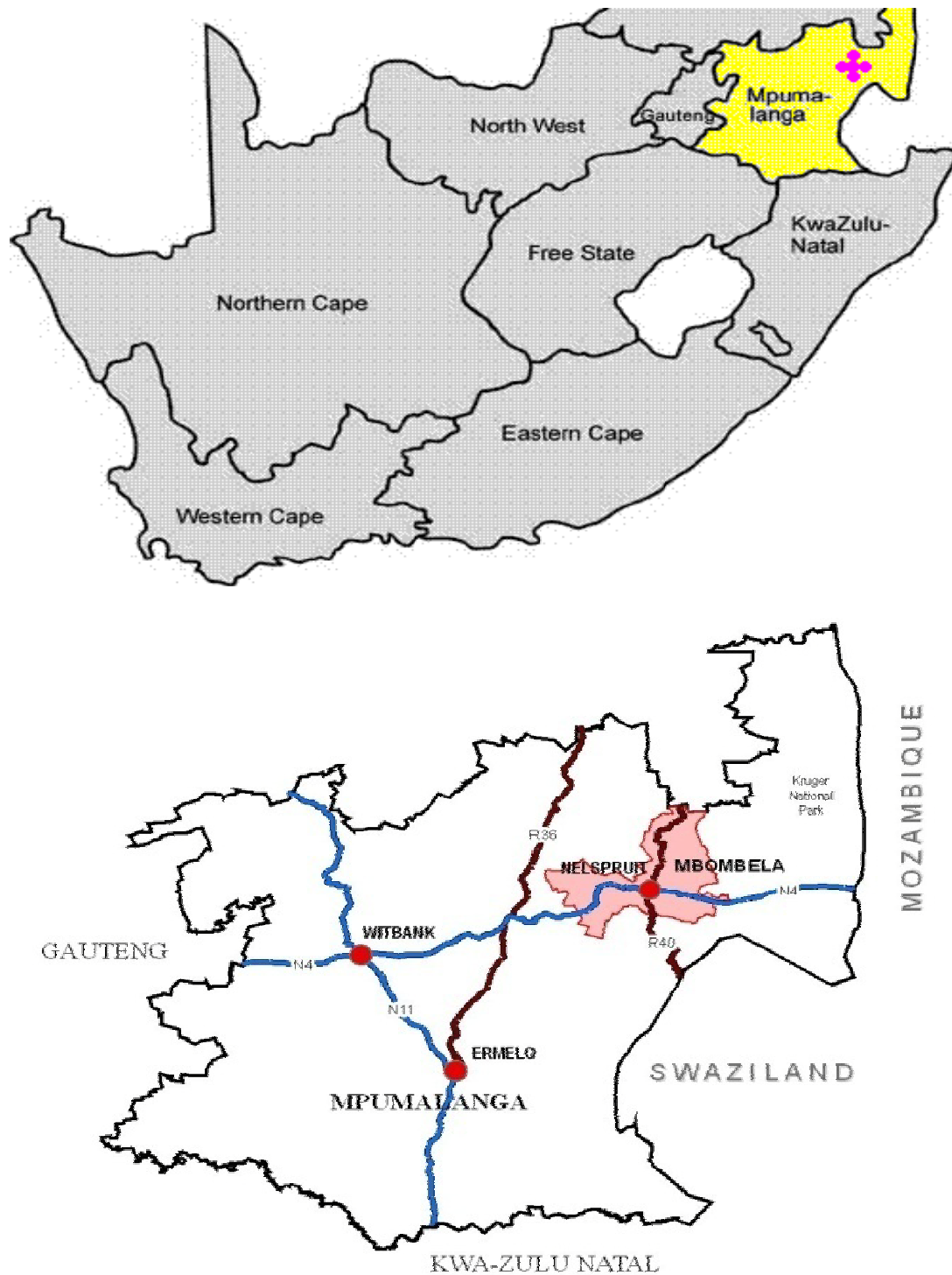**Figure 1   Location of Mbombela, Mpumalanga Province, South Africa**

Source: Adapted from the https://maps.google.co.za/maps?hl=en, 2012.