PARTICIPATORY GOVERNMENT AND THE CHALLENGE OF *INCLUSION*:

The Case of Local Government Structures in Post Apartheid South Africa

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Comúnmente se cree que las estructuras locales de gobierno son la esencia de la democracia participativa. Es a través de los gobiernos locales que los ciudadanos entran en contacto directo con los gobiernos electos, en un esquema en el que el poder fluye desde lo nacional hacia lo local. Sobre este trasfondo se adoptaron nuevas estructuras locales de gobierno en Sudáfrica como medidas para extender la democracia a los ciudadanos. Sin embargo, dichas estructuras locales de gobierno no han colmado las expectativas y, en cambio, se han caracterizado por la lentitud en sus servicios, las fallas en la atracción de participación comunitaria y, últimamente – en vísperas de las elecciones locales del primero de marzo del 2006 – por protestas masivas y levantamientos. Este problema ha sido explicado en términos de una carencia de capacidades y conocimientos técnicos. Este trabajo apunta a rebasar este tipo de explicaciones, y argumenta que el "caos" de los gobiernos locales tiene que ver con limitaciones estructurales cuando de atraer la participación ciudadana se trata. Así, además de la falta de capacidades, existe un problema de inclusión política que socava el funcionamiento de los gobiernos locales.

Palabras Clave: democratización, institucionalización, participación e inclusión

Local government structures are believed to be the essence of participatory democracy. It is through local government that citizens come into direct contact with their elected government, as power flows from national to local government. It is against this backdrop that the new local government structures were adopted in South Africa: as a measure to extend democracy to the larger citizenry. However, local government structures have not been able to live up to expectations, as they are generally characterized by sluggishness in terms of service delivery; failure to attract community participation; and, lately—towards the run-up of March 1 2006 local elections—mass protests and uprisings against these problems. The problem has been explained in terms of lack of capacity and technical know-how. This paper aims to go beyond such explanations, and argues that the local government "mayhem" has to do with structural limitations when it comes to drawing citizens' participation. Thus, in addition to lack of capacity, there is a problem of exclusion which undermines local government.

Keywords: democratisation, institutionalization, participation, and inclusion.

Introduction

The collapse of apartheid regime in South Africa meant the end of authoritative regime: a regime that defined itself against the larger part of the population. During apartheid era, the larger population in South Africa was only passive citizens in their own country. They could not question the power of the state, and most importantly they were only recipient of governance and notably not participants. However, all that was to come to an

end in 1994 when, as a 'new' beginning, the state was to be defined in relation to its citizens.

South Africa's commitment to democracy is such an interesting case to study because the end of autocratic regime and the beginning of democracy can be pinpointed to a specific period and also a specific set of legislations. The progression of events in South Africa - from an authoritative regime, its collapse, and the 'new' beginning – allows for a compact observation that other cases do not readily provide. In some cases, one cannot identify the end of authoritarian regime and its replacement with democracy as things happen gradually[2]. However, transition to democracy in South Africa has been 'televised' and loudly pronounced.

A relatively clean break from the past in South Africa, which can be roughly pinpointed to 1993, had two possible implications for democratic consolidation in the country, namely:

a) that there would be a clear and well synchronized shift towards the new system because of a clearly defined break; or

b) that there will be serious complications arising out of sweeping dismissal of previous organizational structures and attitudes, due to the creation of new institutions of government.

The latter is an important point: it forms the crux of this paper. In order for new institutions of governance to work properly, implementers should begin by distinguishing organizational culture from formal institutions. A break in terms of the collapse or replacement of formal institutions does not necessarily mean the fading of organizational culture held by the people. Therefore, a balance may have to be struck between new institutions and embedded organizational culture.

It is held -- in the study of institutional change -- that the new institutional arrangement "frequently coincides empirically with the process of delegitimation of established units"[3]. This entails that the old institutional arrangement has to give way to the new ones, to ensure a less disruptive transition. This approach seems to assume that the new institutions would always require "delegitimation" not only of the previous (institutional) units, but also of organizational culture carried in the social system or subsystem. The process of "delegitimation" is believed to play a larger role in determining "adaptive capacity" to new institutions. Therefore, it is thus required to adjust the social system, customs, and organizational culture to ensure that society adapt to institutional changes. The underlying assumption here is that, institutions are always a step ahead and more advanced than the organizational culture or attitude expressed in the societal system. This sequence may hold in some cases, but may not be entirely correct in relation to cases where organizational culture, as carried in the social system, is ahead and more advanced that what institutions offer or cater for. South

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2 See, for example, the discussion on transition from of communist rule to constitutional democracy in Poland; Kis (2003).
3 Colomy (1988: 267).

Africa's pre-democratic political and/or social culture was largely more advanced than and ahead of what was offered by apartheid institutions, hence such culture existed largely outside and antagonistic to institutions of apartheid regime. Therefore, a transition from apartheid to democracy, particularly the erection of new institution of government based on democratic principles is a step that was clearly not ahead of the social system and organizational culture possessed by the larger communities in the country. While apartheid regime constricted the development of the democratic culture in South Africa, the system left outside its ranks a larger number of citizens whose ethos and political culture were left to develop in rival to an autocratic regime. Therefore, the social system and the political culture that came with the liberation movement in South Africa defined itself not only against apartheid regime, but has also come to be centered on the ideal of democracy, an ideal that was denied to majority of citizens for a long time in the country. The ideal of democracy upon which the anti-apartheid movement was launched had a strong element of the culture of participatory democracy to it. One of the residues of anti-apartheid movement in South Africa is therefore a social system with rich deposits of participatory culture and that culture need not be delegitimized with the end of apartheid as the country adopt new institutions of government as 'new' beginning. It is from this position that I argue in this

article that South Africa entered the new political era armed with a culture of participation. The historical evidence of participatory culture among the larger citizenry in South Africa is detailed in the paper. This text assesses the extent to which participatory culture is realized and provided for in the post-apartheid local government system.

Participatory culture can be seen in organizational pattern fused into the social system. This, in this particular case, refers to ethos and organizational customs that are usually associated with participatory democracy. Participatory democracy is distinct in the sense that it purports to go beyond formal democracy. Participatory democracy is about actualization of democracy, thus it is substantive democracy. As to whether the concept of substantive democracy is adequate or even possible as a "normative standard" of democracy is question beyond this paper[4]. This paper however focuses at the level where participatory or substantive democracy is possible namely, at local government level. Weber's postulation of the relationship between bureaucracy and democracy is instructive in understanding conditions for substantive or participatory democracy. Weber was concerned with the growth of bureaucratization – although a necessary step in institutional change – on democracy and freedom[5]. For Weber, the growth of bureaucracy has potential to lead to "downfall of due process" and may ultimately lead to "dictatorship of the bureaucrats rather than of the proletariat"[6]. Weber's analysis shows that the

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4 For an evaluation of the argument as to whether the notion of substantive democracy provides a normative basis in thinking about democracy see, for example, diZegera (1988)
5 Lipset (1959:29)
6 Lipset (1959:29-31)

growth of bureaucracy, or further bureaucratization, leaves little room for participation or citizen's agency. While arguing that bureaucracy is necessary at a certain level – I would say at a national government level, Weber holds that further or excessive bureaucratization has a potential to harm democracy by mere virtue of assumed representation. This article aims to show that further bureaucratization at local government level in South Africa has had adverse effects on the potential of the system and also failed to compliment participatory culture available at that level.

There are obviously certain organizational cultures that are not supportive of the democratic project. However, this text focuses on organizational culture that is associated with democracy. Transformation of local government in South Africa - seen with the coming into effect of new institutions of local government – has shown imprecision when it comes to incorporating the participatory (organizational) culture that was dominant among South Africans at local government level during the liberation movement. The implementation of the new local government institutions has not been able to incorporate and appreciate this culture, arguably because of the belief that properly designed institutions will function optimally irrespective of their relationship with communities who are supposedly served by those institutions.

The idea that the new local government system in South Africa will function without being able to secure broader community participation is an expression of a technocratic approach to governance - a use-value approach – which runs contrary to the participatory culture that has always characterized the anti-apartheid movement in South Africa. As a result of the hegemony of this technocratic approach in post apartheid South Africa in particular and in modern democratic society generally, the current local government crisis – chiefly characterized by lack of community participation, corruption and poor service delivery – have also been accounted for as an issue of lack of technical skills such as managerial capacity of personnel employed at that level of government. The problem has been commonly labeled 'lack of capacity', implying that it can chiefly be dealt with by increasing technical know-how at local government level.

The explanation of lack of technical capacity at local government level makes sense only to a certain extent. It is necessary to have properly qualified accountants and project managers to ensure that local government projects are well budgeted for and ultimately well implemented. It is also important to have skillful managers to ensure that Local Government Councils adopt sound programs of action to forge links between service delivery and economic development. On this front the government is correct to emphasize lack of capacity as the main problem at local government level. However, technical capacity is not sufficient to ensure optimal functioning of local government: this explanation does not represent the picture in its entirety. By focusing on technical skill shortages as the main cause of the crisis at local government in post apartheid South Africa, the government seems to undermine the importance and effect of substantive democracy and active citizenship in a democratic setting. This approach

overemphasizes the results (such as service delivery) at local government level instead of the process; it perceives citizens as "customer[s] of social service", as "client[s] of professional services" and it undermines the rights that citizens have in relation to participation in governance[7]. It is because of this approach, I will argue, that the issue of participation and inclusion in governing at local government level are taken for granted as government is seen merely as an engine of service delivery.

The Constitution of South Africa states that it is the object of local government to "encourage the involvement of communities and community organizations in the matter of local government"[8]. This requires a cooperative approach; an "effective partnership" where "local authorities (…) provide strong leadership for their areas and their communities"[9]. Therefore, the institution of local government, as the constitution states, "should enhance opportunities for participation by placing more power and resources at a closer and more easily-influenced level of government"[10]. All this are necessary conditions for inclusion and active citizenship in governance, leading towards an all-inclusive form of government.

The evidence on the ground indicates that the implementation of the new local government system in South Africa has had limitations in securing citizens' participation. In addition to problems pertaining to lack of capacity

and other fiscal constraints experienced at local government level, lack of participation and limited inclusion in the system also had negative impacts on the functioning of the system. Therefore, for local government system to live up to its potential, it does not only depend on availability of skilled personnel and financial resources, but also on the role played by communities in the structures. The limited role that communities have played in the local government system in South Africa since the end of apartheid regime, partly account for the current stalemate in the system.

In order to move beyond the service delivery approach, it is crucial to study the way in which communities have responded to perceived problems at local government level in South Africa, both prior and after the end of apartheid regime.

Towards the run-up to the March 1 (2006) local government elections in South Africa— arguably the most contested elections since the end of apartheid — South Africa experienced a wave of mass protests across townships and informal settlements commonly referred to as "service delivery protests". The footages of those protests were widely broadcast on BBC and CNN. Beyond the question of service delivery, the protests echoed "dysfunctional relationships between citizens and government"[11]. Both the government and citizens have a blame to bear. On one hand the government has not done enough to educate citi-

7 Mc Lennan and Ngoma W (2004 : 286).
8 The Constitution of the Republic of South Africa, Act 108 1996: Chapter 7
9 Lipset (1959:29-31)
10 Lipset (1959:29-31)
11 Nemeroff (2005: 10).

zens about participatory government vis-à-vis corresponding structures that are in place to facilitate the process[12]. Ward Committees, erected to ensure that citizens participate in local government processes, have not been fully put into use. On the other hand, citizens have adopted a 'wait and see' attitude, expecting government to simply provide basic services. The government would argue that citizens usually do not attend Ward meetings and other forums through which government programmes are communicated. Clearly, the situation highlights the complexities around the relationship between the government and citizens and, most importantly, the failure to satisfy some of the obligations that flows from such. The protests also brought to light the general disgruntlement with local government system in South Africa. The task of this paper is to explain the cause of this "reinforcing cycle that leads to poorer service delivery"[13]. It is the argument of this paper that the cause of the problem lies with the government's underlying conception of the role of local government in post apartheid South Africa. This perception is based on the idea that local government is mainly there to provide goods such as service delivery. Therefore, as the paper will argue, citizen's participation has been construed by government as a less important issue and ultimately secondary to service delivery. While the protests were often tied to service delivery issues such as lack of water supply,

lack of housing and electricity, it is arguable that citizens also wanted to express their dissatisfaction with government's poor consultation and its fewer engagements with citizens at local government level[14]. Therefore, it will be argued, that the technocratic understanding of local government (as merely an engine of service delivery) shown in post apartheid South Africa is incongruent to the culture of participation that has characterized South Africa over the years.

In addressing this question, the article offers a two-part approach. The first part outlines the institutional apparatuses that were put into place to facilitate local government transformation after the collapse of apartheid in the country. This part outlines a chain of legislations that brought about the new local government system in South Africa. The second part of the text outlines problems that emerge from implementation of the new local government system in South Africa. This section argues that the implementation of the institutional apparatuses of the new local government has had problems in terms of securing citizens' participation. Clear as the institutional apparatuses seem to be – by meticulously defining a 'new' era to be characterized by 'taking democracy to the people' – its implementation however has not been strong when it comes to prioritizing participatory democracy, thus, citizens' participation. The recent wave of protests and apathy in some

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12 Nemeroff (2005: 10).
13 Nemeroff (2005: 10).
14 See February (2005). February argued that, "…in essence…protests [seems to express quarrels with] "failure of local democracy to accommodate the aspirations and grievances of ordinary citizens effectively through party politics and institutions of representative democracy".

areas at local government level attest to this point. Notwithstanding material limitations such as poor performance in service delivery, lack of capacity and other financial constraints, lack of participation has also undermined the system's potentials.

Institutional shift: the 'new' era

The local government system in South Africa has been conceptually crafted not only to play a developmental role, but also to be responsive to the citizenry. Local government has a constitutional mandate to provide democratic and accountable government for local communities, who have been largely excluded from the political sphere for a long time (during apartheid era). A chain of legislations has been adopted to set up the necessary institutional framework as a means to extend democracy to disempowered communities.

The first post apartheid legislation to be introduced at local government level was the Local Government Transition Act (LGTA) (Act No. 209 of 1993). The LGTA provided an overarching framework for the transformation of local government in preparation for ushering a new democratic dispensation in South Africa. LGTA outlines a "three – phase transition for local government"; the first phase, called the pre-interim phase, was defined as the period lasting from the publication of the LGTA to the date of elections for transitional councils. The second phase, the interim phase, was defined as the period lasting from the date of elections of transitional councils until the legislation and implementation of final arrangements for local government. Although the LGTA did not explicitly define the final phase, it envisaged a period of change as municipalities or municipal structures were re-established and restructured in accordance with the final legislative arrangements"[15].

The Local Government Legislative Framework has been largely developed within the interim phase. From the LGTA in 1993 to the Constitution of the Republic of South Africa Act (108 of 1996) local government was conceived as "the local sphere of government with the constitutional mandate to carry out a number of developmental duties". The constitution also defined the mode of engagement and outlined objectives that the local government should satisfy[16].

In order to satisfy the constitutional mandate, a White Paper on local government was introduced. The White Paper "established the basis for a new developmental local government system, which is committed to working with citizens, groups and communities to create sustainable human settlements which provide for decent quality of life and meet the social, economic and material needs of communities in a holistic way"[17].

After the Whiter Paper process, the Local Government Municipal Demarcations Act (27 of 1998) was introduced. The Municipal Demarcations Act made provision for "the re-demarcation of municipal boundaries

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15 *Local Government Fact Book* – 2003/2004
16 Constitution of the Republic of South Africa, Act 108, 1996 – Chapter seven
17 *The White Paper on Local Government*, 9 March 1998.

and establishment of the Municipal Demarcations Board (MDB) tasked with demarcating municipal boundaries in accordance with a set of factors in the Act"[18]. The demarcation process as provided for by the Demarcations Act led to the reduction of municipalities in South Africa from 843 to 284 units: to ensure "manageability" and "functionality", among other things[19].

The Demarcations Act was followed by the introduction of the Local Government Municipal Structures Act (117 of 1998). The Municipal Structures Act provided for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality. The Act sets a criterion for determining the category of municipality to be established in an area; for defining the types of municipality within each category and for an appropriate division of functions and powers between categories of municipality. This Act also made a provision for the internal regulatory systems; structures and office bearers of municipalities. The Structures Act also provide for appropriate electoral systems[20].

Another important legislation to be promulgated which laid a framework for local government system was the Local Government Municipal Systems Act (32 of 2000). The Systems Act, as it is usually referred to, makes provision for "the core principles, mechanisms, and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all"[21]. The Act notably provided for community participation; as a means to bring about service delivery.

The legislative framework behind the local government system in South Africa is clearly articulated and it inaugurates the new era. The aim of the legislative framework is not only to bring about service delivery, but also to "rebuild local communities" whose livelihood has been "fundamentally damaged" by the apartheid system. Therefore, the new framework of local government should also be able to revitalize "community mobilization" and ensure that transition at local government takes place within broader historical context[22].

The new beginning should also be about "community empowerment", by way of restoring community pride and involvement in the local governance through ensuring participation. This is also based on the understanding that South Africa is endowed with "rich traditions of citizen participation,"[23] which was expressive among civic organizations during the liberation movement.

While the legislative framework clearly captures the prerogatives of local government, the challenge lies in whether the ideal of the new

18 Local Government Municipal Demarcations Act, 1998, Act No. 27. 1998.
19 *Report from Municipal Demarcation Board* (2000:10).
20 Local Government: Municipal Structures Act, 1998, Act No. 117, 1998.
21 Local Government: Municipal Systems Act, 1998, Act No. 32, 2000.
22 Lipset (1959:29-31).
23 Mogale (2005: 136).

beginning – against which the legislations emerge - will leave room for a critical assessment of what should be done away with, and what needs to be carried over in the transition to a new form of local governance. That the new local government is a new beginning is a step in the right direction, but the success of the new system would depend on the way in which it complements the traditions of participation that have always existed at local government level during the struggle against apartheid government. The challenge lies with the new structure's ability to absorb and incorporate broader communities in its ranks. The legislative framework attempts to ensure this, as it explicitly states. What has been experienced in practice during implementation of the legislative framework, raises questions on commitment to participatory government thus, substantive democracy. In many cases, communities have been on the sidelines of local government system instead of playing an active role.

There has been a discrepancy in relation to the institutional vision behind local government — as expressed through the legislative framework — vis-à-vis what is actually expected by the people at the receiving end of the system. The implementation of the institutional apparatuses did not prove to be as inclusive as it was envisioned. Therefore, the functioning of local government since its implementation has been hampered by this problem of lack of participation. In addition to lack of capacity

and financial problems, the malfunctioning of the local government system can also be accounted for from this perspective i.e. lack of community participation.

The current debacle in local government – predominantly attributed to lack of service delivery – begs two important questions. Firstly: how do we explain the causes of poor service delivery? Secondly, how do we explain the very response (protests and general disgruntlement) with lack of service delivery? While it may seem that protests obviously flow from lack of service delivery, as a response protests can also be understood separately from issues of delivery.

Jeremy Seekings's grasp of anti-apartheid protests at local government level is illustrative. In explaining the relationship between service delivery protests and political mobilization, Seekings writes:

However, heightened grievances do not automatically lead to political mobilization, which is not simply a response to the material conditions of life, but also to the perceptions of what is *just* and what is *possible* [emphasis added][24].

From this point of view, protests and disgruntlements at local government need not be oversimplified as reactions to fiscal crisis and shortfalls in terms of material delivery. Some of the protests at local government level during the anti-apartheid movements, writes Seekings, "emphasized the need for residents to secure control over the decision-making process…"[25] Following Seekings, poor service delivery and failure to provide

24 Seekings (1988:200).
25 Seekings (1988:201).

basic amenities at local government may be interpreted by citizens as symbols of a dysfunctional system, sparking resentments.

Material concerns such as service delivery therefore may offer opportunity for citizens to raise broader concerns regarding how the system functions. Therefore, while the survival of local government system has much to do with service delivery, it also depends on how citizens perceive the system, particularly regarding possible participation and ownership of the system. This underscores the relationship between justice (citizenship)[26] and material needs (service delivery).

The intention here is not to remove the question of service delivery from the picture, but to argue that where there is sharp deficit in terms of service delivery combined with lack of participation, the response in terms of disgruntlements will correspondingly be high. Also, where there is poor service delivery amidst broad participation – although this configuration is unlikely – there may be low levels of disgruntlement with the system. It is difficult to prove the assumptions made here yet, but it is convincing to hold that the current stalemate at local government in SA is partly attributable to lack of participation; with poor service delivery partly flowing from lack of participation. This text now moves to substantiate the claim that the legislative (or institutional) frame-work aimed at through local government transformation in South Africa could be enhanced by forging opportunities for broader citizen participation. To make this point, it is crucial to explain lessons that can be leaned from previous organizational culture among communities in South Africa as Seekings emphasized, so that room can be created for a positive expression of such civic culture in the new local government system.

Explaining the transition

There have been controversies around the implementation of the new local government system in post apartheid South Africa from the beginning. Much of this may have to do with the fact that the new system has obviously upset the status quo, and as history tells us, societies do not always take very well to changes. Starting with the work of the Demarcation Board – the body that was tasked to re-draw municipal boundaries - the rationalization of municipalities has not been without criticisms[27]. But that did not pose a serious threat to the potential of the new system. The test for the new system would come with the extent to which it incorporates communities that are affected.

Theoretically, the importance of community incorporation is well captured in the legislative framework, hence the government 's idea of "integrated development planning" which

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26 For a discussion of how citizenship connects with the notion of justice, thus extension of citizenship, see Marshall (1992).

27 Political parties such as the Inkatha Freedom Party (IFP) initially objected to the work of the Demarcation Board. See for example, *Meeting of Makhosi*, EMANDLENI-MEETING: MAY 5, 2000. Even more directly related to the March 1 2006 local government elections, the community of Khutsong refused to be transferred from Gauteng Province to Mpumalanga Provinve or North West Province. As a result of the government 's unrelenting stance that Khutsong should be categorized as falling under North West Province instead of Gauteng Province, the community boycotted elections and voter turn out was officially recorded at around 1%. Thus, fewer then 100 out of 34000 cast their votes in the local government elections. See, for example, "Soccer instead of voting for Khutsong people" Business Day (Thursday March 2 2006).

states that "local government must be committed to work with citizens and groups within the community to find ways to meet their social, economic and material needs and improve the quality of their lives"[28]. This would ultimately render it possible for citizens to monitor performance of their governments. As Fukuyama argues, "Holding government agencies accountable to the public is to some extent a matter of institutional design and internal checks and balances, but ultimately, it is the people whom government supposedly serves who are responsible for monitoring its performances and demanding responsive behavior"[29].

In order to ensure that citizens are involved and that they play a monitoring role, institutions need to be implemented in a ways that comprehend this. This requires advancing beyond institutionalism and realizing the underlying community orientations that may precede or even rise above institutional reforms. Failure to recognize the importance of community orientations may undermine institutional reforms, as it seems to be the case in local government system in South Africa.

Community orientations referred to here are linked to the rich culture of participation that has always been dormant among communities in South Africa. South Africa has always had an abundance of civic organizations whose role was not solely targeted at apartheid government, but also extended to carrying out certain duties at local government level. This experience was more apparent in urban areas where political activities were concentrated. The United Democratic Front (UDF) – one of the dominant anti-apartheid forces in the 80s – has led a vibrant social movement in South Africa. The UDF drew participation from the youth movement, the labor movement, and women's movement. While the broader vision of the UDF was to wage a resistance movement against apartheid government, "protests were largely driven by discontent over local issues such as rent or bus fare increase or shack demolition"[30].

Crucial here is not the civic organizations per se, but the participatory culture that evolved and was expressed in them. Those organizations, while following the central mandate of the UDF, always had a local face; they extracted membership from the communities within which they operated. This type of organizational culture, i.e. localized, would live beyond apartheid system. It is commonly remarked in relation to the current dispensation that South Africa has a 'robust' civic culture. What seems not to be fully realized, however, is that this culture of participation requires institutional recognition: unless it would start to manifest itself "outside of the structures of institutional democracy", as February seems to hint[31]. This is to say that the success of the new institutions would be determined by the extent to which they incorporated such participatory culture. Participation is therefore a necessary facet of South Africa's political culture.

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28 *Municipal Integrated Development Planning,* Department of Provincial and Local Government (dplg).
29 Fukuyama (2004: 40).
30 Seekings (2000: 121).
31 February (2005).

This type of participatory culture is essentially not a top down-approach. Citizens were stimulated to play activist role out of local concerns. As stated, "the UDF followed the masses"[32] as the organization explained local protests in terms of state policies. The civic ethos that existed then was clearly a bottom-up approach, as stated: "The ANC, as much as − if not more than − the UDF, was leading from behind"[33]. This historical path is useful in understanding the current stalemate at local government in South Africa.

Citizens' quarrels with poor service delivery at local government level in post apartheid South Africa has largely followed similar pattern as adopted against apartheid government, save to say that there is no intention to overthrow government in the post apartheid scenario. Protests are quarrels at local government have led to panic in the government, sometimes suspecting 'third force' involvement as the cause of the problem. This type of response (protest and public picketing) shows that large deposits of participatory culture and attitudes that characterized the social system before the collapse of apartheid are still in existence, and have been largely neglected in the implementation of the post apartheid local government system. The top-down approach in terms of implementation of local government system, falls short of meeting the yearning for participation and has cast a dark shadow on the new system.

During apartheid era, the government imposed its councilors on communities as 'community leaders'. As a result of this top-down approach, writes Grest, "Councillors were not generally regarded as the 'real' leaders of the community they claimed to represent and acquired reputation for corruption and using their position for self-enrichment"[34]. Communities resisted the top-down imposition of leaders at local government level. The organizational culture or civic ethos left behind by the anti-apartheid movement such as the one led by the UDF is very important in understanding challenges that would face local government in post apartheid South Africa. Communities at local government level sought to undermine councilors that were imposed by apartheid regime irrespective of the notion that they were 'elected' leaders.

The political culture that was behind the resistance movement driven by the UDF and other anti-apartheid organizations was running deeper than actual events against which they were directed at namely apartheid government. This type of political culture is arguably resurfacing in South Africa in the form of "service delivery protests". The reason for the reemergence of this political culture in the new dispensation in South Africa is that the institutional apparatus of local government has largely been a top-down approach. Before explaining this, it is necessary to explore the levels of "service delivery" protests. Further, it is necessary

32 Seekings (2000: 122).
33 Seekings (2000: 135).
34 Grest (1988: 200).

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to explain lack of such protests in some areas in the country viz. rural areas. The aim is to avoid an ex post analysis, based solely on cases that have experienced protests[35].

South Africa has seen widespread "service delivery" protests since August 2004 (Figure 1). The figures indicate that the protests cannot be dismissed as isolated incidents: they represent wide-held dissatisfaction at local government level. It is crucial to note that the protests may have a tendency of repeating themselves within single municipalities: thus, becoming a chain of protests in the same municipal area. However, the spread of protests along different townships seems to represent a broader or a troubling trend warranting a deeper explanation. Some areas, such as Free State Province, have experienced protests quite intensively, while others have been less hit. How do we explain the disparity?

Figure 1

Province	Number of Protests
Free State	18
Mpumalanga	2
Kwazulu – Natal	5
Western Cape	18
Eastern Cape	10
Northern Cape	1
Gauteng	6
North West	1
Total Number	61

Number of service delivery protests per province between August 2004 and June 2005
Source: SABC News Articles

In some areas, the degree of lack of service delivery is evidently high, particularly in highly urbanized areas; areas that are known to be endowed with a robust civic culture. In such areas, community responses to this problem are correspondingly vigorous. The intensity of the protests is grounded on the given social norms or environment. However, the intensity of protests is not always a direct indication of the depth of disgruntlement. Thus, the robust response seen in urban municipalities has a lot to do with the existing congruent conditions (a robust political culture and severity of service delivery as perceived by those who are affected) than having a bearing on what the protests actually mean in comparison to areas with none or fewer cases of protests.

In rural municipalities, for instance, there is a way of resistance usually not expressed in terms of protests or public outrage. The manner of expressing resistance in rural areas runs along the tranquil social norms and customs often mistaken for apathy. To clarify this, consider the anti-apartheid resistance movement among the Indian communities in Durban, South Africa. During the anti-apartheid resistance movement in South Africa, Indian communities in Durban responded in a relatively tranquil manner compared to their African counterparts in townships, the latter engaged in open resistance. At the end the meaning and feeling of disgruntlement with the system between Indian communities and African communities

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35 For discussions on methodological problems of selecting case studies on the basis of dependent variable, see King, Keohane and Verba (1994).

– despite the manner in which these communities were respectively affected by apartheid laws – cannot be judged in terms of assessing the extent of violence or public outrage expressed. Usually, urban based communities express their concerns more vigorously than it can be said about the usually geographically scattered rural communities. Save to say, the Indian communities would express their dissent within the tranquil calling of Hindu religion, for example. Compared to their urban counterparts, it follows, rural communities may appear complacent or even satisfied with the local government system. A closer look into rural communities based on knowledge of rural culture or customs however shows that the communities are far from being complacent with the functioning of local government system.

The dissent from the current top-down local government approach in rural areas is expressed differently: within the tranquil political culture inherent in rural sites, a similar tranquil culture that one can be associated with "passive resistance" adopted by Indian communities of Durban, for example. As it is stated in a Idasa's survey, there is "no statistically significant differences in evaluation of local government between those who live in rural and in urban local authorities in terms of job approval, perceived corruption and trust"[36]. In terms of measuring whether local government was interested in people; in hearing what they think, the survey shows a marginal difference of approval between rural municipalities (39%) and their urban counterparts (34%)[37].

There has been deficiency in capturing rural dissent due to much focus on urban social movements in South Africa. However, the yearning for responsive and inclusive governance among rural communities is as strong as in urban areas, although differently expressed. Seen against the wave of protests in urban areas, it is obviously difficult to explain the apparent relative tranquility in rural areas. The quality and also quantity of research in this area (rural politics or rural social movements) is such that it is so limited that it is difficult to gain a reasonably understanding of the political culture prevalent in rural areas. While rural areas are surveyed, little is done in terms of assessing the way in which they can be brought to make sense on their own.

It would therefore be incorrect to assert that rural communities are content with the implementation of the new local government system. In real terms, there is little difference between rural areas and urban areas in relation to the depth of discontents with local governance. The only difference, which is not significant, is that the two areas respond differently to the same problem. In urban areas, there has been a chain of protests. In rural areas however, there has been general apathy and in some instances (although limited) existence of parallel institutions alongside official local government institutions.

The situation in most rural municipalities is, on face value, an expression of apathy; where citizens do not participate in local government initiated programs. This problem has been generally wished away as resulting

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36 IDASA (1998:6).
37 IDASA (1998:6).

from lack of organizational capacities by municipal councils in rural areas. However, lack of participation in rural areas seems to raise problems since the problem is experienced where citizens previously participated in community activities through community based organizations including traditional leadership councils, among other forums. Traditional leadership structures in South Africa were largely disturbed by the new local government system, observed Lodge[38]. Therefore, there was somehow an initial dissatisfaction with the way in which the new local government system dealt with traditional leadership structures. The dissatisfaction with the new systems' attitude towards traditional leadership structures, as Lodge observes[39], was not limited to provinces such as Kwa-Zulu Natal where it was easily confused with party politics (the Inkatha Freedom Party). This impasse covered the larger part of rural South Africa and had little to do with party politics: it was merely a separate matter intermingled with community values, their ways of life and institutional shifts in the 'new' South Africa.

A careful observation of how local government structures in rural areas operate reveals that the system did not attain sufficient support among affected communities. Most communities in rural areas have no trust in the new local government system. This proves that by sidelining traditional leadership structures from the new local government system, broader community participation in local go-

vernment was then severely reversed. Asked whether traditional leadership structures should play a role in national government, 63% of South Africans (across race and geographical location) answered in affirmative[40].

The political culture in rural areas should not be assessed in terms of the way in which it squires with that in urban areas. If this type of analysis is avoided, it becomes clearer that the way in which rural communities voice their discontent is no less important and is motivated by similar goals and concerns as seen in urban communities. The absence of visible uprising in rural areas does not preclude the analysis that the problems experienced in rural municipalities are similar to those experienced in urban areas. In both cases, it is the issue of lack of substantive democracy, and not merely the system's failure to provide basic material services.

The sweeping conclusion that local government in South Africa is in the state of crisis due to lack of 'managerial capacity' represents half of the story. Municipal government are quite complex and there are various factors that impact on their success. The challenge is to look at the problem by way of disintegrating causes from symptoms, as I attempted in this article.

Conclusions

One of the challenges faced in the public service is to be able to distinguish technical faults from normative shortfalls. In relation to local government structures in post apartheid South Africa, the technical

38 Lodge (2002: 94-97).
39 Lodge (2002: 95).
40 "South Africa: Ten Years of Democracy" (2003).

approach has become the mainstream approach towards the local government system. It should be noted that the adoption of the local government system – including demarcation of municipalities into reachable zones — in post apartheid South Africa is based on the need to further the goals of democratization to disempowered communities. In order to ensure effective democratization, something had to be done in terms of rationalizing municipalities into manageable zones. However, this should not be at the expense of those at the receiving end of such a transition.

The technical intervention, well intended as it was/is, has been controversial from the beginning, starting with the work of the Demarcation Board. Having upset many communities, the aims and wishes behind the new local government structure were clearly articulated as meeting development and democratization deficit apparent in many municipalities. However, too much emphasis on delivery has shifted focus from substantive democracy. The only pillar of justification for the new system seems to be service delivery. When the system fails in this respect, there remains no reason for communities to be patient hence protests and outrage.

For local government system to be freed from the protests, they have to be run in a way that encouraged citizens' participation, so that people can have a sense of affinity to the system, beyond merely seeing the system as an engine for service delivery. The system should not only provide material services; but political services by drawing participation from within communities. Participatory democra-

cy is not about being at the receiving end of democracy, but being an active participant in the process.

To add to the problem, the new municipal structures in South Africa inherited communities with a strong sense of participation. The anti-apartheid movement in South has nourished a strong sense of community solidarity. One should not totally dismiss the technical explanation of the problem at local government level though. The system really lack skilled individuals to implement programs. The argument is that with more inclusion in terms of the way in which the system operates, the problem of shortage of skills would not give municipalities the shape it has recently given: the state of turmoil.

The question of lack of delivery at local government is more a symptom of a dysfunctional system, than merely an issue of lack of capacity. The public sector, unlike the private sector, is kept going by the extent to which citizens have trust in the system. A lower morale in terms of the extent to which officials in the public sector are dedicated to their jobs determines the extent to which delivery is actually possible. The relationship between citizens and their institutions is more important than the capacity of institutions on their own. Institutions do not work in isolation: their capacity is determined by the threshold which is set by citizens, vice versa. It makes sense to conclude therefore that much of the dysfunction at local government has not been mostly about lack of technical know-how, although this continues to be a problem, but also had to do with simple neglect of duties by officials serving at that level. Neglect simply arises in a situation

where one sees no duty to account. This type of situation is possible where citizens are not able to keep checks and balances on their government[41]. From this point of view, the larger part of failure at municipal government is explainable in terms of citizens' disinterest with the way in which the system functions. This type of disinterest is far reaching and quite consistent. It is the type of disinterest that says 'let's see what you can do'. When the system fails, things fall apart.

What has been learned from the stalemate at local government level? There has been an acknowledgment that there is a crisis. The problem then is what type on intervention is necessary. Any type of intervention suggested would reveal the extent to which the problem is understood.

The government has embarked on the so-called Project Consolidate, defined as a "thorough capacity survey in order to determine the constraints faced by local government in policy design and implementation"[42]. Recognizing shortfalls in service delivery, contradictions in integrated development policies, and local government mismanagement, Project Consolidate was implemented to rectify the myriad problems of local government. It is intended to be a "catalyst for demonstrable change and accelerated capacity building" over a period of two years.

Project Consolidate remains a task-team approach to local government problems. This may assist *only* when it comes to studying the problems holistically. The situation with local government is not merely a technical matter that can be uprooted by a technical team; that would only produce short term results. In order to ensure long terms stability in local government, people should be made to feel that they are part of the system. As Lodge states, technical interventions and "boundary changes" would not make municipalities easier to govern. Human Science Research Council (HSRC) survey "emphasized the significance of the quality of political leadership and the depth of political organization as determinants of effective administration"[43]. The quality of leadership has to do with a sense of accountability which can be bolstered by people's participation. There should be a "domestic demand for…institutional reform"[44] which will then shape institutional development. Domestic demand cannot be imposed; it has to evolve from within and need to be institutionally catered for.

It is noted that "such demand [for a shift in policy implementation] when it emerges is usually the product of crisis or extraordinary circumstances that create no more than a brief window for reform"[45]. The question then is whether the crisis in local government in South Africa is a crisis enough to induce us to think of reforms. That depends on whether the problem is correctly understood. The current institutional framework needs to be stretched to forge more participation in local government, in order for the system to reach its potential.

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41 Putnam (1993).
42 *Project Consolidate* (2004).
43 Quoted in Lodge (2002 : 97).
44 Fukuyama (2004 : 47).
45 Fukuyama (2004 : 97).

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