UNIVERSITY OF KWAZULU-NATAL

THE ROLE OF WARD COMMITTEES IN ENHANCING PARTICIPATORY LOCAL GOVERNANCE: A CASE STUDY OF KWAMAPHUMULO MUNICIPALITY

by

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As the candidate's supervisor I agree to the submission of this dissertation for examination. **To the best of my knowledge, the dissertation is primarily the student's own work and the student has acknowledged all reference sources.**

The above student has also satisfied the requirements of English language competency.

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DECLARATION

I, **Bongani Christopher SIBIYA,** declare that

(i)   The research reported in this dissertation, except where otherwise indicated, is my original research.

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ABSTRACT

To strengthen democracy, the South African government established the ward committee system in accordance with Sections 72-78 of the Municipal Structures Act, 1998. The objective was to improve service delivery by bridging the gap between the respective communities and the municipal structures. Ward committees should be able to enhance participatory government. Public participation is essentially a process that engages communities from the planning to the implementation and the evaluation phases of a particular activity or a project. The ward committee structure should focus on increasing the involvement of the municipal communities when decisions are made within the local government sphere. The primary objective of this research was to establish the role of ward committees in enhancing local governance, with particular reference to Maphumulo Municipality. The objectives of the study were to provide an overview of the new mandate for future ward committees and trends in local governance affairs; review the roles of ward committees and transformation processes with particular reference to Maphumulo Municipality; and evaluate the concept of ward committees in the context of participatory developmental local government and the mandate enshrined in the Constitution. The study employed both qualitative and quantitative approaches to understand the scope and nature under which ward committees operate to enhance local governance. The research has established that there are still important aspects regarding the roles of ward committees and community participation on which Maphumulo Municipality has still to improve. The municipality structures, particularly the Public Participation Unit, should work closely with the ward committees so that they will be able to drive community initiatives.

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CBO   : Community-based organisation

CDW   : Community Development Workers

CoGTA   : Co-operative Governance and Traditional Affairs

Constitution : Constitution of the Republic of South Africa of 1996

DPLG   : Department of Provincial and Local Government

EXCO   : Executive Committee

EPWP   : Expanded Public Works Programme

GEAR   : Growth, Employment and Redistribution

IDP   : Integrated Development Plan

KZN   : KwaZulu-Natal

LED   : Local Economic Development

LGNF   : Local Government Negotiating Forum

MIG   : Municipal Infrastructure Grant

MPNP   : Multi-Party Negotiating Process

MSA   : Municipal Structures Act of 1998

MSA   : Municipal Systems Act of 2000

MFMA   : Municipal Finance Management Act of 2003

NGO   : Non-governmental organisation

PMS   : Performance Management System

PPU   : Public Participation Unit

PIG   : Provincial Infrastructure Grant

RDP   : Reconstruction and Development Programme

RSA   : Republic of South Africa

SALGA   : South African Local Government Association

CHAPTER 1

INTRODUCTION

1.1 INTRODUCTION

During the last seventeen years of democracy, South African local government has been undergoing profound changes. New legislation has been introduced with the aim of establishing a system of participatory democracy at the local level. Ward committees became one of the main tools available to municipalities and communities to enhance participatory governance at local level. Chaired by the ward councillor and composed of community members, a ward committee is meant to be an independent structure of communication and interaction between communities and municipalities.

Municipalities have the responsibility of ensuring that all citizens are provided with services to satisfy their basic needs. They provide these services to people by using their own resources, namely finances, equipment and employees. People have to pay a certain rate to the municipality for providing these services.

1.2 BACKGROUND TO THE STUDY

Since the demise of apartheid in 1994, there has been a widely observed commitment in South Africa to participatory governance within both government and civil society, which has been given legal standing and encouragement through the country's constitution and

other pieces of legislation. This is further elaborated by De Visser (2008:29) who contends that since 2001, ward committees have emerged as a key institutional mechanism intended to contribute towards bridging about people-centred, participatory and democratic local governance. The rationale for ward committees is to supplement the role of elected councillors by creating a between communities and the political and administrative structures of municipality. When outlining the roles of ward committees, Himlin and Smith (2005:45) argue cogently that ward committees have been the focus of considerable attention by government as well as civil society, with substantial investment already made in an attempt to ensure that these structures have the necessary capacity and resources required for them to fulfil their envisaged roles as the voice of the community.

The primary objective of this research was to establish the precise role of ward committees in enhancing local governance, with particular reference to Maphumulo Municipality. The Integrated Development Plan (IDP) document of the municipality states that one of the big challenges facing the Maphumulo Municipality is the eradication of poverty as a result of the lack of opportunities. The study assumes that through the clear definition of the role of ward committees, the municipality will be able to address the challenge of poverty, which will consequently results in improved service delivery.

The mention of ward committees at Maphumulo Municipality typically solicits some negative views. Supporters of these structures claim that they act as an important channel for citizens to have their voices heard at local level – especially in instances where there are

few or no alternatives for citizens to participate in local governance affairs. However, most observers appear to be critical of ward committees, arguing that most committees are not functional as intended and that rather than widening spaces for participating in local government affairs, they undermine this mandate, resultant to a situation where they are viewed as highly partisan structures aligned to party political agendas. It is against this context that this proposed research aspired to develop a deeper and more nuanced understanding of the functioning and values of ward committees at Maphumulo Municipality.

1.3 PROFILE OF MAPHUMULO MUNICIPALITY

The municipality of Maphumulo covers a large geographical area with a total of approximately 900 square kilometres. The population is approximately 120 000 and consist mainly of rural inhabitants. One of the biggest challenges facing the Maphumulo municipality is the eradication of poverty as a result of the lack of opportunities (www.dplg.org.za).

1.4 CONTEXT OF LOCAL GOVERNMENT

1.4.1 Legislative and policy provisions for ward committees

Local Government: Municipal Structures Act (No 17 of 1998)
The roles of ward committees in enhancing local governance are enshrined in the constitution of the Republic. The Local Government: Municipal Structures Act (No 17 of 1998) was the first piece of legislation to formally introduce the concept of ward committees.

Section 4, in Chapter 4, encapsulates duties of ward committees and it sets out the composition and election process for the ward committees. Ward committees consist of ten individuals plus the ward councillor, who according to the Municipal Structures Act must be the chairperson of the committee.

Local Government: Municipal Systems Act (No 32 of 2000)

Even though this piece of legislation, i.e. the Local Government: Municipal Systems Act (No 32 of 2000), does not deal specifically with ward committees, it mentions that ward committees are one of the structures through which participation by the community in the affairs of the municipality must take place. Section 17(1) outlines obligations of the municipality in terms of facilitating community participation in local government affairs. Section 16(1) outlines the roles of ward committees in facilitating integrated development plans and performance management systems and preparations of municipal budgets and strategic decisions relating to the provisions of municipal services.

Local Government: Municipal Finance Management Act (No 56 of 2003)

The Local Government: Municipal Finance Management Act (No 56 of 2003) does not mention ward committees explicitly. However it does call for community participation in overseeing how municipal resources are used and reported on.

1.4.2 Guidelines for the establishment of Ward Committees

The establishment and operation of ward committees was gazetted by the Department of Provincial and Local Government (Notice 965 of 2005). The gazette provides uniform guidelines to ward committee members and councillors on the procedure to be followed when establishing ward committees. The guidelines highlight that the core function of ward committee is to enhance participatory democracy in local government. The gazette also describes ward committees as:

- An advisory board;
- A representative structure;
- An independent structure; and
- An impartial body that must perform its function without fear, favour or prejudice.

Smith (2008:8) mentions the following responsibilities of the ward committee:

- To serve as an official specialised participatory structure in the municipality; and
- To create formal unbiased communication channels as well as co-operative partnerships between the community and the municipality through:

a) Advising and making recommendations to the ward councillor on matters and policy affecting the award,

b) Assisting the ward councillor in identifying challenges and needs of residents,

c) Disseminating information in the ward concerning municipal affairs e.g. the budget, IDP, performance management system and service delivery options,

d) Receiving queries and complaints from the community concerning municipal service delivery, communicating these to council and providing feedback to the community, and

e) Ensuring constructive and harmonious interaction between the municipality and the community through the use and co-ordination of ward resident meetings and other community forums.

1.5 THE ROLE OF WARD COMMITTEES

Smith (2008: 9) outlines the following as core responsibilities of the ward committees:

- Increase the participation of local residents in municipal decision making, as they are a direct and unique link with the council;
- Are representatives of the local ward, and are not politically aligned;
- Should be involved in matters such as the IDP process, municipal performance management, the annual budget, council projects and other key activities and programmes as all these things impact on local people;
- Can identify and initiate local projects to improve the lives of people in the ward;
- Can support the councillor in dispute resolutions, providing information about municipal operations; and
- Can help with community awareness campaigns such as waste, water and sewage, payment of fees.

1.6 CURRENT ISSUES AND CHALLENGES FACING WARD COMMITTEES

The study discussed in details some of the key issues and challenges facing the ward committees. Oldfield (in Van Donk et al, 2008:33) states that ward committees faces three critical limitations, in terms of:

- Politics of representations;
- Structural limits to power; and
- Skills and competencies of ward committees.

These challenges provide a critical scope under which ward committees operates. They also provide a starting point for analysing the various critiques and short comings of ward committees.

Political representation

There is a concern that ward committees are constituted in line with their political affiliations. This has, in many circumstances given rise to charges that ward committees are often merely extensions of political party structures and do not represent the interest of the community which is in dire need of services. This has also resulted in a situation in which ward councillors manipulates deliberations and decisions to reflect the mandate of the political party they represent, rather than the genuine aspirations of the community. This research attempted to investigate whether Maphumulo Municipality has any element of this political secret.

Structural limits to power

The second challenge facing ward committees relates to the limitation of their powers. These limitations are legislatively imposed. In this first instance, by the Local Government: Municipal Structures Act (No 17 of 1998) which confines the powers of ward committees to merely providing advice to ward councillors and receiving inputs from communities.

Skills and competencies of Ward Committees

The effectiveness of ward committees is largely constrained by the limitation of the levels of education, skills and expertise of members. This was clearly indicated by the skills audit conducted with 373 ward committee members in the Nelson Mandela Bay Municipality in 2008. The findings indicated that only 9% of the ward committee members had post matriculation training and 59% did not have a matriculation qualification. It is likely that the education profile of ward committees in the rural municipalities will reflect even lower education qualifications.

1.7 REASONS FOR CHOOSING THIS TOPIC

The South African government has committed itself to instituting wide ranging participatory processes in the different spheres and institutions of governance in the country. It is assumed that it is through these participatory processes that the mandate of communities will stimulate and enhance service delivery at a grassroots level. The attempt to enhance citizen participation in governance affairs is evident, with the introduction and roles entrusted to ward committees. While ward committees supplement

the role of elected councillors, councillors are expected to drive the community mandate in ensuring that their needs are not compromised. Municipal authorities, for example, are legally committed to involving community organisations in the formulations of budgets, planning and developmental priorities. The Constitution of the Republic of South Africa (No 108 of 1996) mandates local government to provide a democratic and accountable local government and encourage the involvement of communities and community organisations in matters of local government. Measures were introduced to entrench community participation and also introduced to transform the local government functions emphasising on development rather than regulations as was under the previous dispensation.

The local government legislation made provision for local authorities to establish a system of participatory democracy at the local level in the form of Ward Committees (Houston, 2001:206). These Ward Committees were introduced in municipalities as community structures to play a critical role in linking and informing the municipalities about the needs, aspirations, potentials and problems of the communities. They were established to form the bridge between local municipalities and communities by facilitating proper communication. Through working directly with the municipality, ward committees serve as a cord which articulates the new system of local government to the majority of the people, more especially to previously disadvantaged communities.

1.8 AIMS AND OBJECTIVES OF THE STUDY

The primary objectives of the study were to:

- Evaluate the concept of Ward Committees in the context of participatory developmental local government and the mandate enshrined in the Constitution of the Republic of South Africa;
- Critically review the roles of ward committees and transformation processes with particular reference to Maphumulo Municipality;
- Critically examine relationships between communities and ward committees in local government affairs with the view to enhance service delivery;
- Provide an overview of the new mandate for future ward committees and trends in local governance affairs; and
- Draw conclusions and recommendations that may contribute towards improved expertise for ward committees in executing their duties.

1.9 KEY QUESTIONS TO BE ADDRESSED

The study aspired to respond to the following key questions:

- How effective are municipal communication strategies in ensuring that municipal councillors and ward committees interact effectively with their local residents on issues of governance at Maphumulo Municipality?
- What is the level of compliance by ward committees with legislation and regulations pertaining to community participation, transparency and access to services?

- What systems are in place for the public to register complaints about ward committees and municipal councillors and how effective do these systems operate?
- Are ward committee meetings, report back meetings and *izimbizo* convened regularly to address community concerns about service delivery?

1.10 RESEARCH METHODOLOGY

The study employed both qualitative and quantitative approaches to understand the scope and nature under which ward committees operate to enhance local governance. The qualitative approach follows an inductive research process and involves the collection and analysis of qualitative (i.e. non-numerical) data to search for patterns, themes, and holistic features. The qualitative approach in research is important in that it produces more in-depth, comprehensive information about the subject of the investigation (www.utexas.edu/academic/diia/assessment). In understanding the roles of ward committees at Maphumulo Municipality, the researcher relied much on the **community's experiences about** its governance structure. Face to face interviews were conducted. According to Nel (1999:13), face-to-face interviews use subjective information and participant observation to describe the context, or natural setting, of the variables under consideration, as well as the interactions of the different variables in the context. Qualitative research seeks a wide understanding of the entire situation.

A quantitative survey is defined by Brynard and Hanekom (2008:38) as a survey which is associated with analytical research, and its

purpose is to arrive at a universal statement. In the case of the proposed study, the researcher produced the statistical analysis of the roles of ward committees in enhancing local governance in 4 (four) wards of the Maphumulo community.

1.11 THEORETICAL FRAMEWORK

1.11.1 Public Management Theory

The proposed study looked at the roles of ward committees in enhancing local governance at Maphumulo Municipality. In its quest to reach findings about the role that can be played by this community structure in mobilising communities towards reaching their goals for effective and efficient service delivery, the study applied the Public Management theory of Fox, Schwella and Wissink.

Fig 1.1 Public Management Model
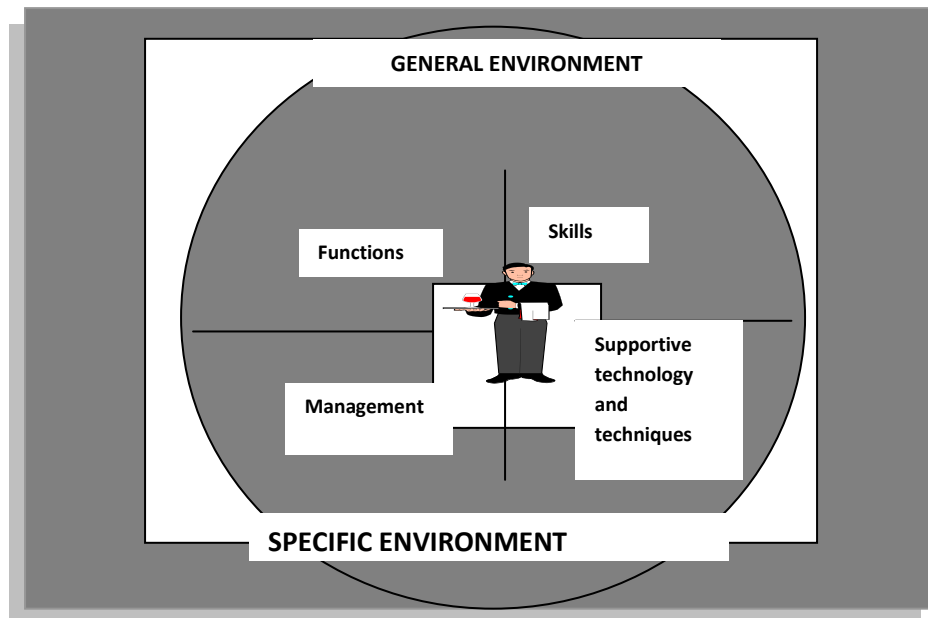
Source: Fox, Schwella and Wissink (1991)

(i) The general environment

Since the main focus of the study was on the general environment under which ward committees operates and policies for public participation in local government activities, the study deems it necessary to use public management theory which is subdivided into general environment and specific environment.

The general environment is, according to the broad definition given by Kast and Rosenzweig (1974) quoted by Fox et al (1991:12), **everything existing beyond the organisation's borders and which** exert their influences on the organization. Such influence may have direct or indirect impact in the functioning of ward committees in South African communities. When this influence impacts negatively, ward committees will fail to execute their responsibilities of providing services to the people. Fox et al (1991:12–23) also focuses on the issue of the environment and context for public administration. They argue that the general environment consists of everything that is external to the institution and that can constantly influence the management of these institutions. In the local government sphere, the choice of the level of particular service is influenced by the issue of affordability. It, therefore, means that, when municipalities make decision about the level of services, they should seriously consider the long term viability of providing a service at that level. Failure to deliver those services in the long run, will contribute to crisis in service delivery. The aspect of considering issues pertaining to affordability in municipalities is imperative in that the recent protests by local municipalities around the country have given rise to questions about the role of ward committee structures and municipal councillors in ensuring effective and efficient service delivery and

providing an adequate standard of living to the citizens. It has appeared through various sources that the budget which is allocated to the municipalities determines the quality of service they provide to the communities. Fox, Schwella, and Wissink outline the following key components of Public Management.

(ii) The political component

The way in which societal structures are arranged and governed forms the political component of the environment. The political component in the structure of ward committees plays a crucial role in the enhancement and mobilisation of communities to play roles in government affairs at a local level

(iii) The Economic component

The economic system of a society is the method by which it creates and distributes wealth (Schwella, 1996:19). It is through the economic system that scarce resources are allocated to competing economic actors. The economic downturn will affect the pace at which South Africa is able to address its social and economic challenges (http://www.limtreasury.gov.za). This research project explored the extent to which the allocation of municipal budgets enhances or delimits the functioning of ward committees and municipal councillors.

(iv) The social component

Socio-economic obstacles such as crime, unemployment and overpopulation are regarded as major social problems which threaten the smooth provision of resources, such as housing, health care and educational facilities to the citizens. The abovementioned

social characteristics and needs calls for the attention of ward committees and are of primary importance in the planning and provision for services to the citizens.

(v) The cultural component

The cultural component in the general environment of public management embraces the fundamental values of any group. It is therefore important that whilst examining the implementation of policies for participation in local government affairs, the cultural component as embraced in the public management approach, is **considered. The cultural aspect entails society's beliefs, attitudes,** role definition and interactions.

1.12 LIMITATIONS OF THE STUDY

Some challenges were experienced when this study was conducted. These had an impact on the outcome of the research project which might influence the results and consequently the recommendations.

Initially, respondents were reluctant to participate in the study as they feared political victimisation. The researcher had to emphasise that the study would be undertaken anonymously for academic purposes. After this assurance, the respondents disclosed relevant information. The results of the interviews conducted with the ward committees revealed that the political groupings within the members of ward committees is a challenge which impacts negatively on the provision of community services.

Babbie and Mouton (2001:63) state that time is a limited resource, as such, its optimal usage should be managed effectively. It has revealed during the interviews that ward committee meetings did not take place on a regular basis. This is also perceived as an element which impedes service delivery in Maphumulo Municipality.

1.13 STRUCTURE OF THE DISSERTATION

The dissertation will consist of the following chapters:

Chapter 1 highlights the introduction and background to the study, the context of local government, the roles of ward committees, reasons for choosing the topic, aims and objectives of the study, key research questions, research methodology and the theoretical framework of the study.

A review of related literature on local government is discussed in **Chapter 2**. The chapter explores the evolution of ward committees in South Africa, and legislative and policy framework for participatory local governance.

Chapter 3 provides a brief background of Maphumulo Municipality in KwaZulu-Natal. It also outlines the overview and institutional arrangement of the municipality as well as the role of ward committee system in enhancing participatory democracy within the municipality.

The research methodology, the procedures, techniques and methodology used to collect both primary and secondary data as stipulated in chapter one are outlined in **Chapter 4**.

Data analysis based on research conducted and the findings of the study are discussed in **Chapter 5**.

Chapter 6 presents the general conclusions and recommendations for the study.

1.14 CONCLUSION

This chapter provided an introduction for the study of ward committees and their role in enhancing participatory democracy in Maphumulo Municipality. It also presented a background and rationale and discussed the theoretical framework and research methodology upon which the study is established.

CHAPTER TWO

LOCAL GOVERNMENT WARD COMMITTEE SYSTEM

2.1 INTRODUCTION

The previous chapter has revealed that the ward committees system has been the focus of considerable attention by government as well as civil society, with substantial investment already made in an attempt to ensure that these structures have the necessary capacity and resources required for them to fulfil their envisaged roles as the 'voice' of communities. This chapter traces the history of ward committees in South Africa and it investigates its roles in creating a real power-sharing between Maphumulo Municipality and its communities.

2.2 THE EVOLUTION OF LOCAL GOVERNMENT SYSTEM IN SOUTH AFRICA 1910 - 1994

The history of local government structures in South Africa dates back to the early 1950's, where there were no formal community structures to deal with community needs. According to Cloete (1992:187) when Jan Van Riebeek arrived at the Cape of Good Hope in 1652 small number of white settlers lived under rural conditions in the Cape Peninsula. There was only one authority at the Cape, the "central" authority which catered for their simple and limited number of public needs of the community. With the expanding of local communities it became necessary to appoint magistrates and

councillors to undertake the local government and administration of the districts outside the Cape Peninsula, for example, Stellenbosch (Cloete, 1988:238).

The foundations for the system of local government with a formal and elected council, comparable with the present-day city and town councils, were laid when the Municipal Ordinance for the Cape Colony came into force on 15 August 1836. This ordinance also served as the model for legislation which was afterwards passed in the former Boer republics (in the Transvaal, Orange Free State, and Natal). When these three republics became British colonies the tendency to develop their systems of municipal authorities on the cape model became even more pronounced (Cloete, 1988:239).

According to Cloete (1988:238) while the system of local government and administration which had developed in the British colonies before 19010 were all based on the Cape model, each of the systems in Natal, the Orange Free State and the Transvaal gradually developed its own characteristics as it adapted to local, social and physical conditions. However, certain basic principles always prevail, for example:

a) The town and cities (the urban areas known as municipalities) were administered and governed by councils consisting of elected members;

b) The higher levels of government retained control over the local authorities; and

c) The citizens had to pay for the good and services provided by the local authorities.

2.2.1 The organisation of local government institutions after the Union of South Africa

Cloete (1992:189) states that after the establishment of the Republic of South Africa on 31 May 1961, the Constitution Act, 1961 (Act 32 of 1962) brought about no immediate change in the existing system of municipal government and administration in the former four provinces. The local authorities which were in existence on 30 May 1961 continued with their duties from 31 May 1961 and onwards. The provincial authorities also continued with their responsibilities of exercising control over the local authorities.

When the Interim Constitution of the Republic of South Africa Act of 1983 (Act 110 of 1983), was passed by the parliament to bring about a new constitutional dispensation for the Republic of South Africa, the provisions of Act 32 of 1961 relating to the provinces were not repealed, but were retained as the Provincial Government Act, 1961 (Act 32 of 1961). The Act provided that the provincial authorities would continue to regulate municipal government affairs (Heymans and Totemeyer, 1988:29).

However, section 14 and schedule 1 of Act 110 of 1983 provided that local government matters for Whites, Indians and Coloured would be **"own affairs" to be dealt with by each of the relevant three Houses of** Parliament subject to such general laws as could be passed by parliament. Notwithstanding these provisions, White authorities continued with the activities under the provisions of the provincial ordinances and the relevant Acts passed by parliament. Up to 1983 parliament did not pass acts to prescribe systems of local

government for White urban areas. The systems of local government and administration prevailing in the former four provinces were prescribed by ordinances passed by the relevant provincial council (Heymans and Totemeyer, 1988:58).

According to Cloete (1988:240), the constitutional dispensation brought about by the provision of Act 110 of 1983 was taken further when the Provincial Government Act 69 of 1986, was passed by Parliament. This act provided for the abolition of the provincial councils with effect from 1 July 1986. After the abolition of provincial councils in 1986, the top functionary in each province was given responsibilities to administer legislative and governmental powers.

With effect from September 1984 a General Affairs State department was given the responsibility for general local government matters. The title of this department changed from time to time and in 1991 it became known as the Department of Local Government and National Housing. In 1991 the Constitutional Development Services (which was also a State department for General Affairs) was charged with the development of systems of local government and administration in South Africa.

Until 1994 Black South Africans had no political rights and participation in government affairs. Their exclusion gave rise to the social movements that mobilised civil society around a wide range of politicised issues such as Health Care, Education, Transport and other basic services. Civic organisations played a crucial role in mobilising those social groups who were excluded during the apartheid era, in many instances; these civic organisations were the

forefront of the struggle for a democratic society in South Africa (Reddy, 1996:53).

Rivalling the civic organisations, many other types of service organisations, all falling within the framework of non-governmental organisations (NGOs) were established to alleviate problems experienced during the apartheid era, these NGOs played a political, economic, social and psychological roles in development, for example organising campaigns against apartheid, promoting political action with a focus on resource distribution, bringing together diverse groups around common social objectives and building self-esteem and self reliance within individual and communities (Reddy, 1996:55).

2.2.2 Local Government Negotiating Forum

In 1993, The South African National Civic Organisation (SANCO) engaged the then minister of Local Government, convincing him to establish a formal national Local Government Negotiating Forum (LGNF) which would serve as the main negotiating forum on local government matters. This structure served as a feeder to the Multi-party negotiating process (MPNP) as its recommendations were later endorsed by it (Cloete, 1995:4).

The negotiating process at LGNF ran parallel to the main constitutional negotiations. The two structures, namely the MPNP and LGNF consulted each other on matters of common interest so as to ensure acceptance at both local and national levels. The mandate of the LGNF was to contribute to the democratisation of local

government structures and to bring about the democratic, non-racial, non-sexist, and financial viable local government system. The LGNF was not a statuary body and had no legal status (Reddy, 1996:58).

2.2.3 The Composition of the Local Government Negotiating Forum

The Local Government Negotiating Forum (LGNF) was composed of two delegations, statutory and non-statutory. The statutory delegation comprised representatives of central, provincial and local government, as well as representatives of the United Municipal Executive (UME) and representatives from the then four provincial affiliates, the national Committees for Local Government Associations representing the United Municipalities of South Africa (UMSA) and Urban Councils of South Africa (UCASA). The non-statutory delegations served under the banner of SANCO. The forum was co-chaired by one person from each organisation. The Local Government Transition Act 209 of 1993 resulted from discussions that took place at the Multi-Party Negotiations Council (Reddy, 1996:58). The negotiations were difficult. Different stakeholders were adamant regarding their respective policy view points and the issue of the time was a factor that forced them to reach compromises. The end-product of the LGNF was a model for local government reform which was ratified by the MPNP with minor amendments (Cloete, 1995:5).

The Local Government Negotiating Forum was often overshadowed by the more dramatic national interim constitutional negotiations,

but many believe its results had an even greater impact on the new South Africa (Van der Waldt 2007:13).

2.2.4 Developmental Local Government

The creation of the sphere of local government in South Africa was to ensure that local communities are afforded an opportunity to be involved in political processes that affect them. Underpinning the **country's current dispensation are democratic tenets that espouses** the principle of subsidiary; which implies that state power is devolved to the lowest possible level.

The post-1994 reform process in South Africa focussed largely on the following key areas regarding local government; namely; transformation, development and sustainability of services to be provided. The aim of the process was to transform local government administratively so as to ensure the redistribution of state power to benefit local people. The democratic Constitution of the Republic of South Africa of 1996 therefore envisages that local government or municipalities shall be developmental and ensure the involvement of local people on matters of development. Hence the notion that says local government is distinct and autonomous.

The basis of devolving power to local government in South Africa was to ensure the realisation of the following democratic and developmental ideals:
- to acknowledge the varying needs of different communities in South Africa;

- to allow for the socio-economic development of each municipal area using local resources;
- to afford local political decision-makers and role-players to determine the developmental agenda; and
- contrary to the idea of relying on national government for services, local government is seen to be closest to the people and as such quicker to respond to local needs than the other spheres of government (Reddy and Maharaj in Saito, 2008: 191-192).

In terms of the White Paper on Local Government of 1998, a developmental local government is defined as a local government that is committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives.

The Constitution of 1996 guarantees the participation of the citizens to matters of governance. According to Reddy (1999:9) the creation of local government is but one of the many attempts that are aimed at bringing the local populace as well as to give its members a sense of involvement in the political processes that control their daily lives. The Constitution grants ordinary people their right to choose a person and people who will represent their interests in local government. In the case of local government, people elect councillors who serve a term of five years or more in office.

2.3 NEW TRENDS AND LEGISLATIVE FRAMEWORK FOR PARTICIPATION IN SOUTH AFRICAN MUNICIPALITIES

The South African legislative context states that citizens should be involved in decision-making as this enhances developmental governance. This is particularly so in the local government sphere because it is considered to be at the forefront of service delivery and it is in direct contact with the citizens. This is further elaborated by the White Paper on Local Government of 1998 which states that developmental local government is 'local government committed with citizen and groups within the community to find sustainable ways to meet their social, economic and material needs and improve quality of their lives'. However, in most municipalities in South Africa there has been a huge gap between the stated policy framework of local government structures and the actual practice. The study intends to look closely to the strategies that can be employed to address this challenge (RSA 1998).

2.3.1 The Constitution of the Republic of South Africa

The Constitution of the Republic of South Africa, Act 108 of 1996, was approved by the Constitutional Court on 4 December 1996 and took effect on 4 February 1997. It is considered as the supreme law of the land and it has been stated that no other law or government action can supersede the provision of the Constitution. It lays the foundation for the democratic political system of the country. In local governance it has envisaged a complete transformation of the local government system in which local government is given a distinctive status and role in building democracy and promotion of socio-

economic development. This process is meant to bring government closer to the people and thus reinforce two of the fundamental mechanism of sustainable democracy, that is, participation of people and accountability of the local government (RSA 1996).

Chapter 7 (section 152) of the Constitution of the Republic of South Africa, highlights critical provisions about local government, namely 'to provide democratic and accountable government for local communities' and 'to encourage the involvement of communities and community organisations in the matters of local government'. However, it is the primary responsibilities of municipalities to ensure effective participation of the citizens and communities in matters of local government. It is though these objectives that the role of municipal councillors and ward committees cannot be ignored in enhancing participatory democracy and service delivery (RSA 1996).

For the purpose of this study, the sphere of local government in the country is established through chapter seven of the Constitution of 1996. Section 152 and 153 emphasises the objectives of local government; which are:

- the provision of a democratic and accountable government for local communities;
- ensuring the provision of services to communities in a sustainable manner;
- the promotion of social and economic development;
- the promotion of a safe and healthy environment; and
- encouraging the involvement of communities and community organisations in the matters of local government (RSA 1996).

2.3.2 The White Paper on Local Government of 1998

The White Paper on Local Government of 1998 provides a new vision of local government as enshrined in the constitution. The second section of local government, i.e. Developmental Local Government, highlights the vision of local government which emphasise the importance of working with communities in finding a sustainable ways in meeting their needs and improving the quality of their lives. This goal is only possible if municipalities are encouraged to build local democracy by developing strategies and mechanisms to continually engage with citizens, business and community-based organisations (RSA 1998).

The White Paper on Local Government of 1998 also encourages municipalities to develop structures which ensure meaningful participation and interaction with municipal councillors. Putu (2006:16) argues that the White Paper on Local Government further gives a general outline about the system of ward committees, their function, composition and role, the vision of ward committees as a channel of communication, powers, and duties of ward committees and also the administrative arrangements.

The White Paper on Local Government of 1998 identified the following challenges that necessitated the change of legislation in South Africa:
- skewed settlement patterns, which are functionally inefficient and costly;
- extreme concentrations of taxable economic resources in formerly white areas;

- huge backlogs in service infrastructure in historically underdeveloped areas, requiring municipal expenditure far in excess of the revenue currently available within the local government system;
- creating viable municipal institutions for rural settlements close to the borders of former homeland areas, which have large populations with minimal access to services, and little or no economic base;
- great spatial separations and disparities between towns and townships and urban sprawl, which increase service provision and transport costs enormously. Most urban areas are racially fragmented, with discontinuous land use and settlement patterns;
- creating municipal institutions which recognise the linkages between urban and rural settlements;
- inability to leverage private sector resources for development due to a breakdown in the relationship between capital markets and municipalities; and
- substantial variations in capacity, with some municipalities having little or no pre-existing institutional foundations to build on (RSA White Paper 1998).

At the centre of the development of the White Paper were the following interrelated characteristics regarding the transformation of local government:
- the maximisation of social development and economic growth;
- the integrating and coordinating of systems; and
- ensuring the democratisation of development (White Paper 1998).

2.3.3 Municipal Structures Act (No 117 of 1998)

The object of the Local Government: Municipal Structures Act (1998) is to facilitate for the realisation of the following objectives regarding local government to:

- provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality;
- establish the criteria for determining the category of municipality to be established in an area;
- define the types of municipality that may be established within each category;
- provide for an appropriate decision of functions and powers between categories of municipality;
- regulate the internal systems, structures and office-bearers of municipalities; and
- provide for appropriate electoral systems and to provide for matters in connection therewith (RSA 1998).

Under the new democratic government, the Local Government: Municipal Structures Act (No 117 of 1998) was passed into law in 1998, further integrating and regulating the local government system throughout the country. The main objective of the Local Government: Municipal Structures Act is to make provisions for core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities.

Chapter 2, section 19 of the Local Government: Municipal Structures Act encourages municipalities to strive with their capacity to achieve the objectives set out in section 152 of the Constitution, that is, to develop mechanisms to consult with community and community organisations in the performance of their functions. It is assumed that through this partnership communities will be able to participate effectively in enhancing participatory democracy in local government (RSA 1998).

Chapter 4, section 4 of Local Government: Municipal Structures Act requires municipalities to establish ward committees, with the objective of ensuring that citizens are well represented in government affairs. The chapter gives powers to the ward councillor to be the chairperson of the ward committees. It further provides a framework for the powers and functions of the ward committees.

2.3.4 Local Government: Municipal Systems Act (No 32 of 2000)

The aim of the Local Government: Municipal Systems Act (No 32 of 2000) is to provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality; to establish criteria for determining the category of municipality to be established in an area; to define the types of municipality that may be established within each category; to provide for an appropriate division of functions and powers between categories of municipality; to regulate the internal systems, structures and office-bearers of municipalities; to provide for appropriate electoral systems; and to provide for matters in

connection therewith (RSA 2000). It can be noted from these founding principles that the Local Government: Municipal Structures Act provides core mechanisms and guidelines for municipalities to execute their duties in a manner that promotes citizen participation in democratic and governance affairs (http://www.dwa.gov.za).

Craythorne (2003:263) contends that the Local Government: Municipal Systems of 2000 emphasises that a municipality is required to develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose, encourage, and create conditions for, the local community to participate in the affairs of the municipality.

The Local Government: Municipal Systems Act of 2000 seeks to emphasise the following key areas relating to municipalities:

- Integrated Development Planning: This is aimed at ensuring that planning undertaken is aligned with, and complement, the development plans and strategies of other affected municipalities and other organs of state;
- Performance Management: This involves the setting of appropriate key performance indicators for measuring performance, including outcomes and impact, with regard to the **municipality's development priorities and objectives set out in** its integrated development plan;
- Local Public Administration and Human Resource: Each municipality is required to establish an administrative and financial capacity in a manner that would enable it to:
✓ be responsive to the needs of the local community;

- ✓ facilitate a culture of public service and accountability amongst its staff;
- ✓ be performance-orientated and focused;
- ✓ ensure that its political structures, political office bearers and managers and other staff members align their roles and responsibilities with the priorities and objectives set out in the **municipality's integrated development plan; and**
- ✓ establish clear relationships, and facilitate co-operation, co-ordination and communication, between its political structures and political office bearers and its administration (Chapter 7 Municipal Systems Act 2000).

2.3.5 Local Government: Municipal Finance Management Act (No 56 of 2003)

The Local Government: Municipal Finance Management Act (No 56 of 2003) does not mention ward committees explicitly. However it does call for community participation in overseeing how municipal resources are used and reported on.

The Local Government: Municipal Finance Management Act of 2003 is therefore aimed at securing the sound and sustainable management of the fiscal and financial affairs of municipalities by establishing the norms and standards to be adhered to by municipalities. The Act requires all municipalities to ensure the following pertinent principles when conducting their business:
- • transparency, accountability and appropriate lines of responsibility in the municipalities;

- management of revenues, expenditures, assets, liabilities and the handling of municipal financial dealings;
- budgetary and financial management processes and the coordination of those process with the processes of other organs or spheres of government; and
- borrowing, supply chain management and other financial matters of the municipality (RSA 2003; Fourie, 2009:1117).

2.3.6 Municipal Planning and Performance Regulations of 2001

The Regulations play a crucial role in ensuring that ward committees fulfil their mandate in enhancing participatory in local governance affairs. Municipal Planning and Performance Regulations of 2001 overlaps with the Local Government: Municipal Systems Act of 2000 in that it requires the municipality, through proper channels and mechanisms to involve local communities in development, planning, implementation and review of the municipalities performance management systems, and in particular to allow community participation in crafting key performance indicators about the municipality (RSA 2000).

2.4 THE ESTABLISHMENT OF WARD COMMITTEES IN LOCAL MUNICIPALITIES

The ward participatory system of municipal government allows for the establishment of ward committees to facilitate such community participation. Ward committees are there to improve communication

between the municipal council and local communities, and play a role in identifying community needs (Van der Waldt, 2007:37).

According to Buccus and Hicks (2008:526), in municipalities in which ward committees are in operational, they are characterised with uncertainty, and in some instances, chaos. This is largely contributed by the fact that there is no clear understanding of the roles or functions that are supposed to be executed by the ward committees. In relation to this challenge, the lack of space for ward committees to operate in Maphumulo municipality attributes to the increasing uncertainty among municipal councillors and municipal officers about the roles of ward committees in enhancing service delivery and participatory democracy. This results in the implementation of inappropriate mechanism for service delivery. In turn, this contributes to service delivery protests which seem to characterise most municipalities in South Africa. According to Burger (2009:26) many reasons for these protests are offered. The primary reason, it would appear, is dissatisfaction with the delivery of basic municipal services such as running water, electricity and toilets, especially in informal settlements. Unemployment (officially at around 23%), high levels of poverty, poor infrastructure, and the lack of houses add to the growing dissatisfaction in these and other poor communities.

Without a proper understanding of the objectives and guiding principles for ward committees as set out in the Integrated Development Plan (IDP) and other legal policy documents, ward committees cannot be expected to provide any quality feedback on municipal service delivery strategies.

A ward committee should include the councillor and persons representing women, youth, religious groups, sports and welfare, environment, education, community-based organisations, **ratepayers' associations, traditional leaders,** the disabled, the **informal traders' association, agricultural associations (where** applicable) and community safety forums. However, the committee may not exceed 10 members (Reddy and Sikhakane, 2008:681).

Ward committees have many functions and deal with a range of issues. This **includes issues that are beyond a municipality's** structured responsibilities assigned in terms of Schedules 4 and 5 of the Constitution, 1996, such as housing, education and unemployment. Ward committees should receive their mandate from the communities they represent and convey this directly to the municipal council through the office of the Speaker.

According to Van der Waldt (2007:87-88) the role of a ward committee is to enhance participatory democracy in local government. The specific roles of ward committees are to:

- Make recommendations to the ward councillor on any matter affecting the ward;
- Serve as an official specialised participatory structure;
- Create a formal unbiased communication channel and co-operative partnerships between the community and the municipality; and
- Serve as a mobilising agent for community action, in particular through integrated development planning process and the **municipality's budgetary process (Van der Waldt**, 2007:88).

2.5 THE CODE OF CONDUCT AND FUNCTIONS OF WARD COMMITTEES

The demise of apartheid in 1994 ushered a new era of a new system of local government that encouraged the establishment of ward committees by all municipalities in South Africa. Nyalunga (2006a:16) states that the new government recognised the need for a structure that is closer to the people at the grass root level and representative of the people and aspirations of the community. Nyalunga (2006b:44) adds that the role of ward committees is to make sure that the electorate directly participates and partake in decisions made by the council. It is upon this premise that the code of conduct for ward committees is crafted. The South African Local Government Association (SALGA) states that this code lists the responsibilities of members of ward committees and recommends standards of ethical conduct with which each member of a ward committee must comply. These standards are applicable to members of the ward committee when dealing with:

- Other ward committee members;
- The ward councillor of that specific ward and all other councillors of the municipality;
- The municipal administrator;
- The community represented in the ward committee;
- The constituents of a specific municipality, including civil **society, trade unions, NGO's, vulnerable communities and** other role players in the ward;
- Service providers of the municipality rendering services in the ward, where required; and

- The traditional leaders where applicable, and other stake holders (SALGA: 2006: 1)

2.6 AIMS AND OBJECTIVES OF THE CODE OF CONDUCT FOR WARD COMMITTEES

According to SALGA (2006: 1) the following represents the key aims and objectives of ward committees:

- Set out the functions of a member of the ward committee and to specify the standards of integrity and conduct to be observed by ward committee members in their role to assist the municipality to meet its objectives and standards in accordance with its current IDP;
- Inform public about the responsibilities of ward committee members in a specific ward;
- Enhance the image, credibility and accountability of the council to the community in a specific ward where such member serves; and
- Maintain the trust, respect and co-operation between members of the ward committees and all members of the community represented in the ward.

Members of the ward committees are primarily accountable to the community that they serve and that elect them. They are also expected to act in accordance with the National Framework regarding their responsibilities and the code of conduct. There are also general principles of good governance which the ward committee members must comply with. These general principles are outlined by SALGA (2006: 1) as follows:

Community Interest

Members should strive to serve the best interest of the community from which they are elected, by recommending municipal programmes that are community centred, driven and implemented, recognising any diversity in the ward.

Integrity

Members should always act with integrity in the execution of their functions as members of the ward committee, without fear, favour or prejudice. They may not use their positions as ward committee members for private gains or to improperly benefit any third party.

Objectivity

Members should make decisions on merit, based on the mandate received from their ward. They may not act in any manner that will compromise the credibility, impartially or independence of the ward committee.

Accountability

Members are accountable to the ward community that they serve.

Regular Feedback

The ward councillor and members of the ward committee are responsible for feedback to the community and constituency of their ward.

2.7 THE ROLE OF WARDS COMMITTEES IN ENHANCING PARTICIPATORY GOVERNANCE

Naidu (2008:1) writes that the history of South Africa is one characterised by dispossessions, exclusion and marginalisation. It is the template on which a democratic narrative is continually being inscribed on. This narrative attempts to include those who have been marginalised in the past in governmental affairs. Central to this initiative, is public participation, both explicit and implicit, that informs the fundamentals on which a democratic society is structured via the Constitution of the Republic of South Africa. The Constitution, among other things, aspires to an inclusive state, in a phrase participatory in governance at all scales.

The concept of participatory governance has gained enormous popularity in the present context of democratic dispensation, both in academic discourse and actual practice. Analysts around the globe have used theoretical construct such as deliberate democracy and 'empowered participatory governance' to scrutinise the scope and **limitations of people's par**ticipation in the process of governance. At the same time, some high profile examples of successful participatory governance such as those of Porto, Alegre in Brazil and the States of Kerala and West Bengal in India, and to a lesser extent South Africa, have aroused great expectations among activists and policymakers (Osmani, 2005:1).

De Visser (2008:18) contend that at the level of the local state, the commitment to participatory governance is reflected in an impressive host of laws and policy documents and is intended to be realised

through new modalities of development that require formal participatory processes and institutions in local governance. Since 2001, ward committees have emerged as a key institutional mechanism intended to contribute towards bringing about people-centred, participatory and democratic local governance. The rationale for ward committees is to supplement the role of elected councillors by creating a bridge between communities and the political and administrative structures of municipalities. These committees have been set up in the vast majority of wards in municipalities across the country.

Participatory governance is defined as a regulatory framework in which the task of running public affairs is not solely entrusted to government and public administration, but involves co-operation between the state institutions and civil society group (Friedman, 2005:14). The South African experience on participatory governance has broadened and advanced democracy by expanding the range of citizens engaged in making and influencing government decisions at local levels. According to Southall (2004:71) participatory democracy entails a high level of public participation in the political process through a wide variety of institutional channels. Participatory democracy can only come into being when ordinary men and women from all sectors of society are afforded an opportunity to contribute actively and meaningfully to their own development and well being. The notion of participatory democracy is sometimes perceived as a mechanism where there are seemingly limitations that are meant to reduce the authority of government to deliver on its mandate (Southall, 2004:72). It is clear from this extract that participatory

governance should includes elements of transparency, dialogue and accountability.

South Africa's experience in participatory governance has been that it is an expression of popular sovereignty in which all citizens are entitled to an equal say in public and government affairs. It is in this regard that public participation has become a formal structure of democratic society. Ward Committees in South Africa have played a crucial role in promoting public participation at a local level. According to Naidu (2008:1) a ward committee is meant to be: an advisory body; a representative structure; an independent structure; and an impartial structure that must perform its duties without fear, favour or prejudice. It clear from this point that the ward committee system ensures that democracy is not only the preserve, of a central parliament but that citizens have a role to play in government affairs at a local level. Naidu (2008:1) states that ward committees are **instrument through which the Freedom Charter clause 'the people** shall govern' **may be reali**sed.

According to Ismail et al (1997:22) engaging citizens in policy making is an advanced two way relationship between government and, in this case, local government, and communities based on a principle of partnership. Specifically for municipalities the only form for structured participation is through ward committees. Ward committees are legal structures which are best suited to ensure wide citizen participation thereby enhancing public participation as outlined by the various pieces of legislation. The institution of ward committees has a legislative responsibility in enhancing public

participation, with specific reference in local government policy making processes.

To ensure effectiveness and efficiency of ward committees in addressing community needs, Notice No 27699 of 2005 of the Department of Provincial and Local Government developed guidelines for their establishment as follows:

- Ward committees are a representative structure consisting of communities from all sectors of society. These sectors include religious groupings, health and education, the youth, business, ratepayers associations and people living with disabilities, to mention but a few. The representative nature of ward committees is an endeavour to ensure that all the diverse needs of communities are attended to since people will not need the same thing at a time.

- A ward committee is an independent structure. This is so because communities always exercise their constitutional rights to freedom of association, including belonging to political parties of their choice. Whilst people exercise their rights in terms of political affiliation, ward committees must be sensitive and not be biased towards one party and forget the needs expressed by other political groupings. It goes without saying that they must perform their functions without fear or intimidation (RSA DPLG 2005).

2.7.1 Integrated Development Planning

The Local Government: Municipal Systems Act of 2000 requires that all municipalities must develop and approve their Integrated Development Plans (IDP). The IDP is meant to be a single, inclusive and strategic development master plan for the whole municipal area. It is also meant to address the developmental and service delivery needs of the local community, and to complement the service delivery plan of national and provincial sector departments. Parnell and Pieterse (in Parnell et al, 2008: 84) point out that the IDP ensures the integration of local government activities with other tiers of development planning at provincial, national and international levels.

According to the Intergovernmental Forum for Effective Planning, integrated development planning can be defined as a participatory planning process aimed at integrating sectoral strategies, in order to support the optional allocation of scarce resources between sectors and geographical areas and across the population, in a manner that promotes sustainable growth, equity and the empowerment of the poor and marginalised (Van der Waldt, 2007:95).

The development of the IDP must be directed at realising the objectives of local government as set out in the Constitution of the Republic of South Africa. The IDP and the plans involved in it are aimed at giving effect to the notion of a developmental local government. The IDP should link, integrate and co-ordinate plans and proposals for the development of the municipality. The Local Government: Municipal Systems Act of 2000 requires that all IDPs

are reviewed annually; a consideration is made to the past financial, budgetary performance and the prevailing circumstances of the time in which the plan is developed. Municipalities have an obligation of making their IDP public before they are approved by municipal councils (RSA 2000).

2.8 PARTICIPATION THROUGH WARD COMMITTEES

The Local Government: Municipal Systems Act (No 32 of 2000) requires municipalities to establish ward committees to facilitate community participation within each municipality. The Act also requires a municipality to develop the details which include the scope, functioning and maintenance of ward committees. The municipality should also provide the required support for the successful involvement of ward committees as champions of community participation. The purpose of the ward committee, according to the Department of Traditional and Local Government Affairs (DTLGA) (2005:6), is to assist the democratically-elected representatives (ward councillors) in wards are to carry out their mandate and also to enhance effective community participation. A ward committee is not a structure with a mandate to govern outside the municipal system. Ward committee members are members of communities who know sectors of the communities well, and are thus able to liaise with ward councillors around issues of governance (DTLGA, 2005:6).

According to Raga and Taylor (2005:247), ward committees are a key mechanism through which the municipality can communicate with its local community. To promote and enhance efficient and

effective service delivery, ward committees are appropriate structures for links and discourse and for promoting participatory democracy. As partners in community development, Ababio (2007: 618) maintains that ward committees provide the following strategic functions:

- Ward committees serve as messengers between the community and the council. Similarly, ward committees provide communities with space to lodge or express their views and complaints;
- Ward committees have the responsibility to identify and utilise the skills and resources that exist within their communities in terms of finance, expertise and community facilities;
- Playing a role of providing support for groups involved in community structures and activities. This involves recognising and acknowledging the value of contributions and giving encouragement to the needy;
- Serving as a strategic mobilising agent for both the municipality and the community in the planning and implementation of programmes, and in mobilising partnerships for the development of local projects;
- Interacting with external role players on behalf of or for the benefit of their local communities;
- Influencing decisions through lobbying and persuasion, and
- Disseminating relevant information relating to municipal processes, decisions taken and projects (Ababio, 2007: 618).

By facilitating public participation, ward committees can help municipalities to determine community needs. This will assist municipalities in identifying the services municipal communities

require, as well as contribute towards establishing and advancing the Integrated Development Plan (IDP). As such, the need for formulating an IDP arises to effectively develop a mechanism for identifying community needs and priorities, and to design administrative and managerial practices to meet these needs (Thornhill and Madumo, 2011:133).

2.9 TRAINING OF MUNICIPAL COUNCILLORS FOR EFFECTIVE GOVERNANCE

The transformation of local government in South Africa has resulted in the introduction of a new system of local government known as 'developmental local government' which requires councillors with special abilities and qualities. Under the new local government system, councillors are faced with challenges of integrating budgets and managing scarce resources and finances. To meet these challenges and to ensure effective local government, capacity-building and training initiatives aimed at enhancing and developing **councillors' performance are of great importance (Makhubedu**-Mametja and Bauer, 2003:370). To ensure effective government, municipal councillors should promote transparency as well as establishing and maintaining a culture of public accountability. One of the traditional cornerstones of democracy is the requirement that each councillor, as well as each public official, is subject to accountability. Councillors should display a sense of responsibility when performing their duties. Thus, their conduct should be above reproach so that councillors will be able to account for their acts in public (Gildenhuys, 1997:56).

Effective government requires councillors to develop and promote a culture of ethical conduct. Ethics can be regarded as the collection of moral principles, norms, attitudes, values and obligations that serve as conduct and behavioural roles to be observed by public representatives, political office-bearers and public officials. It is, therefore, crucial that in the performance of their duties, municipal councillors should respect their Code of Conduct as reflected in Schedule 5 of the Local Government: Municipal Structures Act of 1998 (Fox and Meyer, 1995:45).

It can therefore be deduced from the above statements that training of councillors is essential and can have a positive effects on their governing capacity, which will in turn lead to effective service delivery.

2.10 BEST PRACTICES IN LOCAL GOVERNANCE

In terms of best practices guidelines offered by the Department of Provincial and Local Government, the following generic roles and responsibilities are recommended for each ward committee in South Africa to:

- create formal unbiased channels and co-operative partnerships between the municipality and the community in the ward;
- ensure contact between the municipality and community through the use of and payment for services;
- create harmonious relationships between residents of a ward, the ward councillor, geographic community and the municipality;

- facilitate public participation in the process of development, review and implementation management of the Integrated Development Plan of the municipality;

- act as an advisory body on council policies and matters affecting communities in the ward;

- serve as an officially recognised participatory structure in the municipality;

- serve as a mobilising agent for community action;

- receive and record complaints from the community within the ward and provide feedback on council responses;

- make recommendations on any matter affecting the ward to the ward councillor, or the local council, the executive committee and the mayor;

- execute other functions as delegated by the municipality;

- participate in all stakeholder cluster forums; and

- be represented by their cha**irpersons in the council's study** groups (Shaidi, Pillay, Raga and Taylor, 2011:125).

2.11 CHALLENGES OF PARTICIPATORY GOVERNANCE

Thornhill and Madumo (2011:141-142) contend that taking note of the socio-political environment within which government functions in South Africa, it is important to *firstly* emphasise that residents should be educated with regard to when, how and why they should participate in municipal affairs. Failure to do so often results in the **residents' lack of participation, which negati**vely impacts on the **municipality's decision**-making processes. Consequently, the ineffectiveness of such a participatory structure would have a direct

negative impact on the democratic character of local government and the Republic of South Africa in general.

Secondly, the ward committee system should be reviewed. Some ward committee members do not take the initiative and do not develop Plans of Actions for a committee. This has a significant impact, as the committee serves as a communication mechanism between the community structures of municipalities and individual citizens. Perhaps ward committee members should be remunerated, or financially assisted for their involvement. Ward committees could also be assigned more powers to make decisions for their respective wards.

Thirdly, it is important for the municipality to formalise processes for the functioning of ward committees. Through a legitimate ward committee, it is inevitable that community members will subsequently participate in local government matters. Their participation will help the municipal council in meeting their **respective communities' expectations.**

In summary, ward committees are relevant stakeholders in bridging the communication gap between the municipal councils and the communities they govern. It provides a platform for engagement on the issues that concern local government and its processes. Notably, ward committees are in a better position to represent the true views of their communities. Therefore, the functioning of ward committees should be a major focus area for every municipality entitled to establish them.

Ward committees are a prominent channel for communication through which communities inform municipal councils about their needs, expectations and problems. Naidu (2008:86) is of the opinion that the present structure and form of ward committees in South Africa are dysfunctional. Furthermore, Naidu (2008:86) believes that it has weakened the role that participation plays within the municipal structure. This failure could be ascribed to various reasons including:

- Ward committees' lack of credibility to influence decision-making;
- Ward committee members' lack of commitment in their endeavours. Some ward committee members perceive ward committees as a mere steppingstone towards realising their political ambitions; and
- Power relations (i.e. political interference) undermine the role of ward committees – a ward councillor is a politically elected representative, and by default she/he is chairperson of a ward committee that has the potential of promoting partisan interests.

2.12 CONCLUSION

Against the bigger picture of a new South African state that is constructed on democratic values and participation by all citizens on government affairs, this chapter has described how South African local government has emerged from apartheid in 1910 to the democratic state in 1994. The chapter has also discussed in details the legislation which supports the South African local government, and legislative and policy framework that allows for community participatory local governance.

CHAPTER 3

LOCAL GOVERNANCE IN THE MAPHUMULO MUNICIPAL AREA

3.1 INTRODUCTION

This chapter provides a brief background of Maphumulo Municipality in KwaZulu-Natal. It also outlines and gives an overview of the institutional arrangements of the municipality as well as the role of the ward committee system in enhancing participatory democracy within the municipality. Maphumulo Municipality is an administrative area in the iLembe District of KwaZulu-Natal in South Africa. Maphumulo is an isiZulu name meaning 'place of rest' (wikipedia.org/wiki/Maphumulo).

3.2   THE PROFILE OF MAPHUMULO LOCAL MUNICIPALITY

Maphumulo Municipality is bounded to the north by Tugela River and extends approximately 30 km to its southern boundary with Ndwedwe Local Municipality. The primary administrative centre of the municipality is the town of Maphumulo which is located approximately 38km northwest of KwaDukuza Municipality. The R74 is the main road which provides access from Stanger and leads on to Kranskop and Greytown. The linkage to the N2 is vital as it provides for community access to transport, access to commercial and employment markets in the Durban Metro, KwaDukuza, Darnall and Isithebe areas (Maphumulo Municipality IDP Review 2010/11).

The Maphumulo Municipality is one of four municipalities that constitute iLembe District Municipality. It is bounded to the North by Tugela River and is predominantly rural, comprising of mostly tribal land, about 95% of which is administered by the Ingonyama Trust on behalf of the local communities. The municipality owns very little of the land (Maphumulo IDP, 2008:6). Sugar cane cultivation is the predominant economic activity and land use in the municipality. Subsistence agricultural activities in the form of small cropping areas attached to traditional family units dominates land usage.

Figure 3.1: ILembe District Municipality
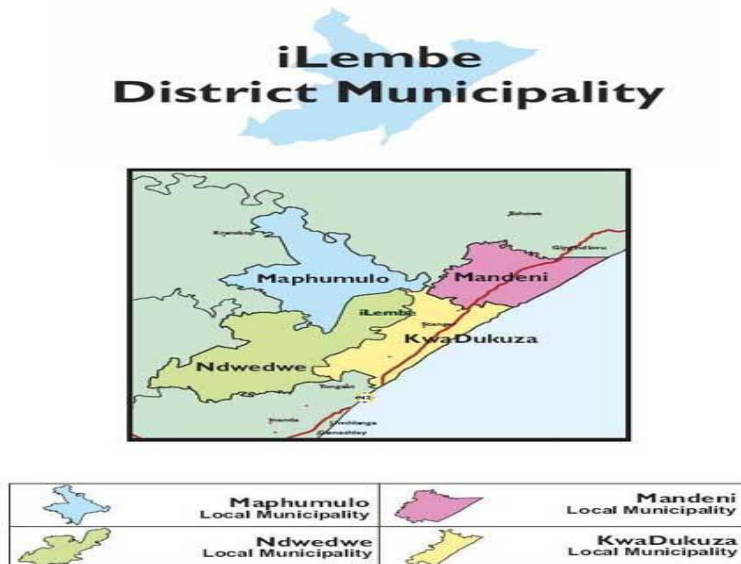
Source (www.gov.za)

The Maphumulo Local Municipality covers a large geographical area with a total 894 square km. Its population is approximately 120637 and consists mainly of rural inhabitants (www.citypopulation.de/SouthAfrica).

There are several tourist attractions including the following:

- KwaShushu Hot Springs;
- Itshe likaNtunjambili;
- Izibaya zika Gcugcwa;
- Sabuyaze; and
- Maphumulo Mission.

The following are the developmental challenges faced by Maphumulo Municipality:

- Difficulties in curbing the spread of HIV/AIDS within the municipal area;
- Huge basic services and infrastructural backlogs;
- **Water Backlogs – 43%** of the households do not have an adequate supply of water totaling approximately 11811 households.
- **Sanitation Backlog – 78%** of households do not have an adequate service representing approximately 21539 households.
- **Electricity Backlogs - 52 %** of households within the Maphumulo Municipal area do not have electricity as a source of lighting.
- **Housing - 70 %** of the Maphumulo population do not have formal housing units accounting for 19324 households.
- Absence of local training and skills development institutions;
- Lack of skills to specifically participate in the local economy;
- High unemployment rate;
- High dependency ratios and poverty levels;
- High illiteracy levels;
- Difficulties in attracting investors into the area;

- Steep and development-unfriendly terrain with scattered settlement patterns;
- Lack of services in the identified development nodes;
- Absence of a waste management facility to cater for both current and future development needs;
- Absence of a revenue base and the resultant grant dependency;
- Inability of the municipality to attract experienced personnel and the existence of vacancies in critical posts;
- Shortage of office space for municipal staff;
- Lack of burial space within the municipality; and
- Inadequate inter-governmental alignment and its negative impact on development programmes (Maphumulo Municipality IDP Review 2010/11).

Maphumulo Municipality was established subsequent to the local government elections of 2000 and in accordance with the provisions of Section 12 (1) of the Local Government: Municipal Structures Act 1998 (117). It consists of 21 councillors and made up of 11 wards councillors and classified as a category B Municipality. In South Africa, a category B or local municipality is a type of municipality that serves as the third and most local, tier of local government. It falls under the jurisdiction of the district municipality.

The Local Government: Structures Act 1998 (Act 117 of 1998), especially Section 21(1), outlines the following as the most distinctive characteristics of Category a B Municipality in South Africa:
- Municipality with a collective executive system;

- Municipality with a collective executive system combined with a ward participatory system;
- Municipality with a mayoral executive system;
- Municipality with a mayoral executive system combined with a ward participatory system;
- Municipality with a plenary executive system; and
- Municipality with a plenary executive system combined with a ward participatory system (Structures Act 1998).

Table 3.1: Population figures according to Council wards

WARD	NUMBER OF HOUSEHOLDS	TOTAL POPULATION	AREA IN KM2
1	2481	12972	64
2	1694	1007	159
3	2028	11953	128
4	1602	9722	112
5	1132	7148	40
6	1389	8454	1389
7	2085	12824	47
8	1878	10867	56
9	1099	6748	59
10	1686	12423	65
11	3885	21520	65
TOTAL	**21141**	**124703**	**894**

Source: (Maphumulo IDP 2008)

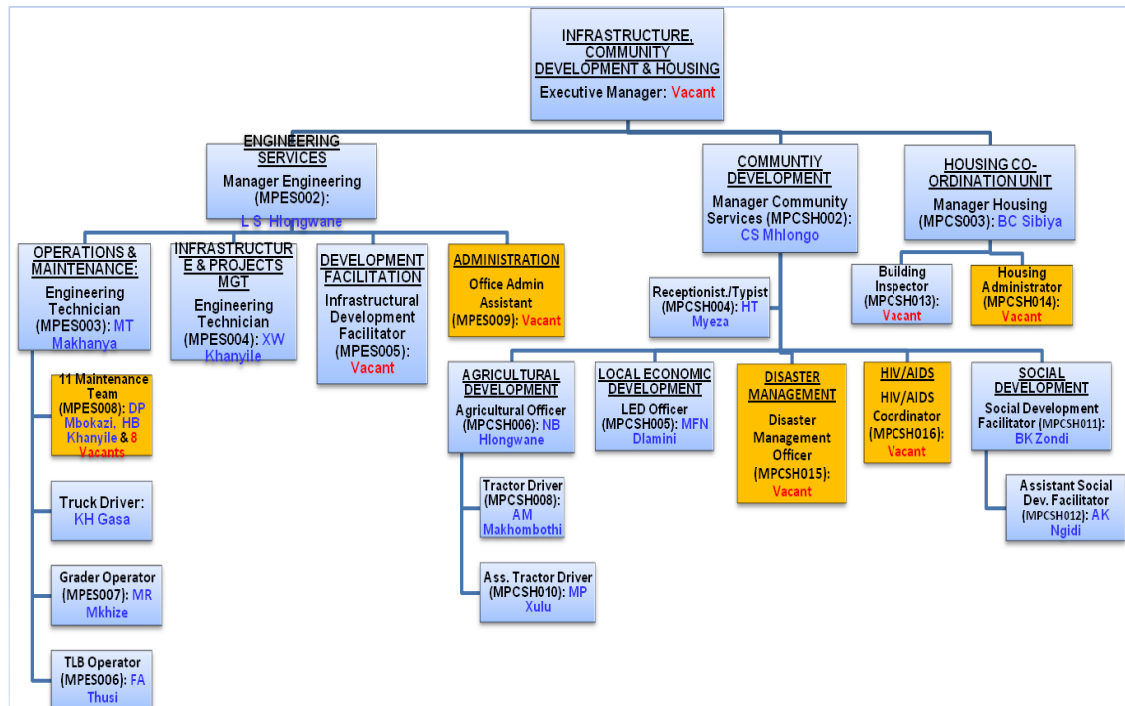## 3.3 THE COUNCIL OF MAPHUMULO MUNICIPALITY

The Maphumulo IDP Document (2008:7) states that at an institutional level, the Maphumulo Municipality is managed by the

council consisting of 21 councillors, 11 of whom are ward councillors and 10 are proportionately elected councillors. **The Municipal's** Portfolio Committee plays a crucial role in setting policies that serve as a guide in the implementation of policies, council projects and activities. These portfolio committees are structures as per the national guidelines. Each portfolio committee meets once a month to look at specific issues that relate to each portfolio committee. They research those issues and produce necessary findings. They also deliberate issues and make recommendations to the Municipal Executive Committee (EXCO) and the full Council, for the latter to take decisions. The Maphumulo Council Portfolio Committee consists of the following structures:

- Planning and Finance;
- Community Services, Economic and Social Development;
- Infrastructure and Services Development; and
- Corporate Governance and Transformation (Maphumulo IDP 2008:8).

To assist the Maphumulo Municipality to implement its strategic objective as enshrined in the White Paper on Local Government of 1998, a strong, dynamic and charismatic leadership is in operational. It plays a crucial role in providing guidance and direction to the municipality. The Maphumulo IDP (2008:8) states that the administration of Maphumulo is structured in a way that helps it in addressing the challenges that it is faced with. These challenges are outlined in the Maphumulo IDP document.

Fig 3.2: The structure of Maphumulo Municipality

Source: Maphumulo IDP (2008:11).

The first local government elections in 1996 gave rise to the formation of ward councillors and subsequently to the elections of ward committees at Maphumulo Municipality. To date the municipality has 21 ward committee members which represents 11 wards. The situational analysis of the Maphumulo Municipality is an indication that the municipality subscribes to the notion of public participation by establishing the ward committee system. Section 152 (1) of the Constitution of the Republic of South Africa states that one of the core functions of local government is to encourage the involvement of communities and community organisation in the matters of local government. It also states that a municipality must

strive, within its financial and administrative capacity to achieve this objective of involving communities in local government affairs.

3.4 THE WARD PARTICIPATORY SYSTEM

According to Mogale (in Mhone and Edigheji 2004:36) the ward participatory system is a system which is meant to enhance public participation, thereby placing responsibility on municipalities to ensure the establishment of ward committees which are functional and active in addressing the needs of communities. Because public participation is a matter of legal compliance, municipalities must have systems, procedures and strategic intervention to ensure that ward committees fulfil the objectives.

Ward committees are legal structures which serves advisory structures to the municipal council. They play a crucial role in influencing the decision-making process of the municipality in a way that seeks to ensure that issues raised by the community are considered. It is therefore important that municipalities reposition themselves institutionally to accommodate ward committees and provide them with the necessary support and capacity to full-fill their roles and functions.

In terms of the establishment and operations of ward committees, Notice No 956 of 2005 states that some of the roles and functions of ward committees are to make recommendations on any matter affecting their ward through the ward councillor to the municipal council. Section 73 of the Local Government: Municipal Structures Act of 1998 states that, if a council decides to have ward

committees, they must provide administrative support to enable them to function effectively.

Maphumulo Municipality subscribes to the requirement of the Local Government: Municipal Structures Act of 1998 that ward committees should be established and should institutionally be structured in such a way that the municipality responds to its legislative mandate of fulfilling the needs of the community in a way that enhances democracy in local government. Municipal officials are given a mandate to supervise the operations of ward committees and they must also provide administrative support.

Municipalities in South Africa have a number of people, structures and mechanisms that can play a role in public participation. Thus to enhance service delivery, Smith (2008:18) outlines the following structures and their responsibilities:

The Mayor

The mayor is the public face of the municipality and should be used in big public meetings, municipal stakeholder forums and media.

Ward Councillor

Ward councillors are the representatives of specific communities and are ideally placed to be the link between the people and the municipality **– they should bring people's needs and problems to the** municipality and consult and inform the community around municipal services and programmes.

Ward Committees

Ward Committees are elected from different sectors in communities. Ten members are elected in each ward to assist and advise the ward councillor and increase community participation. They can be very useful for spreading information, assessing needs, building partnerships, consulting the community and picking up local problems with services.

Community Development Workers

Community development workers are deployed by government to work in communities to make sure that people can access government services. They have to give advice, help people with problems, assess needs and work with local organisations to build partnerships with government. They usually know the community well, have good contacts with organisations and can help with consultations and with research, and by spreading information and monitoring implementation.

Stakeholder Forums

Different forums already exist – for example community police forums and IDP forums. Other forums that are made up of stakeholders should be set up for specific projects and programmes. Forums are very useful for quick and ongoing consultation as well as for building partnerships between the community and government.

Community Liaison Officials

Most municipalities employ staff to liaise with the community - they should be used as part of any outreach and public participation programme.

Media

The municipality usually has access to its own media, for example notice boards, rates and water bills. This can be used for spreading information about prices, new plans, budget priorities, etc. The commercial media as well as radio should also be used to inform people, and in some cases like phone-in programmes, to consult people.

3.5 GUIDELINES FOR THE ESTABLISHMENT OF WARD COMMITTEES

The processes and procedures involved in establishing ward committees can be traced back in June 2005 when the Department of Provincial and Local Government (DPLG) gazetted the guidelines for the establishment and operations of ward committees. According to Notice 965 of 2005, the DPLG states that these guidelines supplement legislation by providing a uniform code of conduct to the ward committees members, councillors and officials on the procedures to be followed in establishing the ward committee system, how it is intended to operate. The guidelines state that the objective of ward committees is to enhance participatory democracy in local government. These guidelines further describe ward committees as:

- An advisory board;
- Representative structure;
- An independent structure; and
- An important body that must perform its functions without fear, favour or prejudice (DPLG, 2005).

The guidelines also offer some possible powers and duties that municipalities may delegate to ward committees. They include, inter alia:

a) To serve as an official for specialised participatory structures in the municipality; and

b) To create an unbiased communication channels as well as cooperative partnerships between community and council through:

- Advertising and making recommendations to ward councillors on matter and policy affecting the ward;

- Assisting the ward councillor in identifying challenges and needs of residents;

- Disseminating information in the ward concerning municipal affairs, e.g. budget, Integrated Development Plan, Performance Management System (PMS), service delivery options and municipal properties;

- Receiving queries and complaints from residents concerning municipal service delivery, communicating those to council and providing feedback to the community on council response;

- Ensuring constructive and harmonious interaction between the municipality and community through the use and co-ordination of ward residents meeting and other community development forums; and

- Interacting with other forums and organisations on matters affecting the ward

- To serve as a mobilising agent for community action within the ward (DPLG, 2005).

3.6 THE ROLE OF WARD COMMITTEES AT MAPHUMULO LOCAL MUNICIPALITY

In terms of the Local Government: Municipal Structures Act (Act 117 of 1998), municipalities are required to establish ward committees to enhance community participation in municipal development processs. Section 19 (2) and (3) of the Local Government: Municipal Structures Act of 1998 directs municipalities towards a new culture of governance that complements representative democracy through participation. In compliance with this legislative requirement the council of Maphumulo Local Municipality has established ward committees in each of its eleven wards to enhance local democracy and to maximise the social development and economic growth of communities.

In line with the recommendations of the Institute for Democracy in South Africa (IDASA) of 2002 regarding the role of ward committees in enhancing community participation, the Maphumulo Municipality has adopted the following strategies:

Public Meetings, also known as *Izimbizo,* they are regarded as the most common method of public participation. Through this method, the municipality invites the public to attend council meetings. Council meetings are open to the public and the Local Government: Municipal Systems Act of 2000 provides for public notices regarding time, venue and dates of council meetings.

Public Hearings. Public hearings are usually convened to give the community members a fair and open opportunity to voice their views

regarding the provision of services and to allow them an opportunity to make their input on the municipal management.

Consultative Sessions, since municipalities are tasked with the social and economic development initiatives of their communities, it is important to contact communities on such matters. In this process, communities can own development initiatives in their areas.

Report Back Meetings. The community is entitled to be informed of decisions the municipality takes, affecting its rights and expectations as well as regular disclosure of the state of affairs and finances of the municipality. Representatives and ward councillors are expected to report back to their communities on their activities.

Advisory Committees. According to the Local Government: Municipal Systems Act of 2000, a municipality may establish one or more advisory committees, consisting of persons who are not councillors, to advise the Council on any matter falling within the council's competence. These committees may bring in expertise that may not be resident in council or that may complement council's expertise.

Focus or Interest Groups. Concerned individuals in a community who share the same interest (for example, tourism, crime or concern for the environment) may form groups to lobby and advice the municipal government on those specialist interests. They can also be consulted by municipalities for advice.

Communication. Communication is an important tool in facilitating participatory governance: it is therefore crucial for a municipality to have a newsletter, hold annual general meetings, establish information points or help centres and form strategic partnerships with various stakeholders.

3.7 CHALLENGES FACING WARD COMMITTES AT MAPHUMULO MUNICIPALITY

The IDP review which took place in 2008 at Maphumulo Municipality has indicated that ward committees in the municipality are faced with major problems which impact negatively on their potential and ability to deliver services to the communities. The study has identifies the following key factors which is assumed that when properly addresses, the barriers and dynamics of participation in local governance can be improved.

3.7.1 The Culture of Democratic Practice

Because the culture of democratic practice is new to the South African context, ward committees are still unable to engage constructively with the local people. This in turn, affects the communities who do not know who are their local representatives are. This is also highlighted by Ntlemeza (2008:28) who states that while local government in South Africa is legitimate, it is difficult for people to adjust. Actually most citizens are readily available to do as the national or provincial government suggest them to do than the local government.

3.7.2 Low Education Levels among the Residents

When arguing about the crisis of educational levels among black communities, Ntlemeza (2008:28) states that in order for people to participate effectively in local governance affairs they requires knowledge of issues so that they can make a meaningful and matured contribution. Levels of education, especially among the residents in the rural areas are low as a results people are unable to understand development initiatives and to empower each other.

3.7.3 Conflicting interests between Ward Councillors and Ward Committees

Ward committees are chaired by ward councillors, in most cases conflict erupts due t the fact that ward councillors may want to satisfy their political mandate rather than improving the lives of communities. Ntlemeza (2008:28) states that participation is about power between citizens and politicians. Therefore there will always be a problem about the control of ward committees and processes of participation, the setting of agendas. Procedures are usually in the hands of politicians who in some case are the barriers for effective involvement of citizens.

3.7.4 Inadequate Capacity Building among Ward Committees

Since the inception of the local government system in 1996 and its interaction with civil society, the involvement of ward committees in municipal processes poses a great challenge. According to the Electoral Institute for Sustainable Democracy in Africa, the voices of

many ward committees are not effective as they should be. Many have little or no knowledge about the current system of local governance or the spaces for participation in municipal processes as embedded in many pieces of South African legislation that govern local governance (www.eisa.org.za).

Further to the challenges facing ward committees at Maphumulo municipality, Naidu (2008:63) outline the following additional challenges for the ward committees:

Political Representation

There is a concern that ward committees are constituted in a way which goes in line with their political affiliations. This has, in many circumstances given rise to charges that ward committees are often merely extensions of political party structures and do not represent the interest of the community which is in dire need of services. This has also resulted in a situation in which ward councillors manipulates deliberations and decisions to reflect the mandate of the political party they represent, rather than the genuine aspirations of the community. The proposed study will investigate whether Maphumulo municipality has any element of this political clandestine. In one study conducted by Piper and Deacon (2008) in Msunduzi Municipality in KwaZulu-Natal, they discovered that ward committees **are very often politicised in one of three ways. Firstly there is "inter party competition" in which the composition of ward committees is** crafted in a way which promotes interests of a particular political **party. Secondly, there is "Intra party competition" in which ward** committees have become embroiled in factionalism within political parties. Thirdly, Piper and Deacon (2008:12) discovered a term

"policy competition" where the role of ward committee, rather than the composition is, is defined by the political party.

Structural Limits to Power

The second challenge facing ward committees relates to the limitation of their powers. These limitations are legislatively imposed. In this first instance, this is legislated by the Local Government: Municipal Structures Act (No 17 of 1998) which confines the powers of ward committees to merely providing advice to ward councillors and receiving inputs from communities.

Skills and competencies of Ward Committees

The effectiveness of ward committees is largely constrained by the limitation of the levels of education, skills and expertise of members. This was clearly indicated by the skills audit conducted with 373 ward committee members in the Nelson Mandela Bay Municipality in 2008. The findings indicated that only 9% of the ward committee members had post-matriculation training and 59% did not have a matriculation qualification. It is more likely that the education profile of ward committees in the rural municipalities will reflect even lower education qualifications.

There have been some improvements in terms of local governance. However Sikhakhane and Reddy (2009:243-245) contend that despite the progress made to date, there are still some serious challenges that have to be addressed including the following:

- Local residents in some municipalities are not fully aware of their civic rights. Because of this there is a lack of community

participation in municipal affairs. Communities have not been fully educated on when, why and how they should participate.

- Ward committees are representative and consultative structures that can play a pivotal role in facilitating service delivery. However, some ward committees are not functioning well and the members are not receiving the required information, capacity building and guidance. Further, ward councillors are not co-operative and are not working in collaboration with councillors (Sikhakane quoted by Sikhakane and Reddy, 2009:244).

3.8 PRINCIPLES OF GOOD GOVERNANACE FOR WARD COMMITTES

According to Smith (2008) ward committees have been the focus of considerable attention by government as well as the civil society, with substantial investment already made in an attempt to ensure that these structures have the necessary capacity and resources for them to fulfil their duties. This is further supported by Nyalunga (2006b:44) who argues that in order for ward committees to be effective and efficient in dealing with community needs, they should comply with the following guiding principles:

Ward Committees as Links between the Community and the Council: Ward Committees should provide communities with a space to lodge or express their views and complaints.

Ward Committees and Community Resources: Ward Committees should have a good understanding of what is available in

their communities in terms of finance, expertise, skills, new materials, community facilities – volunteers/labour and resources.

Ward Committees and Support to Community Structures: Ward Committees should play a role of providing support for the people/groups involved in community structures and activities. This involves affirming people, recognising and acknowledging the value of their contribution, giving encouragement, being available for people when they want to talk or ask questions.

Ward Committees as Strategising Mobilising Agents: Ward Committees should be strategising mobilising agents for both the municipality and the community in the planning and implementation of programmes. They can also play an important role in mobilising partnerships for the development of local projects.

Ward Committees and External Role Players: Ward committees have the role of interacting with external role players on behalf of or for the benefit of their local communities of constituencies. They should also establish relationships with a variety of people or organisations and be in position to use them to effect and facilitate developments in their local communities.

3.9 CONCLUSION

Municipalities in South Africa and abroad have a responsibility to establish ward committees and ensure that they serve as a mobilising agent for participatory governance within the ward, for example, influencing active participation of communities in service

payment campaigns, Integrated Development Plans and budgeting processes and performance management systems.

CHAPTER FOUR

RESEARCH METHODOLOGY

4.1 INTRODUCTION

This chapter outlines the procedures, techniques and methodology used to collect both primary and secondary data as stipulated in chapter one. Bless and Smith (1995:99) states that research stands and falls on the quality of facts on which it is based. It was on these grounds that the researcher of this study applied accurate and reliable techniques to collect data. The research sample comprised of the members of ward committees, ward councillors, and the community of Maphumulo Municipality. All these stake holders played a crucial role in reaching accurate findings about the roles of ward committees in enhancing participatory local governance. To collect data, the researcher used qualitative methods.

The purpose of this chapter is to explain the rationale behind the methodology used, and to indicate how the research was conducted. It also outlines the steps taken to ensure data collection, analysis, validity and reliability and ethical considerations. Research design is explained. The research design adopted for this study is a qualitative method.

4.1.1 Research Design

According to Strauss and Corbin (1991:17) the research design is the plan for the study, providing the overall framework for collecting the data, outlines the detailed steps in the study and provides guidelines for systematic data gatherings. They also state that a research design is similar to an architectural blueprint which plans on organising and integrating results in a particular end product. These definitions tally with the views of Booysen (1993:23) who defines research design as the consideration and creation of means of obtaining reliable, objective, generalise and valid data by means of which formal announcements about the phenomenon may be confirmed or rejected. They further state that the research design is a plan that will be applied during the investigation in order to answer research questions. To reach reliable findings, the researcher adopted qualitative research methods.

The research design is a plan or structure one intends to use in conducting the research process. It includes, for example, a literature study, the population from which the researcher intends to obtain data, data collection methods, and how data will be analysed. According to Durrheim (2004:29), a research design is a strategic framework for action that serves as a bridge between research objectives and research questions and the execution or implementation of the research.

4.2 RESEARCH METHODOLOGY

Research can be defined, according to Sekeran (2003:5), as an organised, systematic, data-based, critical, objective, scientific inquiry or investigation into a specific problem, undertaken with the purpose of finding answers or solutions to it. It is an investigation of a specific phenomenon to find answers. Research encompasses the process of enquiry, investigation, examination and experimentation. It is required that these processes are executed in a systematic, diligent, critical, objective and logical manner (Brynard and Hanekom, 2006:4).

Research involves integrating new knowledge with discrete bits of current knowledge to discover new patterns and new explanations for the inner dynamics of some facet of reality. Considerable focus is on the methodology which comprises the methods, techniques and procedures that are employed in the process of implementing the research design, as well as the understanding of principles and assumptions that underline their use. The entire research activity is linked to the theoretical framework in the field or contributes to the process of theory building in the field. Non-scientific analysis of reality is characterised by ego involvement, over generalisation, selective observation, premature closure of the enquiry, fabricated information and illogical reasoning (Babbie and Mouton, 2001:647).

4.2.1 Qualitative Research Method

When conducting the qualitative research, the researcher seeks to discover the meaning that participants attach to their behaviour, how

they feel and interpret the situation and what their beliefs and perspectives on a particular subject are. According to Strauss and Corbin (1991:17) qualitative research is any kind of research that produces findings not arrived at by means of statistical procedures or other means of quantification. Henning (2003:8) states that qualitative research is a research that utilises open-ended, semi-structures or close, structures interviews, observations and group discussions to explore and understand the attitudes, opinion, feelings and behaviour of individuals or group of individuals. According to Booysen (1993:41) qualitative research has the following features:

- A focus on natural settings;
- An interest in meanings, perspectives and understandings;
- An emphasis on process; and
- A concern with inductive analysis and grounded theory.

Because of the nature of this study, which seeks to understand the clear role of ward committees in enhancing participatory local governance, it remained equally important to differentiate between qualitative and quantitative research methods. Sekeran (2000:11) states that qualitative research is best used for depth, rather than breadth of information, while quantitative research is a survey which is an important outstanding medium of gathering a breath of **information regarding "How many or How much". The broad** understanding of the differences between qualitative and quantitative approaches is provided by Neuman (2000:132) in the following table 4.1 below.

Table 4.1 Qualitative and quantitative approaches

Quantitative	Qualitative
Measure objectives	Constructs social, reality and cultural meaning
Tests hypothesis that the researcher begins with	Captures and discovers meaning once the researcher becomes immersed in the data
Concepts are in the form of distinct values	Concepts are in the form of themes, motifs, generalizations and taxonomies
Focuses on variables	Focuses on interactive processes and events
Measures are systematically created before data collection and are standardized	Measures are created in an ad hoc manner and are often specific to the individual setting or researcher
Data are in the form of numbers from precise measurement	Data are in the form of words and images from documents, observations and transcripts
Theory is largely casual and deductive	Theory can be casual and non casual and is often inductive
Procedures are standard and replication is assumed	Research procedures are particular, and replication is very rare
Analysis proceeds by using statistics, tables or charts and discussion on how and what they show relates to hypotheses	Analysis proceeds by extracting themes or generalizations from evidence and organizing data to present a coherent, consistent picture
Independent of context	Situation specific
Statistical analysis	Thematic analysis
Researcher is detached	Researcher is involved

Source: Neuman (2000:132)

Fox and Bayat (2007:73) argue that a qualitative interview is not the same as a normal conversation, and they provide the following points which are the key characteristics of qualitative interviews:

- A qualitative interview is research methodology and considered **way of learning of learning about people's thoughts, feeling** and experiences. The researcher eventually process and analyses the data gained through qualitative interviews. The outcomes are also shared with interested parties by way of a publication;

- A qualitative interview may be conducted between strangers, as well as between acquaintances; and

- Qualitative interviews are guided by the interviewer and typically contain limited number questions and requests to interviewees in order that these may be explored and analysed in depth. Interviewees are encouraged to reflect, in detail, on events experienced by them. This latter process is known as probing (Fox and Bayat 2007: 73).

4.2.2 Advantages of Qualitative Research

Henning (2003: 8) outlines the following as advantages of qualitative research:

- It enables more complex aspects of a **person's** experience to be studied;

- Not everything can be quantified, or quantified easily, and an advantage of qualitative research is that it can investigate these things (for example, individual experiences);

- Individuals can be studied in more depth;

- Because fewer assumptions are placed on the thing being studied it is great for exploratory research and hypothesis generation; and

- The participants are able to provide data in their own words and in their own way.

4.3 THE STRUCTURED INTERVIEW PROCESS

A structured interview method was used to collect primary data. The study was conducted within the Maphumulo Municipality and the focus was on ward committees. Ward councillors, the Municipal Manager and the community were interviewed because they play a crucial role in the election of ward committees and in ensuring that they perform their duties to the best of their abilities.

According to Sekeran (2000:227) interviews can be structured or unstructured. Structured interviews are those conducted when it is known at the outset what information is needed. The interviewer has a list of predetermined questions to be asked of the respondents either personally, through the telephone or through the medium of a personal computer.

The interview process is important in that, it seeks to describe the meanings of central themes in the life world of the subject. It has become a way of life in our society where the interaction between the interviewer and interviewee results in the production of scientific knowledge. Atkinson and Silverman (1997:50) state that research interviews are but one of many types of interviews – all of which **assume that the individual's perspective is an important part of the** fabric of society and of our joint knowledge of social processes and of the human condition.

Eleven ward committee members at Maphumulo Municipality were interviewed with the purpose of recording, transcribing and systematically analysing their responses. Information was collected from 20 ward councillors and 50 community members of Maphumulo Municipality. Participation to the study was voluntary and respondents were assured of confidentiality. They were also clearly informed about the purpose of the study.

Structured questions were used during the interview session. Prior to the interview sessions, the researcher developed a list of interview questions addressing mainly issues relating to the research topic. Structured interview schedules were necessary to enables the researcher to examine the level of understanding a respondents have about issues pertaining to the existence of ward committees at Maphumulo Municipality. Structured interviews are important for the following reasons:

- They can be used as a powerful form of formative assessment. That is, they can be used to explore how a respondent feels about a particular topic;
- They can be used to identify respondents whose views you may want to explore in more details (through the use of focused interviews);
- All respondents are asked the same questions in the same way. This makes it easier to repeat the interview; and
- The researcher is able to contact large number of respondents, quickly, easily and efficiently (www.Sociology.org.uk/methsi.pdf).

4.4 ETHICAL CONSIDERATIONS

To comply with the regulations of the scientific research, the researcher applied the following ethical considerations:

4.4.1 Informed Consent

Henning (2003:73) states that respondents need to give informed consent to participate. This means that they must be fully informed about the research in which the interview is going to be used. Further, they need to know that when participating in research, their privacy and sensitivity will be protected.

In a letter of informed consent, which was drafted by the researcher and approved by the University Ethics Committee prior to the interview sessions, the researcher explained the purpose of the research and the respondents gave to ethical issues. Permission to engage with the respondents was given by the municipal manager of Maphumulo Municipality.

4.4.2 Confidentiality and Anonymity

This section focuses on confidentiality and anonymity and explores the ways in which the researcher of the current study managed these issues. Confidentiality and anonymity are related but distinct concepts. The Concise Oxford Dictionary defines confidentiality as spoken or written in confidence; charged with secrets, while **anonymity is defined as 'of unknown name, of unknown authorship'.** In terms of the ethics literature, anonymity is viewed as associated

to the principle of privacy. This principle is integral to our societal beliefs that and individual matter and that individuals have the rights for their affairs to be private and confidential. To assure respondents of this study of confidentiality, the researcher explained to them that what has been discussed will not be revealed in public or to anyone, or at least not without their permission.

4.4.3 Sampling Method for the study

For the purpose of the study, a purposive or judgmental sampling of the group was conducted. All the respondents that were used for this research are the ward committee members who represent 11 wards of Maphumulo Municipality. A total of 30 community members were also interviewed with the purpose of obtaining their views about the operational issues of ward committees in their communities.

4.4.4 The sample size of Ward Committees

Table 4.2: Interview distribution table for ward committee members

Survey Method	Total Number of ward committee members planned for interview	Total Number of ward committees interviewed
Structured Interviews	11	11

Survey Method	Total Number community members planned for interview	Total Number community members interviewed
Structured Interviews	30	30

Survey Method	Total Number of Maphumulo Municipality Senior official planned for Interview	Total Number of Maphumulo Municipality Senior official interviewed
Structured Interviews	1	1

4.4.5 Data Analysis

Given the size of the population for the study, a simple descriptive method was used. Data and responses from questionnaires were captured and electronically analysed with Microsoft excel and SPSS.

4.5 CONCLUSION

This chapter has described all the methods used to reach subjects and collect data. It used qualitative approach, where subjects were selected for interviews and shared their experiences regarding ward committee system at Maphumulo Municipality. The chapter also highlighted the sample size targeted for the study.

CHAPTER 5

DATA ANALYSIS AND INTERPRETATION OF FINDINGS

5.1 INTRODUCTION

The previous chapter detailed methodologies and techniques used to collect data. This chapter discusses the analyses and the interpretation of the findings. For the purpose of this study, 11 (eleven) ward councillors from each ward were selected and 30 (thirty) community members and 10 (ten) ward councillors. The total sample made up of 51 respondents.

The empirical survey started with the formal observation of the existence and roles of ward committees at Maphumulo Municipality and then structured interviews were conducted. The first set of interviews were conducted with ward committee members and then with ward councillors and the community. The purpose of the interview schedule was to establish the precise role of ward committees in enhancing local governance. With the interviews conducted with the community members the following observations were made:

5.2 DATA ANALYSIS AND INTERPRETATION

## 5.2.1 Do Ward Committees Participates in all Matters Affecting the Lives of the Community?

Fig 5.1: The role of ward committees in community lives
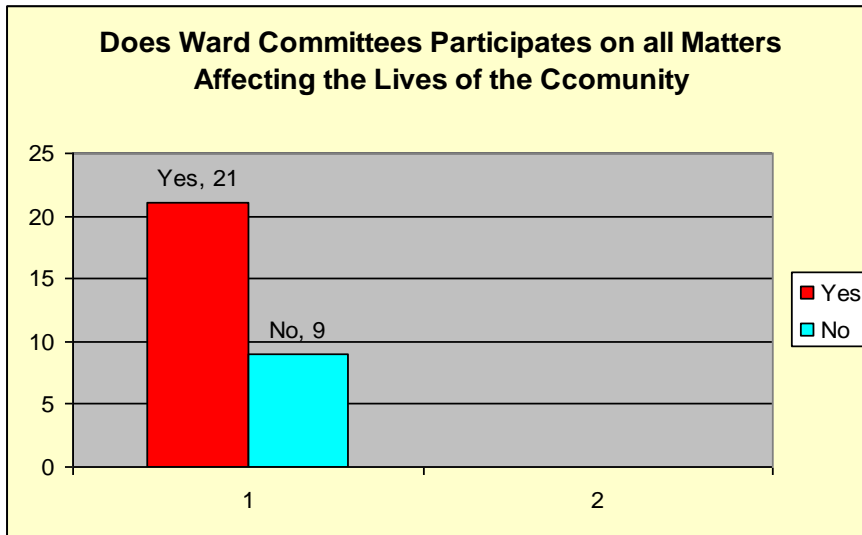
The above graph indicates that all 30 respondents answered this question. Out of thirty respondents, twenty one (70%) respondents indicated that ward community members participate in all matters affecting the lives of the community. Nine (30%) respondents did not see the influence of ward committee in enhancing local democracy. This reflects different understanding by communities regarding the roles of ward committees. It can therefore be concluded that ward committees are playing a crucial role in enhancing local democracy.

5.2.2 Does Ward Committees Involves Community on Local Government Affairs

Fig 5.2: The involvement of community in local government affairs
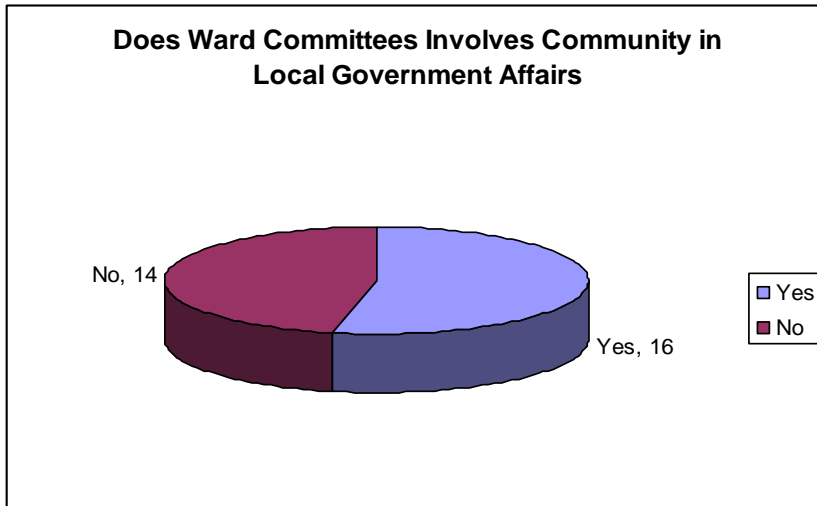
Fourteen (47%) out of thirty respondents did not believe that ward committees are doing enough to involve community in local government affairs. This is further supported by the declining numbers of voters who participated in the 2011 local government elections in the Maphumulo municipality.

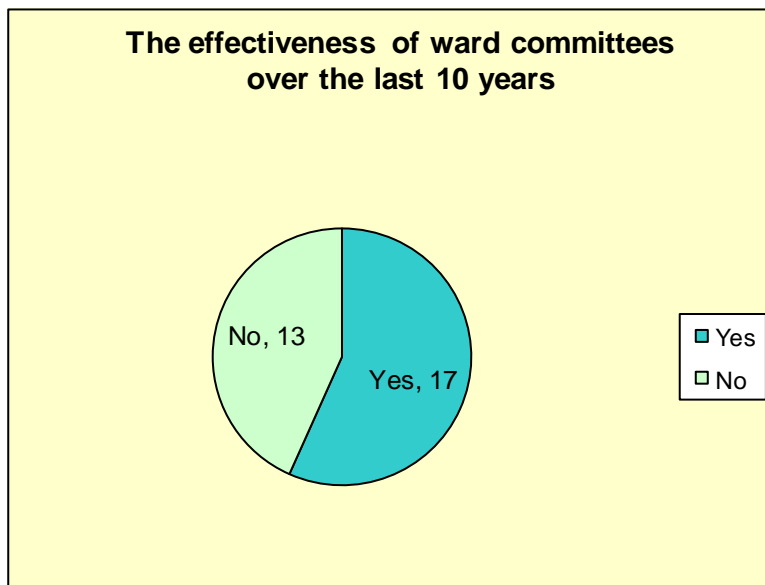## 5.2.3 Perceptions of the Community about the role of the Municipality in supporting Ward Committees

Fig 5.3: Role of the municipality in supporting ward committees
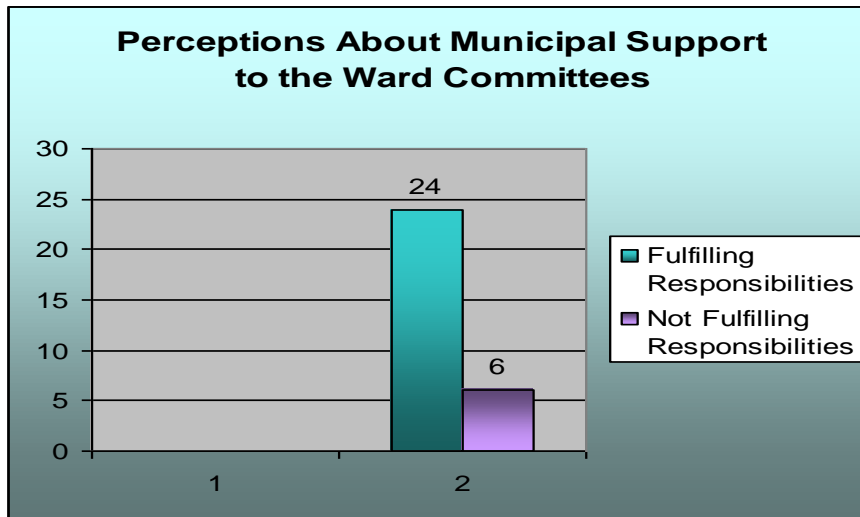
The majority of the respondents (24 or 80%) believed that the municipality plays its role in supporting the ward committees. They cited the workshops provided by the municipality to the ward committees as an indication that ward committees receives a maximum support from the municipality. However, six (20%) respondents believed that the poor performance associated with ward committees in executing their duties is to a large extent influenced by the lack of support from the municipality.

5.2.3 Has the Contribution of Ward Committees over the past 10 years managed to Enhance Quality of Local Governance and Service Delivery?

Fig 5.4: Ward committees and quality of local governance

The effectiveness of ward committees over the last 10 years

No, 13

Yes, 17

Yes
No

The above graph indicates a different understanding of the community about the roles of ward committees in their community. Seventeen (57%) respondents believed that ward committees have played a major role in enhancing participatory local governance over the last 10 years while thirteen respondents (43%) were still not impressed that ward committees have done enough to mobilise communities at a local level.

5.2.4 Understanding the duties of ward committees

Fig 5.5: Understanding the duties of ward committees

Community understanding of the roles of ward committees

Legend:
- Understanding the work of Ward Committees
- Not understanding the work of ward committees
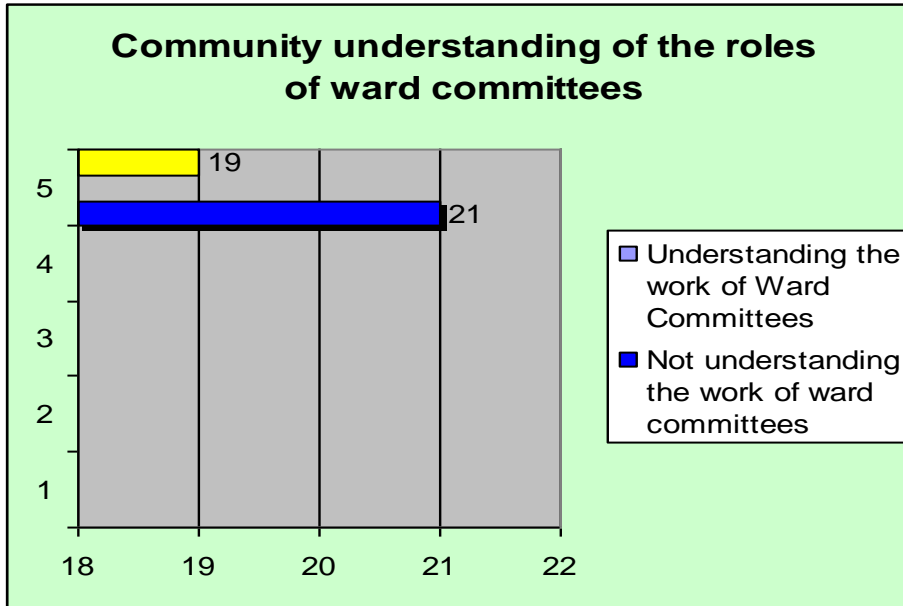
The above graph indicates that out of all respondents, 21 respondents (70%) understood the role of ward committees in their communities. They indicated that the role of ward committees is to address the legacy of social exclusion created as a result of the apartheid legacy and to provide services. Nine (30%) respondents did not understand the role of ward committees. These were the respondents who have not sought advice of ward committees and who have not attended ward committee meetings.

5.2.5 Community availability to attend public meetings (*Izimbizo*)

Fig 5.6: Attendance of public meetings
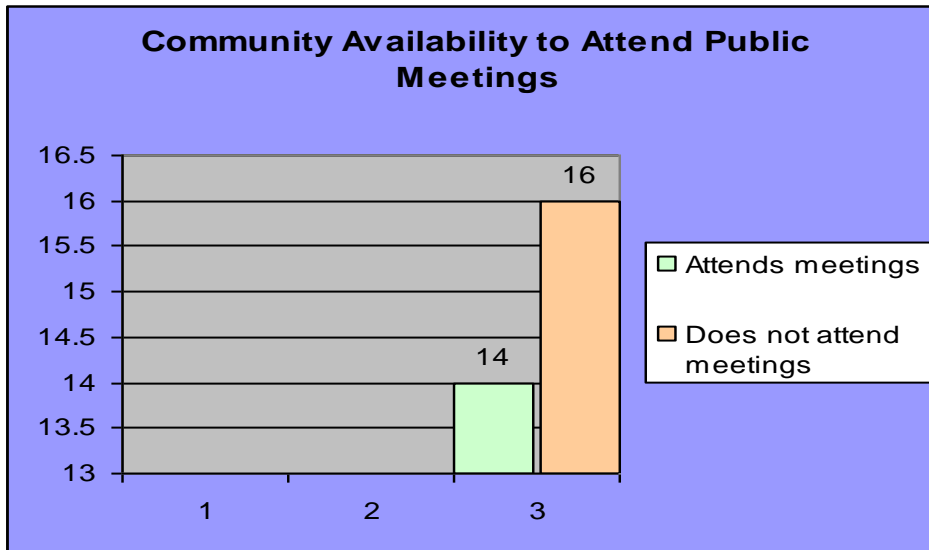
The above graph indicates that the majority of community members do not understand the role of ward committees. This was evident with 16 (53%) respondents indicating that they have never attended any meeting of the ward committees. Fourteen (47%) respondents indicated that they are actively involved in community matters and they attend all the meetings.

5.2.6 The Shortcomings of Ward Committees with Regards to Service Delivery

All the respondents who volunteered to be part of this survey raised their different views with regard to the efficiency and effectiveness of the ward committee system in meeting community needs. While the majority acknowledged the visibility of this structure, they were

concerned with the slow pace in which they receive municipal services. They pointed out that ward committees are facing a major challenge in addressing underdevelopment of many regions of Maphumulo Municipality, fostering effective and successful participatory local governance and mobilising communities to drive initiatives for their local economic development. They also cited the issue of political affiliation, fraud and corruption as another challenge facing the ward committees.

5.2.7 Role of the Municipality and ward councillors in empowering ward committees

The survey discovered that the municipality and ward councillors have crucial roles in stimulating effectiveness and efficiency of the ward committees. The respondents were of the view that where there are good relations between the municipalities ward councillors and ward committees and where communities are mobilised to drive development initiatives, the performance of ward committee members is greatly enhanced.

5.3 ANALYSIS OF RESPONSES FROM WARD COMMITTEES

Structured interviews were also conducted with eleven members of ward committees and eleven ward councillors. All eleven wards of Maphumulo community had one ward committee member and one ward councillor. For the purpose of reaching objectives of this study, the views and responses of ward committees have been recorded and analysed in conjunction with those of ward councillors

5.3.1 Ward Committees and their levels of education

All respondents/members from eleven ward committees answered the question about their levels of education. It has been mentioned in various studies of local government that ineffectiveness of ward committees is further contributed by lower levels of education. It was discovered in this survey that the majority of ward councillors and ward committee members that they do not have high levels of education, but they understand government processes and operations. Out of 11 ward committee members, only 5 had grade 12 and only 9 ward councillors had grade 12 and 3 ward councillors had post-matriculation qualifications.

5.3.2 Training for Ward Councillors and Ward Committee Members

All eleven ward councillors and ward committee members answered this question. They indicated that in line with government's emphasis of skills and competency, they have attended a number of training sessions which have helped them to understand their roles in community.

5.3.3 Ward Councillors and Ward Committee Members and their Accountability to the Communities

All eleven ward councillors and ward committee members answered a question relating to their understanding of the importance to account to the communities they represent. The general perception emanating from this issue of accountability indicated that they

understand the importance of accountability, but they cited the problem of poor communication with communities as a major challenge in disseminating information. They were also concerned with the communities' poor attendance at public meetings.

5.3.4 Ward Councillors and Ward Committee members and the understanding of their community responsibilities

All eleven ward councillors and ward committee members answered a question relating to their understanding of their responsibilities in communities they represent. From the survey in emerged very clear that they understand their responsibilities and the challenge they are facing with in ensuring the delivery of services and the mobilisation of local communities. However, they cited the issue of lack of resources as impeding on their responsibilities.

5.3.5 Knowledge of the Code of Conduct for Ward Councillors

All eleven ward councillors and ward committee members answered a question whether they understand the code of conduct governing the ward councillors. The survey revealed that all councillors and the majority of ward committee members are aware of this code of conduct

5.3.6 Meeting Attendance by Ward Councillors and Ward Committee Members

All eleven ward councillors and ward committee members answered a question about attendance at meetings. Ward committee members

indicated that they were meeting on a regular basis to discuss their roles, challenges and achievements. They also indicated that attendance at these meetings has never been a challenge. Ward councillors do not always attend these meetings as they operate with a tight schedule and in some instances they are required to attend council meetings.

It is also clear from the preceding discussions that the ward committee system in the Maphumulo Municipality is still faced by a number of challenges, ranging from lack of clear understanding of the roles and responsibilities of ward committees amongst ward committee members, to lack of resources and apathy in public participation on the side of the community. The ward committee central node approach should, therefore, be seen as a piloted attempt to address these challenges in a structured and organised manner (Shaidi et al, 2011:126).

5.4 CONCLUSION

This chapter has provided the views of councillors and ward committee members about their roles in enhancing participatory democracy in Maphumulo Municipality. The next chapter will highlight conclusions and recommendations of the study as to how local participatory governance can be enhanced.

CHAPTER 6

GENERAL CONCLUSIONS AND RECOMMENDATIONS

6.1 INTRODUCTION

The purpose of the study was to establish the precise role of ward committees in enhancing local governance at Maphumulo Municipality. The previous chapters described the roles and challenges facing this local structure of government in rendering services to the communities. The Maphumulo communities where ward committees are in operation expressed their perceptions and understandings about this structure. Findings of the study clearly indicated that in the seventeen years of democratic dispensation in South Africa, there is still a need for the government to redefine the role of local government structures so that they become effective and efficient in rendering public services.

Against the background of a new South African society that is driven by principles and values of democracy and participation by all citizens, local government was transformed to serve as a vehicle for these values. Various interview sessions with communities of Maphumulo municipality show that democracy is not only about formally electing representatives, but it is also important that the elected leaders and the community continually interact and find solutions for efficient and effective strategies for service delivery. Out of this mutual co-operation, the leaders and the community can then see to the needs and concerns of the community.

6.2 AIMS AND OBJECTIVES OF THE STUDY

The primary objectives of the study were to:

- Provide an overview of the new mandate for future ward committees and trends in local governance affairs;
- Critically review the roles of ward committees and transformation processes with particular reference to Maphumulo Municipality;
- Evaluate the concept of Ward Committees in the context of participatory developmental local government and the mandate enshrined in the Constitution of the Republic of South Africa;
- Critically examine relationships between communities and ward committees in local government affairs with the view to enhance service delivery; and
- Draw conclusions and recommendations that may contribute towards improved expertise for ward committees in executing their duties.

The study aspired to respond to the following key questions:

- How effective are municipal communication strategies in ensuring that municipal councillors and ward committees interact effectively with their local residents on issues of governance at Maphumulo Municipality?;
- What is the level of compliance by ward committees with legislation and regulations pertaining to community participation, transparency and access to services?;

- What systems are in place for the public to register complaints about ward committees and municipal councillors and how effective do these systems operate?; and
- Are ward committee meetings, report back meetings and *izimbizo* convened regularly to address community concerns about service delivery?

6.3 GENERAL CONCLUSIONS

Chapter one outlined the research topic by detailing the scope and nature for the study. It highlights the current trends and issues in local governance with particular reference to Maphumulo Municipality.

The study was deemed necessary and relevant in that it capacitated ward committees members with legislative frameworks and policies governing the local government administration and development and raise the awareness of the communities about the roles they should play to enhance service delivery at the local sphere of government.

Chapter two highlighted evolutions in the South African local government system from 1906 to 1996. It describes the role of ward **committees since 1950's and the transformation which** had occurred. It describes the new trends in local government and legislative framework that established local government structures in South Africa.

Chapter three provided a description of Maphumulo Municipality where this study of ward committees was conducted and details

policies that enable the municipality to establish ward committees and other local government structures. This chapter has highlighted clearly that despite challenges facing ward committees, they have the potential to drive local projects and they can be regarded as the vehicle to enhance local democracy and participatory governance of local municipalities.

Chapter four outlined the procedures, techniques and methodology used to collect both primary and secondary data. This was precisely done to meet objectives of the study which are highlighted in chapter 1. The chapter also provided a clear distinction between qualitative and quantitative approaches as methods used to collect data. For the purpose of this study, eleven ward councillors and **eleven ward committees' members were interviewed. Face**-to-face interviews were also conducted with 30 members of the community. The issue of ethics in research was also considered.

Chapter Five provided findings of the interviews conducted with ward councillors, ward committee members and the community. The study has revealed that ward committees are the legal structures which are in operational at Maphumulo municipality. However, community members have different interpretations about the roles of this structure in enhancing local governance and participatory democracy.

6.4 RECOMMENDATIONS

Based on the analysis of the study, the researcher made the following recommendations which will hopefully help ward

committees to execute their duties effectively and efficiently and for the community within Maphumulo municipality to understand their roles.

The recommendations are as follows:

- Ward committee should organise themselves in a way that makes their roles visible particularly in the delivery of services. It emerged during the interviews that ward committees are facing a major challenge in addressing underdevelopment of many regions of Maphumulo Municipality, fostering effective and successful participatory local governance and mobilising communities to drive initiatives for their local economic development.
- Municipalities should set aside an adequate budget for trainings of ward committees. They should be empowered in the areas of IDP, budget processes, local government legislation and strategies for effective service delivery.
- Communities should be more organised in order to take initiatives in public participation by attending IDP representative forums, budget consultative meetings and ward committee meetings,
- Communities should be encouraged to make themselves available for public meetings.
- Ward committees should hold monthly meetings in different areas with communities for report back purposes.
- The ward committee members in their respective wards as their area of operation should establish solid working relations with other members of the community, project steering committees, traditional leadership, community development workers (CDWs) and ward councillors.

- Ward committees should at all cost refrain from active political activities.

6.5 CONCLUSION

The Maphumulo Municipality, as one of the prominent municipalities in the province of KwaZulu-Natal, is destined to become the model for community participation, good governance and participatory governance through its strides of involving all communities, non-governmental organisations and other relevant stakeholders in local government affairs. This can only be possible if the municipality provides an opportunity for its residents to play an active role in local governance structures.

The research established that there are important aspects regarding the roles of ward committees and community participation on which Maphumulo Municipality which still has to improve – as mentioned in **the recommendations of the study that communities' commitment** towards local government affairs and the clear understanding of the roles of wards committees is nevertheless what it should be. The Municipality structures, particularly the Public Participation Unit, should work closely with the ward committees so that they will be able to drive community initiatives to fulfil the socio-economic goals of the municipality successfully.

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