

Public participation as a tool for oversight

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Main Issues

- 1) Oversight – What's the Point?
- 2) Induced and Organic Public Participation
- 3) Public Participation Forms
- 4) South Africa's Public Participation Framework for Local Government
- 5) Context
- 6) Conclusions

1. Oversight – What's the Point?

proactive interaction initiated by a legislature with the Executive and administrative organs ...that encourages compliance with the constitutional obligation on the Executive and administration to ensure delivery on agreed-to objectives for the achievement of government priorities

(Oversight Model of the South African Legislative Sector)

detect and prevent abuse, arbitrary behaviour or illegal and unconstitutional conduct on the part of the government and public agencies

(Oversight and Accountability Model, Parliament of South Africa)

If the public can't see the point, why should it participate?

2. Induced and Organic Public Participation

Induced participation - “participation promoted through policy actions of the state and implemented by bureaucracies”

(Mansuri and Rao, 32)

Organic participation - organized by civic groups outside government, sometimes in opposition to it

Often overlap between the two

Induced Public Participation

In principle, a more engaged citizenry should be able to achieve a higher level of cooperation and make government more accountable. In practice, little is known about how best to foster such engagement

(Mansuri and Rao, 1)

Interest in participatory initiatives...is, arguably, still driven more by ideology and optimism than by systematic analysis

(Mansuri and Rao, 3)

Induced Public Participation

Evidence Suggests the Following Issues are Important:

- 1) The poor often benefit less from induced PP than the better off;
- 2) Communities in which inequality is high have worse outcomes;
- 3) Benefits of PP seem to be weaker in more remote, less literate places;
- 4) There is little evidence that induced participation builds long-lasting social cohesion;
- 5) Injection of resources can have unintended consequence of increasing capture;
- 6) Much depends on the nature of electoral incentives and the capacity of higher levels of government to provide oversight and ensure downward accountability;
- 7) PP is most effective when higher-level institutions of accountability function well;
- 8) Context, both local and national, is extremely important;
- 9) PP does not develop in a predictable way

“induced participation rests on an inherent paradox. It requires top-down efforts to encourage citizens to stand up against power holders”

(de Gramont)

Organic Public Participation

Organic participation is a broad term that covers a variety of civic activities. It includes social movements that fight for greater democratic expression and for the rights of the underprivileged

(Mansuri and Rao, 32)

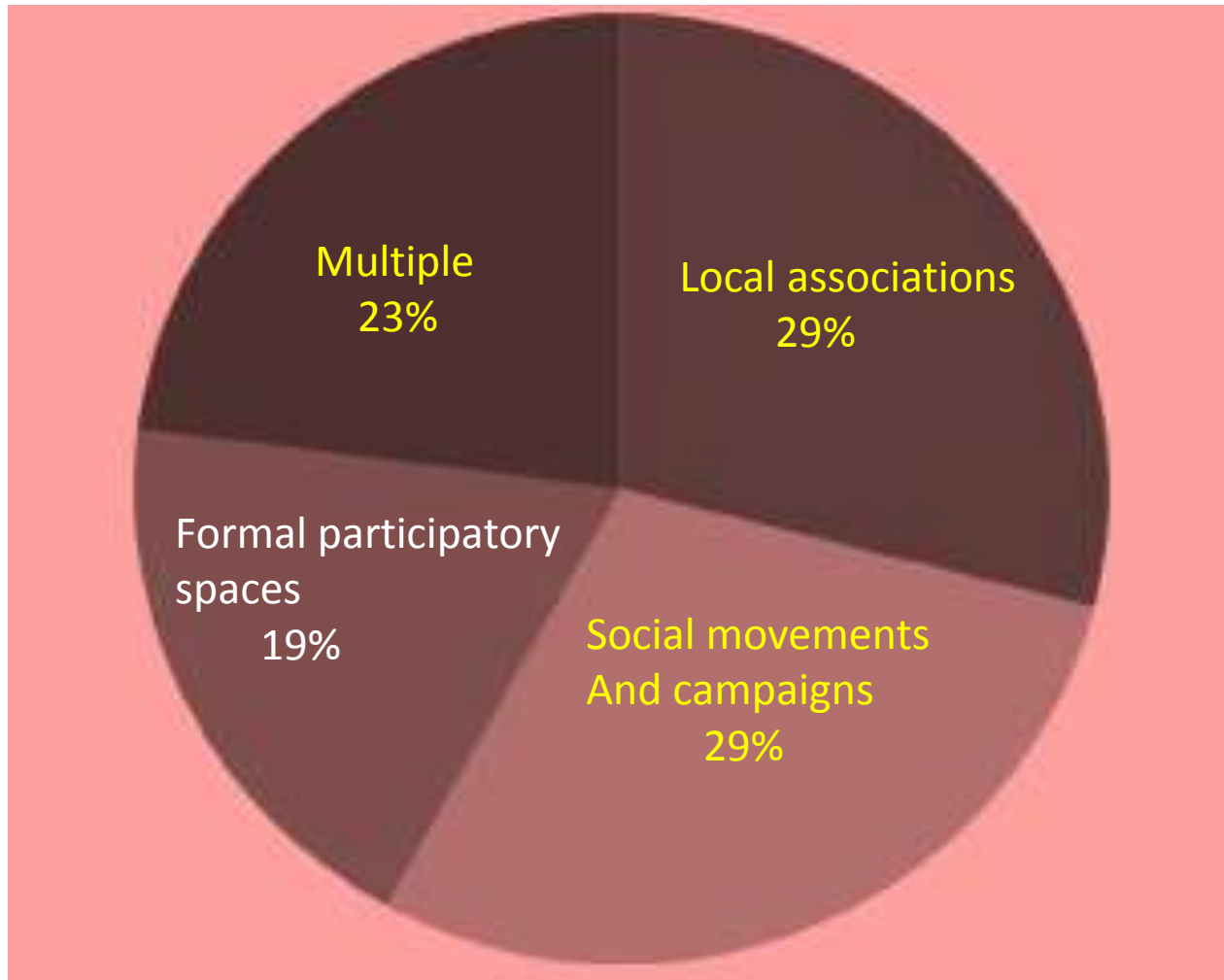
Usually driven by social movements aimed at confronting powerful individuals and institutions within industries and government and improving the functioning of these spheres through a process of conflict, confrontation, and accommodation

(Mansuri and Rao, 31)

Social movements demand change by confronting situations they find untenable; they ultimately achieve their goals when they are able to influence the political process or obtain political power

(Mansuri and Rao, 31)

Organic Public Participation



(Gaventa and Barrett)

Organic Public Participation

associations and social movements are far more important vehicles for gaining development and democratic outcomes than perhaps has been previously understood. This is at odds with the recent focus in some donor circles on supporting institutionalised fora for participatory governance...

in order to gain responsive and accountable governance, our findings point to the importance of multiple strategies of engagement

(Gaventa and Barrett, 50)

Organic Public Participation

Outcome type	Outcomes sorted by type of citizen engagement (n=828)			
	Local associations (n=324)	Social movements and campaigns (n=233)	Formal participatory governance spaces (n=153)	Multiple (n=118)
Positive	90%	71%	55%	68%
Negative	10%	29%	45%	32%
Total	100%	100%	100%	100%

3. Public Participation Forms

- 1) Wide range of PP forms – from elections to protest
- 2) Relationship between Representative and Participatory democracy
- 3) The weakest link(s) – local government?
- 4) Context

South Africa's Public Participation Framework for Local Government

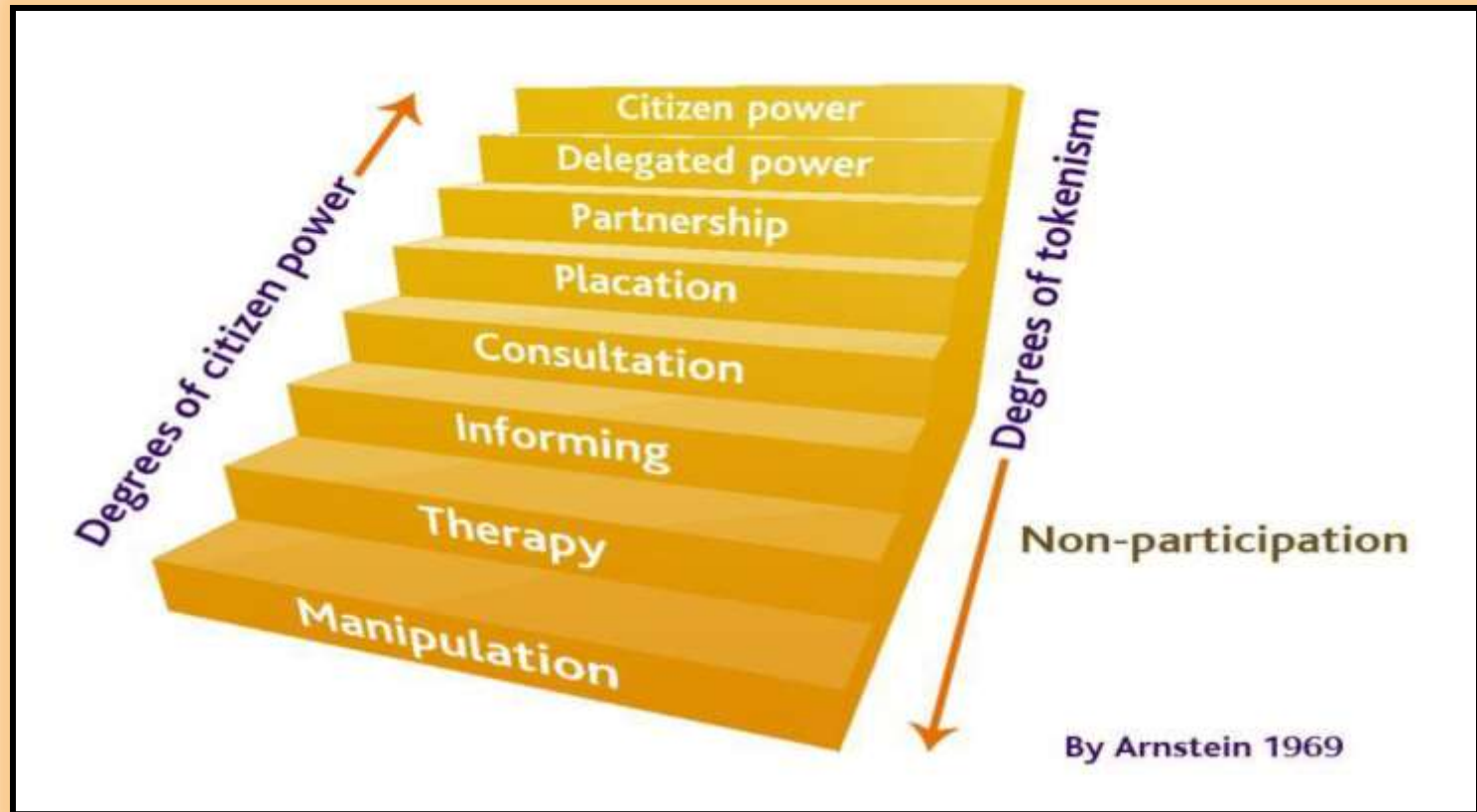
National Policy Framework for Public Participation

an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making. It is further defined as a democratic process of engaging people, deciding, planning, and playing an active part in the development and operation of services that affect their lives (15)

the system overall seeks to provide a balance between giving residents the fullest space to participate in municipal affairs and ensuring the right of councillors to ultimately govern

(Yunus Carrim, 2001)

South Africa's Public Participation Framework for Local Government



Inform, Consult, Involve, Collaborate, Empower (IAP2)

South Africa's PP Framework for Local Government

Municipal Issues Requiring Community Participation

Key Annual Statutory Processes

- 1) Budget Process
- 2) Integrated Development Planning
- 3) Performance Management System and Performance
- 4) Annual Report

Do these cover the public resource management cycle?

South Africa's PP Framework for Local Government

PP gaps in local government PRM cycle?



South Africa's PP Framework for Local Government

Municipal Issues Requiring Community Participation

Key non-annual issues

- 1) Service Delivery
- 2) Assorted Complaints

South Africa's PP Framework for Local Government

Strategies:

Strategy 1: Communication

Strategy Two: Ward Committees and Ward Forums

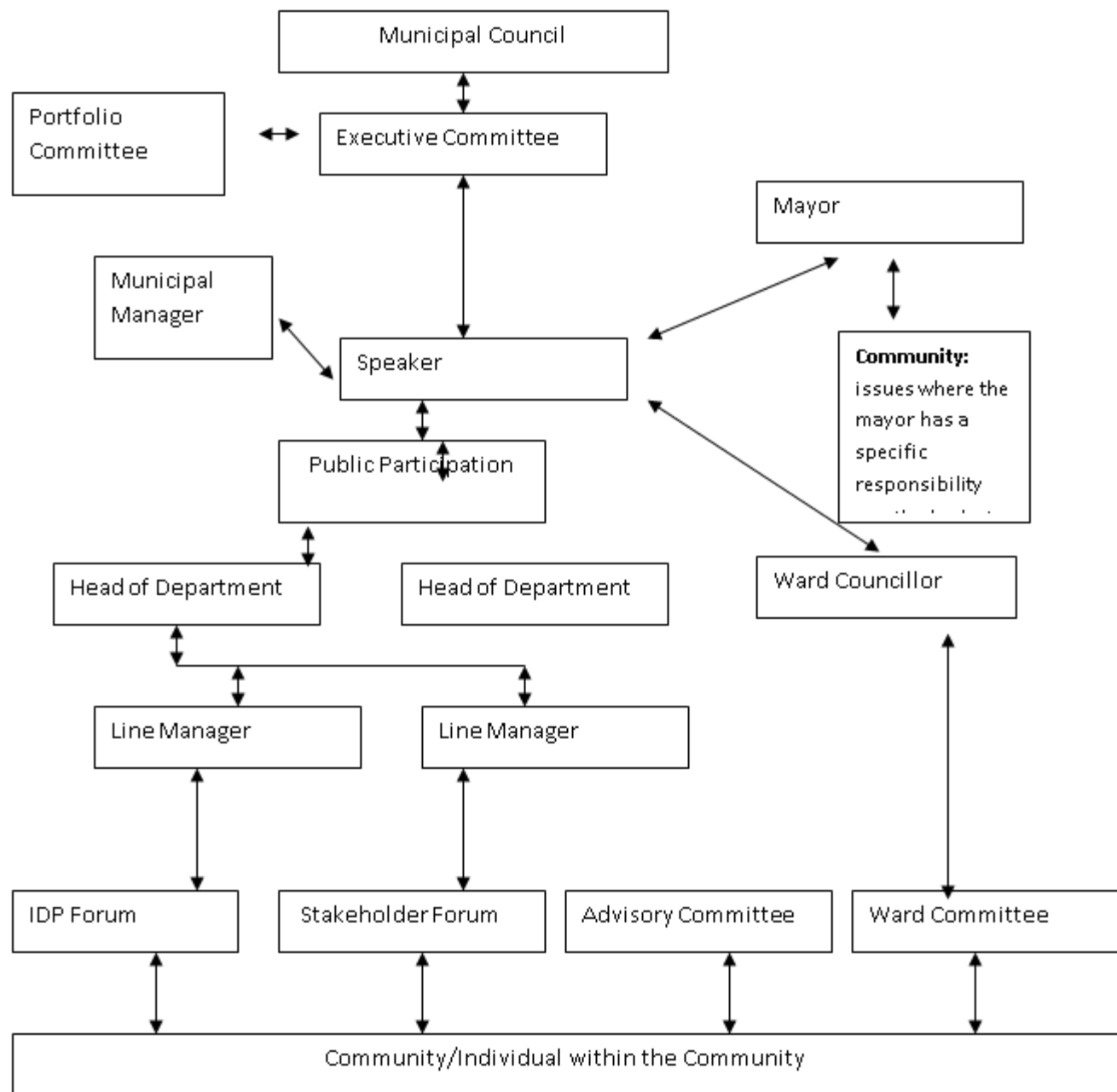
Strategy 3: Stakeholder Forums

CDW as facilitators

Traditional Leaders

“The ward system...has proved inefficient, compared to marches, riots and lawsuits”

(Benit-Gbaffou, 27)



South Africa's PP Framework for Local Government

Major Internal Challenges

Staffing and Councillor Capacity?

“At our office we have made up our mind that councillors, most of whom lack capacity, are the real cause of collapse of local government in South Africa and in particular the Eastern Cape...We should stop beating around the bush and deal with this issue of capacitating these politicians” (Terence Nombembe)

Resources?

South Africa's PP Framework for Local Government

Leadership?

Possibly the way organisations are led and the quality of decisions made by leaders has more of a direct relationship on performance than numbers of staff, expenditure, even years of experience and compliance with qualifications requirements.

(Municipal Capacity Assessment 2011: Final National Report, p viii)

Information (and access to information)?

Lack of information and the way in which information has been packaged seriously precludes any useful input around budget processes. This becomes very clear when dealing with the IDP review process. Without a clear understanding of targets and indicators in respect of specific projects there can be no serious accountability.

(Naidu, Public Participation and Ward committees, 4)

Context

Context matters, local and national

historical, social, economic, cultural, demographic, geographic, political
(Mansuri and Rao, 288 - 290)

Major contextual Issues/External Challenges:

Electoral System

Intergovernmental relations

Poor IGR has two fundamental consequences – the voice of citizens as expressed in local processes is ignored or significantly watered down in IGR processes, and effective service delivery is hampered

(Malachia Mathoho, GGLN 20011, 43)

Social-economic - poverty/inequality/education

Civil Society – capacity, GONGO phenomenon

Context

Central governments, and those who control them, have little interest in distributing power and control of resources

(Heller 2001, Osmani 2000)

Electorates and Representatives: where does the oversight buck stop?

Context

Political and Electoral System

Most analyses of local government failure to foster participation target the lack of training and political education, both of the councillors and of residents...even if it is partly the case, it is not the main reason for the dysfunctional participatory system: the problem is much deeper and lies in...

- 1) The limited power of councillors within the City council, due to a strong centralisation of decision-making and policy orientation (creates useless expectations, WCs become dismissed as useless)
- 2) Their limited accountability to their constituency, due to the municipal structure itself, to the national electoral system, and to the South African and local political contexts (Benit-Gbaffou)
- 3) Other tiers of government decision making
- 4) Electoral Participation/Representative Democracy

Context

Age band: 20 - 29

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	1 035 857	657 131	63%
Free State	494 162	286 270	58%
Gauteng	2 425 311	1 009 726	42%
KwaZulu-Natal	1 996 149	1 156 170	58%
Limpopo	904 778	532 692	59%
Mpumalanga	764 786	400 199	52%
North West	612 014	305 305	50%
Northern Cape	195 894	112 372	57%
Western Cape	1 052 343	449 556	43%
TOTAL	9 481 294	4 909 421	52%

Age band: 30 - 39

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	718 834	675 342	94%
Free State	358 089	331 814	93%
Gauteng	1 950 565	1 492 058	76%
KwaZulu-Natal	1 290 996	1 147 638	89%
Limpopo	595 192	579 728	97%
Mpumalanga	517 550	437 678	85%
North West	463 045	396 165	86%
Northern Cape	155 584	140 050	90%
Western Cape	846 091	687 673	81%
TOTAL	6 895 947	5 888 146	85%

Context

Age band: 40 - 49

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	620 689	567 461	91%
Free State	291 640	282 106	97%
Gauteng	1 390 490	1 288 527	93%
KwaZulu-Natal	931 778	858 827	92%
Limpopo	472 088	428 574	91%
Mpumalanga	393 173	342 447	87%
North West	365 002	325 903	89%
Northern Cape	127 367	119 163	94%
Western Cape	708 779	624 375	88%
TOTAL	5 301 005	4 837 383	91%

Age band: 50 - 59

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	523 838	481 893	92%
Free State	218 148	216 709	99%
Gauteng	946 256	900 365	95%
KwaZulu-Natal	695 308	641 726	92%
Limpopo	338 605	315 165	93%
Mpumalanga	276 260	243 086	88%
North West	274 075	251 443	92%
Northern Cape	96 200	90 002	94%
Western Cape	498 779	442 532	89%
TOTAL	3 867 469	3 582 921	93%

Context

Age band: 60 - 69

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	311 663	310 595	100%
Free State	127 870	126 905	99%
Gauteng	471 650	467 616	99%
KwaZulu-Natal	404 330	401 851	99%
Limpopo	205 309	203 995	99%
Mpumalanga	134 520	133 618	99%
North West	144 148	142 921	99%
Northern Cape	52 628	52 371	100%
Western Cape	258 681	257 160	99%
TOTAL	2 110 799	2 097 032	99%

Age band: 70 - 79

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	202 116	198 341	98%
Free State	65 079	65 850	101%
Gauteng	212 992	203 509	96%
KwaZulu-Natal	216 128	210 856	98%
Limpopo	145 269	137 898	95%
Mpumalanga	80 066	71 045	89%
North West	83 955	76 604	91%
Northern Cape	27 959	26 661	95%
Western Cape	139 070	130 048	94%
TOTAL	1 172 634	1 120 812	96%

Context

Age band: 80+

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	89 780	107 944	120%
Free State	26 441	29 285	111%
Gauteng	84 635	81 469	96%
KwaZulu-Natal	102 274	103 709	101%
Limpopo	88 172	88 004	100%
Mpumalanga	40 656	36 960	91%
North West	38 503	36 673	95%
Northern Cape	11 384	11 283	99%
Western Cape	51 802	54 193	105%
TOTAL	533 647	549 520	103%

Age band: 18 - 19

PROVINCE	StatsSA VAP	Registered (as at 28 Feb 2013)	% Registered
Eastern Cape	272 484	40 596	15%
Free State	102 887	9 957	10%
Gauteng	370 638	16 976	5%
KwaZulu-Natal	429 476	50 122	12%
Limpopo	235 397	28 147	12%
Mpumalanga	162 932	12 770	8%
North West	121 914	14 326	12%
Northern Cape	41 014	4 026	10%
Western Cape	189 386	8 105	4%
TOTAL	1 926 127	185 025	10%

Conclusions

- 1) Public participation will only contribute effectively to oversight if it includes organic and induced forms
- 2) Higher-level institutions of oversight and accountability need to function well – if they do not, PP will be relatively ineffective, even counterproductive
- 3) Different forms of PP are needed at the different tiers of government
- 4) PP does not develop in a predictable way – welcome and embrace unexpected forms of PP

“Participation is just a big fuss – words speak louder than actions...”