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LORC Seminar organized by Group 4

Theme: 'The Challenges of Deepening Democracy in Post-Apartheid South Africa'

Speaker: Chris Tapscott (Faculty of Economic and Management Sciences, University of the Western Cape)

Date and Time: Friday 7 July, 2006, 18:30-20:00

Venue: Campus Plaza Kyoto

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Background

- Decentralization is being seen as essential both in deepening democracy and service delivery. South Africa has kept to the international best practice, and it has legal and policy framework for decentralization. Yet it is not meeting the expectation in terms of service delivery and building up local democracy.
- The state in South Africa derives from the Apartheid state, which derives from the Union of South Africa (established in 1910, uniting two Boer republics and two British colonies).
- Under the British system, South Africa had the central government and local government, and the provincial government was an attempt to accommodate these four units (i.e. two Boer republics and two colonies). The central government was however very strong, and remained so throughout the periods of the British rule and Apartheid.

The Structure of the State during the Apartheid Era

- Under the Apartheid system (from 1948), the government was 'deconcentrated', rather than decentralized – the central government was very strong, and provincial council became mere branches of the central government. Local government was given very little, and no originating, power. The administrator of the province was very powerful and could overrule any decision of the council.
- The necessity of forcing through Apartheid made the government even more centralized, for some of the municipalities (e.g. Cape Town, Durban, and Johannesburg) were reluctant to introduce some of the Apartheid policies. Under the centralized government, participation was restricted to the white population, while the majority of people had no

understanding of what citizenship is about (in terms of neither obligations nor rights), and did not experience democracy. Apartheid state was hierarchical, minority focused, and not politically accountable (more so towards the end of Apartheid era).

The Structure of the State in the Post-Apartheid Era

- In 1996, the new constitution was introduced (an interim constitution was adopted in 1994), and it confirmed the three levels of the government: national; provincial; local. Yet it redrew all political boundaries. Under the new constitution, 800 local authorities were newly established, in the minority and rural areas, and the local authorities came to cover the whole country. There are three types of local government in the system: metropolitan; district; local.

Transition and Crisis / Administrative Incapacity

- In 1998 the number of local authority was reduced to 283. They often got three or four towns together which are apart from each other, and this created problems, for there was not common focus.
- Local government came to have considerable power. They now have originating powers, and the central government intervention came to be limited to the case where there is a threat to national security/economy. The income of the local governments is now largely self-generated.
- However, there have been various problems. The structure is sophisticated but there are no officials – they are old officials from the Apartheid era (with negative institutional memory of Apartheid), or have no experience at all (without institutional memory).
- There have been strong policies, yet very limited capacity for implementation. The policies are in a sense based on hope rather than objective reading of what is needed in South Africa.
- This also applies to trainings: the officials who have never worked in municipalities have been taught strategic thinking and sophisticated project management skills, while what they really have to make sure is proper service delivery. In other words, the basic administrative routine has not been sufficiently addressed.
- There have been failures in service delivery, job creation etc, and thus widespread dissatisfaction. Accountability for public money has been poor, too. Also there have been a wide disparity in different localities, and in attempting to apply a single system

everywhere, the disparity has been recreated.

- In following the model of local devolution, however, a big expectation has been placed on the local government, and a failure to deliver has led to strong disappointment and criticisms.

Local Politics and Limited Local Trust

- A part of the problem is that local people's trust in politicians is weak, partly because of electoral system. In South Africa, at national level representatives are chosen by proportional representation, and at the local level a half by proportional representation, and another half by ward election. Since the ruling party, ANC, is so powerful, representatives are more concerned with reporting upwards rather than to electorate, because one needs to be in a better position on the list in order to get elected. Their contact with the constituencies is very limited – a survey shows that only 14% of people knows the name of their councilors. In short, representatives are not accountable to the locality.
- Local councilors are thus guilty of patronage, clientelism and corruption. They are also intervening in municipal administrative matters – they can do so without worrying so much about the reactions since they are removed from the locality. And as such a situation worsens, people became disillusioned and came to withdraw from politics. This in turn gives the representatives more freedom. The government is concerned with this but the Constitution does not allow higher levels of government to intervene unless it is a matter of national importance.

Rejection of the Participatory Model

- The government is very conscious in saying that there must be participation and involvement. However, at the moment it is still words and not put in practice. Despite of the formal processes for public participation (ward committees, public hearings), there is widespread anger for the failure of local government. There have been cynicism about local politicians, partly because they are seen as self-serving (for most of them it is the best paid job they ever had and they try to hold onto it) and not accountable to the local people.
- People (frustrated with poor service delivery etc.) have rejected formal channels for participation in local government and have opted for public protest, for it is seen as the only way of gaining the attention of the state.

- Local government is supposed to be the closest government to the people but has been distrusted the most – it is an inversion of what the whole ideal of building democracy at local level should be. See the survey conducted by *The Washington Post* (PPT slides: “How much confidence do you have in the following structures?”; “How would you rate the overall performance of the following structures?”) and the election turn-out (national poll 64% and local 48%).
- Irrespective of these, ANC is still getting votes because of identity politics. People are involved in formal, representative democracy but not in participatory one.

Lessons from South Africa

- Local democracy in South Africa is not a failure.
- Decentralization of authority is a necessary but not a sufficient condition for building local democracy.
- Decentralized administration does not guarantee delivery of local services. For even if money etc has been devolved to local government, it may not have been spent properly.
- A loss of public trust in local government makes development very difficult, for it leads to non-participation, non-compliance and protest.
- The process of deepening of democracy will take far longer than anticipated.
- Various indicators do not tell much development but they do influence people’s way of thinking about the country (and attract investments etc.)
- The processes of democratization are uneven and often discontinuous. Yet in long term it is not going badly.
- Democracy is something which needs to be fought for. Top-down democracy is not working for ordinary people.

Q&A

Q. (FS) We have visited Jozini, KwaZulu Natal. They built a new building for local government but there was only one person sitting there.

A. What is interesting in the areas like Jozini is that the failure of local government has reinforced the position of traditional leaders, who still retain powers. In a lot of these places, the councilors are completely irrelevant.

Q. (FS) Do you think the public protest is likely to continue?

A. One of Mbeki’s ambitions has been to save Africa as a whole (as seen in the new initiative,

NEPAD), yet, having realized it takes far longer time, he is now turning his focus to domestic issues, and trying to deliver something internally within South Africa. He has been frustrated that despite of various measures local governments and service delivery are not functioning well, and taking some councilors off from the party list. Local communities are now waiting for the outcome of this yet I am skeptical if this turns out well, for the system itself has some defects. The fact that the councilor is not directly responsible to community is always going to be a weakness. The other thing that has been done is the introduction of what is called the 'Community Development Workers' by provincial council. They are supposed to be the eyes and ears of the people, to help people to communicate with the officials. In my view these are what the councilors are supposed to do. So it is almost like the provincial government has brought in the Community Development Workers underneath the councilors, and I predict there will be a lot of tensions there. In any case, the public protest is unlikely to cease because the expectations to the local government are still very high.

Q. (MK) The title of your talk was 'deepening democracy'. How do you review these protests for democratization? African countries are now moving from authoritarian system to democratic state, and South Africa in particular is moving from the Apartheid state to democracy. Some however argue that South Africa is now moving towards a semi-authoritarianism. Do you think the process is really moving towards democratization?

A. I distinguish between consolidation and deepening of democracy. Unlike Nigeria, for example, in South Africa formal structure/institution of democracy (e.g. fair election) has been established. However, as far as the deepening of democracy is concerned, in reality ordinary citizens cannot influence politics (while people in the white areas could exert their influence through other, informal channels, such as media and the Chambers of Commerce, even though they do not participate in local politics so much either). This however does not mean the state is authoritarian. What South Africa is getting is a frustration that despite of giving autonomy to the local governments they are doing nothing. Mbeki is trying to control the situation but this is an attempt to get malfunctioning government function. There is also an element of class conflict in this discourse – trade unions and communists claim that the government is authoritarian, while business sector does not, for the government is in line with orthodox capitalist ideology.

Q. (MK) How strong is the power of traditional leaders in local community now?

A. Traditional leaders are in the former homelands and they do not cover the whole country,

although there are people trying to reinvent ethnic identities. The main ethnic groups still have traditional leaders, and the government has been very cautious in dealing them. British government has undermined the ethnic groups but the Apartheid's separatist policy re-created ethnic identities. Ethnic groups are in general authoritarian and undemocratic, and in contemporary, urban life their rituals, such as circumcision, are becoming crisis, for many people, who come from the city and are not used to the bush, are actually dying etc. The government is wishing to do something yet do not want do push too strong, because the people are feeling very strongly about the tradition. Some also criticize traditional leaders for patriarchy and the control of land. There have sometimes been struggles between traditional authority, the governments, and (undemocratic) old civic organizations, as to who speak for the community.

Q. (MK) What is the difference between the civic organization and the civil organization?

A. Civic organizations are more or less dying out. Most of these which represented civics have now gone into politics or some into interest group. During the latter stages of the anti-Apartheid struggle, everybody said the civic organizations were constituting the new civil society. But they were very interest focused – bound by struggle – and when the struggle was gone there remained nothing to bind them. Civil society has been in general very weak, for it has been suppressed.

Q. (FS) You said most of the traditional leaders are not democratic. However, traditional leaders could be used by those who cannot participate via formal channel.

A. Traditional leaders are well respected, and sometimes play roles in minor dispute settlement. However, they are unlikely to go to the central government to argue for on behalf of service delivery.

Q. (FS) Are some of the chiefs also councilors?

A. Some are. Yet traditional image of chiefs are changing and most of them are now modernized and sophisticated businesspersons etc.

Q. (FS) The Department of Local Government has published a white paper on traditional leaders.

A. It does not say much. The biggest criticism is that the traditional leaders are keeping control over land. The government is cautious, too, because the chiefs in rural areas contribute to the collection of votes for ANC.

Q. (KS) Your argument was that if one has local democracy, one can have good administration, and poor administration is due to the lack of accountability and training.

- A. You could have efficient administration without having democracy. What is interesting about the Apartheid is that for the minority (white people), the system worked quite well. So some people would say the city was better run under Apartheid than it is now. But the convention in the literatures on local democracy is that one must have authority at the local level, and must give people real, meaningful control. As discussed earlier, South Africa needs something more than these. I would argue for more asymmetric devolution – to give more power to the local governments which are doing well.
- Q. (FS) Do you think that kind of approach is feasible in the current situation? People have long been frustrated with poor service delivery, and such discrimination may give people even more frustration.
- A. It is in a sense happening already. The government requires every local government to prepare their integrated development plan. One needs to have integrated development plan before they get money, and more efficient ones get this done more quickly and get money. In the poor areas there are often delays in getting money. This is reinforcing the old relations.
- Q. (FS) Is there any mechanism by which any support, such as training, is provided to the disadvantaged areas?
- A. National Minister for Public Administration has been calling for a national civil service, and civil servants are now sent to local governments from the center so that the quality of administration is ensured. However, there has been a big opposition to this, for this is seen as an authoritarian centralization, undermining local autonomy.
- Q. (KS) You said that trust and confidence of many local authorities are lost. In this kind of situation, would that be possible to reach real democracy in 10-20 years time? There may be some chaos before.
- A. Identity politics is what is saving ANC. Yet, things are always changing, and the class interests are starting to surface. Black middleclass population is now growing while the number of the white poor is increasing. In South Africa, the level of poverty is no longer the problem – the biggest issue is of relative deprivation, of both black and white population.
- Q. (MK) There was a task of forming black business yet it was a failure.
- A. It is not a failure at all. The government has been putting in a lot of policies to try and create opportunities for black people, such as affirmative action. There is nothing wrong with this, yet some are abusing the system and the system came to be discredited. In any case, the only way to transfer wealth other than through revolution is to bring in national policy.