South Africa

NGO influence on government policy on citizen participation

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Summary

South Africa has one of the most progressive constitutions in the world. It includes the municipal legislative framework that provides for community participation in decision-making at municipal level. However in practice citizens have had little experience of this, which is particularly relevant in contexts of severe poverty and failure by the state to provide basic services. This case study demonstrates the challenges a national NGO, the Centre for Public Participation (CPP), faced when working to influence central government policy on citizen participation. It also explores the role and influence of international donors in promoting this agenda. Janine Hicks is former Director of CPP.

Background

The Centre for Public Participation (CPP) is a non-profit organisation based in Durban, South Africa, which has a mission to strengthen public participation in governance. The arena of participatory local governance is critically important, as the municipal legislative framework provides, in principle, for community participation in municipal decision-making. Yet some 10 years down the line there has been little practical expertise, replicable working models, suitable capacity and resources generated to ensure that this is implemented country-wide. This is particularly important in the context of massive rural under-development and the historic neglect of townships and former Bantustan territories where communities are impatient for delivery of basic services and meaningful change. A perceived slow pace of delivery, some evidence of incompetence and corruption and importantly, inadequate accountability and transparency has given rise to a massive increase in protests about poor service delivery of the kind last witnessed in violent reactions to apartheid.

Over the years CPP has put into action a diverse range of initiatives to ensure meaningful public participation in local government development planning, policy-making and programme implementation, working with both groups of citizens and government officials. CPP attempts to support and strengthen links between citizens' groups and political and planning processes. It is hoped that grassroots' needs then inform policy responses and planning priorities which are in turn more transparent and accountable to citizens.

CPP and local research partners recently implemented an initiative on research and advocacy, gathering information on existing ways in which local citizens can participate in local governance. It looked at the attitudes of local government officials and citizens, their capacity to undertake public participation, any best practices emerging in the province and community experiences and aspirations.

The initiative originated from CPP's own analysis of weaknesses in the approach to public participation. This was based on feedback from community groups during workshops and research findings on community experiences of engaging with local governance processes. The analysis was confirmed by the wave of protest action, seen by some as evidence of frustration at the slow pace of delivery of basic services, such as access to housing, electricity and water, and by others as a crisis of accountability, particularly at the municipal level. Without practical, implementable policy guidelines to ensure meaningful state-driven public participation linked to policy and planning decision-making, CPP's sense was that misdirected and disconnected state interventions would remain remote from community needs and expectations. And the harsh effects of poverty and under-development – and increasing citizen anger and protest – would continue to plague the country.

From the start of the initiative the plan was to ensure that local government took up recommendations from the research in policy and practice, and to strengthen knowledge and capacity among local citizens. Through our local government civil society networks, CPP aimed to popularise and share these findings and recommendations – to community groups, academics and local citizens – to raise awareness around these issues. We saw the need to do advocacy with our civil society partners, to work towards the take-up of our recommendations, supported by training and planning work with individual municipalities.

Our interest in this initiative was for local citizens from all sections of the community to realise the significance of the existing constitutional and legislative framework for public participation in local governance. In doing this the CPP sought to make a contribution to the development of policy and practice in municipalities to ensure that effective public participation mechanisms were put in place, and that appropriate capacity and resources were mobilised to drive them forward.

Through information sharing initiatives, the CPP also sought to bring to the attention of civil society the powerful rights-based framework for public participation, the opportunities presented and the challenges faced. CPP hoped through these initiatives to galvanise interest and awareness in this set of issues and gather support for the take-up and implementation of recommendations. Ideally, we would like to see citizens' groups in municipalities monitoring their municipalities' facilitation of public participation; lobbying where this is not being done effectively or in accordance with policy; and engaging with local processes to ensure planning and service delivery respond to communities' needs.

Janine Hicks, former Director of Centre for Public Participation (CPP)

What happened and why was it significant?

The CPP was contracted by the national Department of Provincial and Local Government (DPLG) to transform the existing national policy framework on public participation into fully fledged national policy. We drew on our research findings, and engaged with our colleagues in the 'Good Governance Learning Network' (GGLN), a network of South African NGOs working towards strengthening participatory local governance, to identify and respond to policy gaps in relation to participation.

To strengthen our own capacity to manage this initiative, in research and expertise in policy development, we brought in colleagues from the Human Sciences Research Council and the University of KwaZulu-Natal (UKZN). The research was completed by the research teams and a final report produced. The partnership with our colleagues proved to be successful and supportive and a wealth of information was generated, analysed and put together through a truly collaborative and jointly owned initiative.

During the research process, the interest and response from municipalities and the legislature was encouraging – the CPP was constantly being called upon to make presentations and develop training and planning interventions for individual municipalities in response to conversations arising from the research process. A dialogue was convened with participants working in the local government sector in our province attended also by departmental representatives from the national DPLG. At the dialogue, our research findings were shared, and recommendations deliberated on.

Our UKZN colleague took the lead in working the research findings into a draft policy document and attending planning meetings with departmental representatives. Interestingly, the participation policy initiative appears to have emerged out of a bilateral agreement between the South African government and a country donor partner, with the donor representative apparently wielding great influence in moving forward this agenda. Also a colleague or 'champion' working within the government department shared the commitment to getting public participation policy in place.

The final policy document was drafted, presented and submitted to DPLG and was received most favourably. Our UKZN colleague noted with amazement, however, that departmental officials gave him absolute carte blanche in drafting the policy document. No significant contributions were received from departmental officials participating in policy review presentations. Our sense of delight in including everything we felt should be present in departmental policy was short-lived however, as an internal staff reshuffle led to our 'champion' within the department being moved to a new post. The draft policy has since remained within the department and has yet to be formalised as policy. The donor partner is unable to obtain any information on when this will be taken up.

The CPP is now deliberating on what course of action to take. Our intention was, together with our research partners, to develop a practical 'how to' guide for municipalities, complete with timeframes related to planning and budgeting cycles, as a minimum guideline on how and when to initiate public participation processes. We were going to propose that this be translated into the local language, *isiZulu*, and the CPP would continue to offer support to municipalities, organising workshops for councillors and officials on public participation.

What were the challenges?

1. Securing the political will for policy changes.
The greatest challenge facing this initiative is in securing the political will for the policy process to be taken up and finalised. Now there is a different set of individuals within the department who have to take up the issue at some stage, it is unclear how they will react to the draft document.

2. Acting as consultants and activists.
The CPP and its partners face the challenge of taking a stand and how best to put pressure on the department to take up the policy process.
Our approach so far has been a collaborative one, with us largely playing the role of consultants both in the policy drafting and capacity building work. To shift gear and take on the role of activists will require some artful advocacy interventions and carefully selected pressure points.

3. Building up popular support.
For the team that researched and developed the policy proposals to take on a public advocacy role will require some careful constituency building around the issue – bringing on board mass movements and community-based organisations to take up the call for a transformation in how municipalities engage with communities.

4. Working in an unsupportive environment.
Currently in South Africa, there is an emerging sense among some political analysts that the current protests, being billed as 'service delivery protests' are actually manifestations of the lack of accountability of municipalities and elected representatives and not inadequate service delivery. It is the very acute sense of being ignored, not listened to and not consulted that appears to be driving frustrated groups to take their issues onto the streets in the manner of anti-apartheid activism of the 80s. The state is reacting very harshly to this criticism and these actions and so any call for improved public participation may well result in a negative reaction from the state.

What were the lessons?

1. Work collaboratively to get a better result.
At a purely technical level, the greatest lesson from this collaborative approach to conducting the research and drafting policy was to see how beneficial this was in terms of drawing on particular skills. The human resources required to conduct the research, the minds applied to analysing findings in a participatory manner, the fine drafting skills employed – all would have been beyond the reach of one organisation. This collaborative approach with carefully selected colleagues produced a wonderful result.

2. Work with a team or institution that can support the policy.
The glaring lesson is once again related to working with 'champions' within a state institution. There are committed

individuals within government who appreciate support and input from external sources such as civil society organisations and academic institutions, but their ability to keep a project in favour with political powers is tenuous. The lesson is to work with the champion, but encourage him or her to build a team or unit within the department to work together on the project, so that there is something of substance within the department to which the project can be anchored, beyond the inspired individual.

3. Encourage ownership of the project by all those involved.
Importantly, related to this, while it may seem heady to be able to craft the ideal policy, without 'interference', this non-involvement of departmental stakeholders does not produce the sense of ownership of the product required for officials to fly the flag when required. If such a team had been built around our 'champion' and the team encouraged to undertake the drafting of sections of the policy, or deliberate recommendations in a better facilitated manner than a formal presentation, we may have secured for ourselves a team with which to work in pushing for the policy document to be taken up and finalised. There do not appear to be any officials remaining who particularly care about the product.

4. Secure political impetus for the project alongside donor support.
There are lessons to be learned about the impact donors have on a policy process. While donors bring financial muscle to bear on departmental policy prioritising and may assist civil society in getting public participation on the policy agenda, there are limitations to the influence they wield. Such donor interventions help open up the space for policy advocacy but this does not eliminate the need to secure the political impetus required for actual implementation.

5. Involve community groups in the whole process.
The intention of the research team was to take findings back to the communities consulted and distribute findings in a more accessible manner than a professional publication. This work still needs to be done so that when the CPP and our partners need to call on community groups to support a push for the policy to be adopted, there will a sense of solidarity. Feeding back the findings to local communities could have been done from the outset by enabling community groups to see their recommendations taken up and be part of their final crafting.

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