9 | Popular mobilization, party dominance and participatory governance in South Africa

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This chapter seeks to explore the character of popular mobilization in South Africa, mostly at the local level. This is done through exploring the interaction of two independent processes. The first concerns the relative empowerment of political parties and the disempowerment of civil society (especially social movements) by the democratization process in South Africa. The second concerns the introduction of new institutions of public participation in local governance. Hence, while the latter are portrayed as 'invited spaces' in which communities can engage the local state constructively, the poor design of these spaces, a lack of genuine will on the part of elites and the relative power of key social actors mean that, in practice, they are either meaningless processes or simply co-opted by political parties. Notably, civil society has tended either to disengage from the local state and focus on provincial and national levels, or to resort to forms of popular protest to be heard by local government – the non-governmental organization (NGO) sector usually favouring the first approach and social movements the second.

This 'disengaged–enraged' dichotomy reflects clearly the failure of the formal invited spaces for public participation in local governance. Furthermore, it is hard to see how this dynamic will change, even with better-designed invited spaces, until the balance of social forces is restored with the revivification of civil society, and especially social movements. Reasons for optimism include the growing popular disgruntlement at poor delivery of public goods by local government – which is arguably exacerbated by the introduction of meaningless forms of public participation – and evidence of a new crop of local and organic community-based organizations which could form the basis of future social movements. In short, popular mobilization at the local level in South Africa remains dominated by political parties, despite new participatory institutions, although we are witnessing the creation of conditions for new and powerful forms of popular mobilization into the future.

In making this argument, the chapter begins with theoretical literature on state–society relations, and the character of and relationship between

'invented' and 'invited' spaces. It then moves to the received views in the literature on popular mobilization in recent South African history, and the nature and purpose of new forms of 'participatory governance' at local government level. The relationship between these 'invented' and 'invited' spaces is then explored through case studies of two municipalities, with special focus on the consequences for popular mobilization. The chapter concludes by analysing the causes of demobilization that result from participatory governance, identifying the consequent tendency of civil society to 'disengage' from or become 'enraged' at local government, and pointing to the necessity of oppositional-movement revival to change state–society relations in a more democratic fashion.

Theorizing state–society relations through invented and invited spaces

In recent years almost every democratic country in the world, regardless of economic development or democratic robustness, has witnessed attempts to enhance public participation in governance, especially local governance. The reasons for this are many and complex, and can be traced to new theories and practices of development (World Bank 1996); new theories and practices of democracy (Cohen 2002; Habermas 2002) and democratization (Mattes 2002); and at the intersection of all of these, new theories and practices of citizenship (Cornwall 2002). Following Cornwall (ibid.: 17), these new participatory institutions and practices can be termed the 'invited spaces' of participatory local governance. These invited spaces would include Hendricks's (2006: 486) 'micro deliberative structures' and Fung and Wright's (2001: 5) 'empowered deliberative democratic structures'. Examples are the participatory city budgeting in Porto Alegre, Brazil; functionally specific neighbourhood councils in Chicago, USA; village governance in Kerala, India; and citizens' juries in the United Kingdom.

Initiated by the local state, invited spaces typically look to draw local communities into processes of consultation, deliberation and sometimes joint decision-making on key local issues. Perhaps just as important in understanding emergent local state–society relations is popular mobilization led 'from below' by civil society or local communities. Hence Cornwall (2002: 17) contrasts the 'invited spaces' created 'from above' by the state with 'organic spaces' created 'from below' by those outside the state. The latter include spaces created from popular mobilization, as well as spaces in which 'like-minded people join together in common pursuits'. Holston and Appadurai (1999) describe the emergence of a

rights-based citizenship among the urban poor, marginalized by neoliberal governance and mobilized through social movements, which looks to transform social relations from the ground up. Miraftab (2006) paints a picture of 'invented' spaces opposing 'invited' spaces in South Africa, but also elsewhere in the world, for the same reason, the globalization of neoliberal economic policy.

Importantly, as Cornwall and Coelho (forthcoming: 1) indicate, the conceptualization of local state–society relations is not exhausted by a binary opposition between top-down, state-driven, invited spaces and bottom-up, social-movement-driven, invented spaces. Hence they talk of a 'participatory sphere' that lies at the interface of the public sphere and the state, composed of hybrid institutions, some of which are extensions of the state and some of which are claimed from the state. The critical point is that the relationship of these institutions with the state and the general public is partial: 'its institutions have a semi-autonomous existence, outside and apart from the institutions of formal politics and everyday associational life … They are spaces of contestation, but also of collaboration and co-operation …'. Lastly, but most importantly, Gaventa (2007: 2) points out that international experience shows that a functioning participatory sphere or meaningful public participation in local governance requires three things: good institutional design, political will to make it happen and a strong civil society.

These theoretical reflections matter to the South African case precisely because the last ten years have witnessed a process of institutional reform of local governance in the name of greater public participation on issues related to the delivery of key social goods. Hence there are very specific and identifiable 'invited spaces' that have the potential, in theory, to both engender more constructive and democratic state–society relations and enhance the delivery of social goods. At the same time, there is a particular history of social mobilization in South Africa around the liberation struggle which has empowered political parties at the expense of civil society and especially social movements. It is this particular dialogue between 'invented' and 'invited' which we wish to explore and characterize. In the following section we outline this history of popular mobilization, and then move to outline the democratic reforms of local governance.

Invented spaces: the changing patterns of popular mobilization in South Africa

With the formal deracialization and democratization of South Africa in the early 1990s, the fundamental shape of inclusion and exclusion

in the political system began to change. Beyond the changes in the formal institutions of rule were parallel shifts in the patterns of popular mobilization in the country. During the struggle period, and especially the 1980s, popular mobilization was channelled into explicitly political anti-apartheid activities. Hence grassroots organizations that emerged mostly in urban centres to secure basic public goods like education, healthcare and housing united under an explicitly political formation, the United Democratic Front (UDF), which identified clearly with the ideology and organization of the banned and exiled African National Congress (ANC). Closely associated with the ANC-aligned Congress of South African Trade Unions (COSATU), the two organizations captured most popular mobilization behind the political project of national liberation. In effect, then, grassroots and issue-based mobilization was quickly united and generalized in national and political terms. In a sense, the ANC was the social movement of the 1980s.

While there can be no doubt that this popular mobilization of the 1980s was tremendously effective and important in hastening the end of apartheid, many have pointed out the demobilizing effect that democratization had on social movements in South Africa (Ballard et al. 2006: 14–17). With the unbanning of the ANC in 1990, the UDF effectively collapsed into the ANC as the latter reconstituted itself as an open organization in the country. After the 1994 elections the movements that mobilized people were absorbed into the ANC government or into partnership with government, and most held the view that government would deliver to the poor (Heller 2001: 134). Further, the remaining NGO sector came under pressure to 'professionalize' and withdraw from advocacy to a more limited role in service delivery (Greenstein 2003).

Notably, this demobilization paralleled shifts in donor funding too, such that most foreign aid money was channelled into and through the new democratic state to build its capacity to meet the many challenges of proper administration and the delivery of social goods eschewed by the apartheid state on racist grounds. Perhaps not surprisingly, the delivery of water, electricity, housing, healthcare and education by the democratic state to poor and working people has not met popular expectations. Clear evidence of the mounting frustration at what is often seen as government incompetence and corruption is found in many popular demonstrations about poor service delivery. Hence, in the year preceding the 2006 local government elections, there were 5,085 protests against local government nationwide (Daily News 2005).

Indeed, according to Ballard et al., these protests are representative

of a broader shift in state–society relations. More specifically, they hold that from the late 1990s there has been a rebirth in oppositional civil society, although only some of this is framed in terms contrary to the 'emerging pro-growth consensus' of Thabo Mbeki's governance, while much is framed in broader rights-based opposition (Ballard et al. 2006: 400). In addition, foreign donors are now spending more money on civil society, but mostly on projects that emphasize practical delivery rather than advocacy or challenge. Notably, while there is no neat division between those movements which will engage the state and those which will not, the counter-hegemonic movements' engagements 'tend to create crises, which more rights-based campaigns can capitalise on to influence policy and government practice' (ibid.: 404). Critically, however, oppositional civil society is not tremendously strong, and hence Beall et al. (2005: 681) argue that emergent state–society relations exist in a kind of 'fragile stability' that is likely to continue into the medium term until new social actors emerge to change this equilibrium.

In sum, then, South African state–society relations are in a state of transition, recovering from the vacuum of mobilization left by the social movements of the anti-apartheid era becoming the party in government or its allies. While enduring real-world problems mean that the conditions remain for popular mobilization around social goods, and there is evidence of the growth of more organic and local community-based organizations, civil society in all forms, and especially oppositional social movements, is not particularly strong. Notably, parallel to these developments in state–society relations, the post-apartheid state has also looked to meet the challenge of better service delivery through reforming local governance to operate in more democratic ways. By creating 'invited spaces' for communities to input into key municipal processes such as budgeting and development planning, conditions are created for a new and more constructive engagement between state and society. But what are these new 'spaces' and how well do they work? The next two sections explore these questions.

Invited spaces: 'participatory governance' and local government reform

Post-apartheid local government reform has been an intricate and prolonged affair, beginning in the early 1990s and continuing until 2000. Central to the functioning of new-look local government is the requirement for it to operate in a more democratic manner. Thus Section 152(1) of the constitution includes among the objects of local government 'to

provide democratic and accountable government for local communities' and 'to encourage the involvement of communities and community organizations in the matters of local government'. In terms of the Local Government: Municipal Systems Act 32 of 2000, municipalities are required to complement their formal structures of representative government with a system of 'participatory governance'.

Participatory governance Notably, 'participatory governance' is not representative democracy, understood as the regular election of councillors, but refers to the manner in which municipalities govern *between* elections. As argued by Barichievy et al. (2005), there are three substantive aspects to the innovation of 'participatory governance': the redefinition of the municipality, requirements for public participation and ward committees. As outlined in Section 2(b) of the Municipal Systems Act, the local community is included alongside councillors and administrators in the legal definition of a municipality, a move of great symbolic significance.

The second innovation is really a set of requirements for public involvement in various decision-making processes. Especially important here are the imperatives regarding public consultation on the annual budget, the integrated development programme (IDP) review process, the performance management system, service delivery contracting and all by-laws, among others. These bring community participation to the foundational activities of local governance. Notably, the practical mechanism through which most of this consultation occurs is the mayoral *imbizo*: a public meeting convened by the mayor on one or more of the above issues, usually the IDP and the budget.

Last are ward committees, first mentioned in the 1998 White Paper on Local Government, but outlined in some detail in the Local Government: Municipal Structures Act. This act provides for ward committees to be established in each ward of a category A or category B municipality (i.e. cities and towns) if the municipality so chooses. Chaired by the ward councillor, ward committees are intended to consist of up to ten people representing 'a diversity of interests' in the ward, with women 'equitably represented'. In respect of their role, ward committees are mostly advisory bodies for ward councillors but may enjoy greater powers if the council sees fit. Notably, the *Guidelines for the Establishment and Operation of Municipal Ward Committees* (Government Gazette 2005) specified that the 'duties and powers' delegated to ward committees may *not* include executive powers (Section 5(3)(d)), and instead emphasized their role in communication and mobilization.

While the democratic reform of local government is a worldwide trend, especially in the developing world, where the ideas of decentralization and democratization have World Bank and donor backing, there is little doubt that in South Africa the poor performance of local government is an additional reason for participatory governance. As already noted, there were 5,085 protests against poor service delivery and corruption in local government in 2005. The question naturally arises: did the reforms work? To answer this question we conducted two case studies, outlined in the following section.

Popular mobilization and 'participatory governance' in Msunduzi and eThekwini

Msunduzi and eThekwini are two municipalities in the province of KwaZulu-Natal. They are different municipalities in many ways. They are different categories of municipality, B (town) and A (metropolitan) respectively, and thus have a significantly different scale of responsibilities and resources. Msunduzi covers an area of approximately 649 square kilometres with a population in excess of 500,000, whereas eThekwini covers an area of approximately 2,297 square kilometres with a population estimated to be 3.5 million. In addition, the annual budget of Msunduzi is in the region of R1.9 billion, whereas eThekwini's annual budget is seven times bigger, at R15 billion. Where Msunduzi spends just less than R40 million on salaries, eThekwini spends roughly R559 million on staff.

Msunduzi 2001–06: the sleepy hollow

In recent years the Msunduzi municipality has worked quite hard to counter the small-town image that the city has enjoyed for some time. The city is regularly bombarded with advertisements pronouncing the transformation of 'sleepy hollow' into 'vibrant valley', and the official town motto is 'the city of choice'. Yet if one looks at local governance in Msunduzi through the lens of public participation, the view is very much one of laid-back, if party-captured, municipal governance intersecting with limited community initiative. To sum up in spatial terms, public participation in Msunduzi between 2001 and 2006 was mostly a 'sleepy hollow'.

Invited spaces: between benign administration and party capture
POLICY It is notable that the Msunduzi municipality did not finalize a public participation policy during the five years from 2001 to 2006. It did manage to generate a draft in 2005, which is still reported to be in the consultative phase (Jackson-Plaatjies 2007). Notably, the draft policy

is very brief, at less than five pages in fourteen-point font, and makes no reference to civil society whatsoever. Instead emphasis is placed on ward committees, *izimbizo* and various forms of communication between communities and councillors. Reference to public participation is also to be found in other policies, notably the 2006 *Msunduzi Municipality Spatial Development Framework Review – Proposed Communication Strategy and Plan*.

Of these documents, only the latter deals with public participation in general terms, and it is notable in identifying civil society organizations as development stakeholders with rights to participate (and related responsibilities) in the project process. Clearly, then, it took some time for policy on public participation to make it on to the agenda of the Msunduzi municipality, and this despite the fact that Msunduzi implemented ward committees as early as 2001. Further, there seems to be no coherent or common conception of public participation, as evident in the inconsistencies between the various documents as to who the public are (communities and/or civil society) and how they ought to participate (ward committees, *izimbizo*, stakeholder forums or all three). In short, it seems that public participation has not been taken seriously as a policy priority by the Msunduzi municipality, an insight confirmed by the poor implementation of the ward committee system and the public consultation processes outlined below.

WARD COMMITTEES Ward committees in Msunduzi operated poorly in the period studied for three sets of reasons. First, ward committees depend on their ward councillors to operate effectively. Hence, the ward councillor is responsible for how often the ward committee meets, what it discusses, what information ward committee members acquire and what information the council obtains from ward committees. In the Msunduzi case there was evidence that a significant minority of ward councillors were simply not up to these tasks, because they were either incompetent, ignorant of their responsibilities in respect of ward committees, or constrained by party political or local power contests (Gardner 2005; Mngadi 2006). Thus less than 50 per cent of ward committees met regularly, and even among those that met regularly, the frequency varied widely, from weekly, monthly or bimonthly to annually. In addition, the speaker reported that 40 per cent of the ward committees were nonfunctional. Conversely, just eight (roughly 25 per cent) were described as 'very functional'. Further, the internal operation of ward committees was also dictated by the preferences of the ward councillor, with some

reporting an inclusive deliberative style and equal voting rights, and others reserving the decision moment for themselves.

In addition to the functioning of ward committees, the Msunduzi case also illustrates the centrality of ward councillors to the constitution and composition of ward committees. Thus while consultants were meant to institute ward committees, they did not do this in all cases. Several ward councillors, many from the Democratic Alliance (DA), reported setting up their own structures. Research indicated that as many as eight of the original ward committees were later re-established or reformulated. Further, the way ward committee members were 'elected' varied tremendously. Some ward councillors reported having sectoral representation with meetings in localized areas, some had one mass meeting, and others co-opted people from existing organizations. Notably, many ward councillors reported co-opting new members as ward committee members left or stopped participating. Second, ward committees struggled to function effectively owing to a lack of support from the municipality. More specifically, the municipality needed to ensure the correct constitution of ward committees, train ward councillors and ward committee members, resource committees and, perhaps most importantly, clearly define the role of ward committees in council processes. In Msunduzi's case, none of these was done to any satisfactory degree.

Third, and perhaps most importantly for us, ward committees were largely captured by local parties or were defined as sites of local political competition. Hence, it appeared that all the Inkatha Freedom Party (IFP) ward committees, many ANC ward committees and some DA ward committees were subject to control by their respective local party branch. Not only was the perception of the party politicization of ward committees widely shared (Steele 2006; Pillay 2006; Nkosi 2005; Thompson 2006; Gardner 2005), but the official in charge of public participation stated that the 'politicization' of ward committees was especially a problem in historically black areas (Mngadi 2005, 2006). The politicization took the form of overt party control, such that no other parties were tolerated on the ward committees (typical of IFP and some ANC wards); intra-party competition, such that people in the wrong factions were marginalized (Mbeki–Zuma factionalism in the ANC); and policy competition, in that DA-led ward committees often refused to cooperate with the ANC-led council's vision of ward committee operation.

Notably, the implications of partisan ward committees extend beyond just undermining their independent role, but also directly impact on the health of civil society, undermining its ability to engage the local coun-

cil. This is because the establishment of ward committees has affected other organizations and structures already in existence in Msunduzi. In formerly advantaged white and Indian areas, ratepayers' associations had tended to carry out some of the functions now allocated to ward committees. One ward committee (W25) was effectively composed of members of the previous ratepayers' associations in the area; another (W27) was either replaced or supplanted by the existing ratepayers' association; and others (W34 and 37) were said to be less effective than, or to duplicate, previously existing community structures. One ratepayers' association in a formerly disadvantaged area, the Edendale Landowners and Ratepayers Association, continues to exist in a close but ambiguous relationship with both the local ANC branch and the ward committee. As the former association chair, Mr L. E. M. Nkosi (2005), put it, a close relationship between the ANC branch and the ward committee is 'inevitable', given the very strong influence of the ANC.

Ward committees thus appear to draw on local organizational legacies, either ratepayers' associations in historically white and, to a lesser extent, Indian areas, and political parties in historically black or African areas. On one level, this is simply a matter of ward committees drawing on existing social capital (social networks and relations of trust) to populate themselves, but on another level, ward committees seem to assume much of the functions of ratepayers' associations, or come into the ambit of some form of party agenda-setting. Thus, to the extent that ward committees supplant other civil society formations and these same ward committees remain colonized by party agendas, we see the effective extension of party authority over local areas.

PUBLIC CONSULTATION OVER BUDGET, IDP, ETC. From 2001 until the present, the Msunduzi municipality has undergone four separate public consultation processes over the budget and IDP. The first process concerned the adoption of the first IDP in 2002. This was a process run from the municipal manager's office, as required by the Municipal Systems Act, by a team of five people. Notably at this time there was no IDP manager as such. Following the standard IDP process of the time, the first IDP was drawn up in roughly a year. There was consultation conducted during the analysis and strategy phases of the project, but it was restricted largely to various stakeholder groups rather than the local community. Thus Holmes (2006) notes that although they had hoped to use ward committees as part of this initial IDP process, ward committees were not functional enough to fulfil this role in 2002.

In addition to the emphasis on stakeholders, rather than the general public or local communities, in the public participation of the first IDP, several stakeholders such as the chamber of commerce and some NGOs complained that public consultation was inadequate. Indeed, Holmes (ibid.) conceded that while they made a sincere first effort at public participation in the IDP process, it was inadequate. That the lopsided nature of public participation mattered was reflected in the fact that most feedback from stakeholder meetings came from organizations rooted in more advantaged communities, such as the chamber of commerce, the Scottsville Residents Association and the DA.

The second round of public participation concerned the annual review of the IDP and budget in 2004. This round saw the introduction of two practices that have become standard since then. The first is the integration of the annual IDP and budget review into one process in terms of statutorily required public participation. Second has been the introduction of a series of at least five public meetings or mayoral *izimbizo* located in the five service areas of the Msunduzi municipality. A survey of the minutes from these meetings in May 2004 revealed a similar format which has endured until today. Following presentations on the IDP and budget, the audience asked a number of questions which were then answered by the various officials on the stage. Meetings took between three and four hours. Unfortunately it is not clear from the minutes how many people attended the meetings and whether entertainment and food were provided for the community. In this regard Madeline Jackson-Plaatjies (2007) reports that at this time entertainment and food were provided only at some venues, but 'since then it has now become a standard practice that we provide refreshments at all venues. In terms of the entertainment, this is still at selected venues as performances are voluntarily conducted by these groups.'

A survey of the issues raised reflected a significant variety of concerns, often particular to the local areas. Hence in the mostly Indian area of Northdale concern over indigent policy was high, whereas in the African township of Imbali and the rural area of Vulindlela more emphasis was placed on service delivery, especially relating to water and housing. A common concern across all meetings was the discrepancy between a 2 per cent increase in rates and a 6 per cent decrease in the electricity tariff. Another notable claim related to *izimbizo* in that, apparently, many of the people who attended did not know their ward councillors (Gwala 2006). The third round of public participation was a series of eleven public meetings in November 2004 that served as the formal basis of the IDP review of

2004/05. Again the pattern is one of great local variety, with an enormous number of often very parochial issues being raised. Nevertheless, overall it is clear that service delivery was the most important concern (22 per cent) closely followed by social issues (including unemployment, HIV/AIDS and crime) at 21 per cent and then billing in third place at 13 per cent. Housing was fourth at 11 per cent.

OTHER EXPERIMENTS IN PUBLIC PARTICIPATION Two further developments in respect of participatory governance during this time are worth noting. The first concerns experiments in ward-level budgeting. The initiative of the former municipal manager, Bheki Nene, the Shoshaloza campaigns were implemented in 2003/04 and 2004/05, using money from a national grant. In Shoshaloza One, all thirty-seven wards got R250,000, whereas in Shoshaloza Two, just twenty-four of the more needy wards got R250,000. In the first round the officials and politicians travelled to an area and met the community and talked about their needs, and then the councillor would decide on which projects to establish in the area. In the second round, councillors drove the process using various combinations of ward committees and public meetings to identify projects. While the processes were far from uniform or always participatory, many nevertheless reported more enthusiasm and participation in both ward committees and *izimbizo* dealing with this issue (Raja 2006; Davids 2006). This suggests that empowering public participatory structures may well improve participation in them. It is worth noting that the Shoshaloza campaign is now also a subject of the ongoing investigation by the Scorpions (the special intelligence unit of South African government, since disbanded) into corruption in the municipality, and that the official in charge of administering the campaigns refused either to provide documentation he had previously promised us or to talk to us further.

Last but not least, many respondents noted a reasonably transparent and inclusive culture of governance during Mayor Hloni Zondi's tenure. As shown below, many key civil society organizations had a reasonable working relationship with the city, and the council was remarkably accessible to the public as regards meetings. Hence members of the public were not just entitled to attend every council meeting, but could attend committee meetings too, and could speak for up to three minutes on any issue. Further to facilitate participation, public contributions were taken at the start of the meeting rather than the end. In the words of current Msunduzi municipal manager and long-time city councillor Rob Haswell, community participation in committee life was 'vigorous'. There

were moments of political crisis when the executive used its right to hold meetings 'in committee' (i.e. behind closed doors) to exclude the press and public, but these were the exception rather than the rule.

Invented spaces: disengagement from below

CIVIL SOCIETY: THE NGO SECTOR While not as manifold or as powerful as in eThekwini, the NGO sector in Msunduzi is significant in size and role. Bear in mind we are referring to that section of civil society which is reasonably 'professionalized' nowadays, and usually has a management board and outside funding. We do not include in this category the many more local community-based organizations which Ballard et al. (2006: 17) see as underwriting emergent social movements around the country. Owing to time and resource constraints we decided to focus on one sector in the NGO pantheon, and identified the welfare sector for two reasons. First, it is a relatively well-developed, well-run and accessible sector in Msunduzi, and second, it tends to work quite closely with the state. In many ways, then, it promised to be a good candidate for exploring local state–society relations in general and civil society's engagement with participatory governance in particular. To this end we collected a range of documentation and interviewed thirteen activists in the welfare NGO community, including from the Children in Distress Network (CINDI), Pietermaritzburg Child and Family Welfare, and the Msunduzi Hospice and Thandanani Children's Foundation. We also interviewed probably the biggest NGO network in Msunduzi, the Pietermaritzburg Chamber of Business.

In terms of engaging the state, respondents were divided between those who work quite closely with government, especially provincial government, such as Pietermaritzburg Child and Family Welfare, which essentially does government work; those who work periodically with government around specific projects, such as CINDI and the Msunduzi HIV/AIDS projects; and those who work independently of government, such as the Thandanani Children's Foundation. Most respondents who did engage government had relationships with provincial government rather than local, either exclusively (hospice) or predominantly (Pietermaritzburg Child and Family Welfare, AFRA) given the location of welfare resources in this sphere rather than the local. This is an important consideration, especially when contrasting Msunduzi and eThekwini, with its much more extensive resources. The reality is that for many NGOs there is little reason to engage the local state rather than the province.

Despite these different relationships with government, all respondents

were unhappy with the nature of state–society relations. All complained of the slow and narrow vision of government bureaucracy (Molefe 2007; Andrew 2007), and many pointed to incompetence and unreliability on the part of government in supporting projects (Spain 2007; Layman 2007). The key variable here was whether there was a champion in government committed to a project who could remain in office long enough to see it through. Perhaps most important, though, almost all felt that government tended to treat them like service delivery providers rather than equal partners, an attitude that was clearly deeply resented (Mfeka and Brisbane 2007). Indeed, one organization had decided not to engage government despite the potential for fruitful partnership precisely because of government's 'dismissing and patronizing' attitude. They had found advocacy 'meaningless' as 'decisions were already taken, and it was a waste of time' (anonymous interviewee). Another respondent reported that 'the term public participation is just a token ... our inputs are always ignored. It is like a vacuum' (Todd 2007).

For those who worked closely with local government in the period from 2001 to 2006, the feeling was perhaps a little more positive. Hence CINDI was part of an (initially) successful HIV/AIDS partnership with the Msunduzi municipality, and the Chamber of Business reported a 'cooperative' relationship with the Hloni Zondi administration. Notably, though, both respondents reported a deterioration in relations when key individuals in government changed, scuppering the HIV/AIDs partnership for over a year in one case and setting back council–chamber relations substantially in the other (Spain 2007; Layman 2007). This very personal character of local state–society relations, plus the comparative insignificance of local government resources compared to other spheres, meant that on the whole relations with local government were quite limited.

In this context it perhaps comes as no surprise that while respondents were aware of ward committees and municipal *izimbizo* to review the budget and IDP, almost none had participated in any of these processes. The reason given was simple and consistent across organizations: it was a waste of valuable time. On closer inspection, though, it was revealed that this was not only because these structures or processes were perceived as making little difference, but because they did not deal with issues of direct concern to the welfare sector. To put the point differently, welfare organizations did not feel that the municipal budget or development planning were that important to them.

Notably, despite the widespread disillusionment with the current nature of state–society relations, almost all respondents expressed a

desire for more constructive engagement with the state, including local government. Doubt was expressed about the possibility of this, given past experience, but most noted the synergies in development agendas between the post-apartheid government and the NGO sector. The divide, it seems, was much more about how good policies should be implemented rather than the nature of the policies themselves. To put the issue another way, the current problems are more practice-based than ideology-based. This is not necessarily the case with social movements, however.

SOCIAL MOVEMENTS The kind of militant social movement 'direct action' experienced in eThekwini is largely absent in Msunduzi. This is despite the existence of a small social movement forum comprising a few left-wing academics, and some community activists. It seems that the main organizational ingredient in this forum is the Eastwood Community Forum (ECF), which has had a series of conflicts with the local ward councillor, including over the failure to instal traffic calming in the area (Makhatini 2006). According to the leader of the ECF, Fred Wagner (2005), the ECF was formed because the local councillor 'was useless' in dealing with the local issues of water, housing evictions and rates, hence the community's turning to direct action:

> The only time the council listens is when we toyi-toyi [protest]. Government only listens when you take to the streets. You send letters and so on and nothing happens. Paperwork they throw … in the bin. They don't come to the people with public meetings. It's only now that it's going to elections that they start to do stuff.

Notably, one respondent (Homeboy 2007) accused Wagner of a similarly exclusive style of operation, with few public meetings and little debate at those meetings. 'Mostly Fred just gives report-backs and handles issues on an individual basis with his close allies. He is effectively a paternalistic Godfather figure.' There have also been periodic local protests against various social issues in poor communities: for example, a community march in Edendale against a taxi fare increase was tear-gassed by police, but as far as we can tell these events have not spawned community-based organizations nor been sustained over time.

eThekwini 2001–06: the neoliberal battleground

The differences between Msunduzi and eThekwini are not just of quantity, but of quality too. This is especially the case in respect of the administration of the two cities. Whereas in recent years Msunduzi has

had a succession of municipal managers who have left in their wake a somewhat dubious set of managerial practices, eThekwini has been under the clear guidance of city manager Mike Sutcliffe (who, it is worth noting, is senior in the ANC to eThekwini mayor Obed Mlaba). Under Sutcliffe's close attention, eThekwini governance has evolved in a more efficient, if centralized, direction best characterized as 'managerialism'. This orientation has influenced the implementation of participatory governance, and not always in a beneficial way. At the same time – and, some would argue, as a direct result of managerialism – eThekwini has experienced much more radical direct action, especially in terms of housing and rent evictions, of the 'counter-hegemonic' sort typical of social movements. Hence, where the space of state–society relations in Msunduzi constitutes something of a 'sleepy hollow', in eThekwini it is much more of a contest between a 'managerial' centre and the 'militant' margins: it is a neoliberal battleground.

Invited spaces: public participation as managerialism

POLICY In contrast to Msunduzi, eThekwini has a 2006 public participation policy entitled *Citizen Participation Policy: Framework for eThekwini Municipality* (CPP 2006). The document emerged from an earlier project, the 2004 *eThekwini Municipality Community Participation and Action Support Strategy* (COMPASS 2004), which consulted communities and stakeholders in the five management areas of the south Durban basin. From this consultation emerged a critique of the failure of community participation due to the dominance of public spaces by political parties, the lack of city investment in participation between elections, dependence on the ward councillor, poorly developed community stakeholder structures, the limited impact on community policing forums and the general unresponsiveness of local government.

The document advises establishing 'credible, democratically elected and functional civil society and business stakeholder consultation forums' that are not ad hoc like the Big Mama workshops (ibid.: 28).[1] Notably, among other things, the document recommends establishing such a body in each ward, called a ward community forum (WCF). Similar in role to ward committees, the WCF is a body inclusive of all other civil society forums, NGOs, political parties, school governing bodies and so on, and is 'the highest decision-making body in the ward' (ibid.: 32). It elects an executive committee which represents the ward in the IDP process. Other participation 'strategies' listed include regional customer service centres, the area-based management system, more accessible ward

councillors, an integrated community information gathering system and more accountable ward councillors (ibid.: 20–24).

In many ways the COMPASS document is an impressive attempt to deal seriously with a felt need for more meaningful community participation in eThekwini. Instead of adopting and implementing the (many) recommendations of COMPASS, however, the municipality decided to draft a distinct public participation policy. The outcome was a document much more oriented towards public participation in theory, and with much less by way of practicable mechanisms or instruments to enhance public participation (CPP 2006). No mention is made of WCFs or, for that matter, ward committees. Instead there is a long list of 'tools' that includes newsletters, citizens' meetings with councillors, talk shows or interviews, public hearings, city festivals, public surveys, local partnerships and an NGO charter (or other enforceable by-law) and rules for co-financing civic initiatives (ibid.: 54–6).

There can be little doubt that, in real terms of empowering citizens, the official public participation policy of eThekwini is a step backwards from the COMPASS document. Further, if one reviews the performance assessment account of the head of the Community Participation and Action Support Unit (CPASU) for 2004/05, it is noteworthy that many key performance objectives are really forms of service provision. For example, CPASU assisted in setting up soup kitchens in poor areas, facilitated youth business training, lent support to gender policy programmes, organized Masakhane road shows (government-initiated participatory public meetings where local and national political leaders listened to issues relating to service delivery at community level) and held live broadcasts for key government events, such as the state-of-the-nation address. In respect of actual public participation, the CPASU drew up a draft policy, encouraged members of the public to attend council meetings, participated in ward-based IDP workshops, helped organized Big Mama 5 and organized thirteen decentralized budget hearings. Given the role of the IDP organizers, the CPU, in driving the Big Mama and IDP process, it seems the CPASU did not do very much by way of facilitating meaningful public participation.

WARD COMMITTEES Perhaps the most noteworthy feature of ward committees in eThekwini between 2001 and 2006 was that there were none. According to city Manager Mike Sutcliffe (2006), the reasons for this were twofold. First, when the IFP controlled the provincial government, the party decided to implement sub-councils instead of ward committees.

Second, when the ANC came to power in KwaZulu-Natal in 2004, the city decided to go the ward committee route, and approached the province to apply in terms of the Municipal Structures Act and publish a Section 12 notice formally constituting eThekwini as 'a municipality with a collective executive system combined with a ward participatory system'. The provincial local government department under Mike Mabuyakhulu 'dropped the ball', however, and this was never done.

In the interim, though, the city proceeded with ward committee elections on the assumption that the legal niceties had been completed. A large number of ward committees were elected. According to Sutcliffe (ibid.), in this process the ANC 'out-mobilized the DA' with regard to the ward committees in about four DA wards, by dominating ward committee election meetings although they had lost the ward. This meant that while the ward councillor belonged to the DA, the majority of the ten members of the ward committee belonged to the ANC. In response to this the DA took the matter to court, objecting to the whole ward committee process in terms of the failure by province to publish the required Section 12 notice. The court upheld the objection and ward committee elections were shelved until the next term of local government in 2006. Once again, we see party interests undermining the operation of ward committees.

PUBLIC CONSULTATION IN BUDGET, IDP, ETC. eThekwini made an impressive start to public consultation over the budget and IDP with the first draft IDP in 2001 and 2002. First, it integrated the two, such that instead of the traditional approach of allocating resources to departments, resources were allocated to priorities as defined by the IDP. Second, it used these priorities to establish the key performance areas and indicators central to the performance assessment of senior officials. Third, the process of drawing up the IDP was both participatory and needs-driven – that is, it also drew on community-based planning methodologies. As part of this there were a series of five 'Big Mama' workshops which constituted the main public input into the process.

These workshops drew together some 450 participants from all sectors of civil society and spatial areas of the city, spheres of government, unions and traditional leadership. The first such workshop reflected on eThekwini's draft Long Term Development Framework, which envisaged the city in 2020. Next were a series of a hundred community workshops across the city to assess local needs, followed by a strategic budgeting exercise culminating in Big Mama 2 on 4 May 2002 (CPU 2004: 20–26).

The needs list obtained through the community process was related to sets of existing data and the planning teams proposed various technical interventions which were considered at Big Mama 2. Based on this, and after engagements with other spheres of government, the municipality launched its 2002/03 people's budget (Big Mama 3) at Kings Park on 29 June 2002. In February 2003 another Big Mama was called to reflect on and revise the budget.

While there is much to admire about the Big Mama process, what has happened since 2003 is also important. Not only has there been a clear downturn in regular and effective public participation in city planning, but a significant amount of time and effort has been invested in the development of technical systems in the municipality. The main reason for this appears to be the challenge of coming to terms with various new statutory and policy requirements from national government, for example the Local Government: Municipal Finance Management Act (MFMA) of 2003. In part, though, it also has to do with the growth of a culture of professionalism, and the particular commandeerist style of the city manager, Mike Sutcliffe. Hence tremendous energy has been invested in developing performance management systems for top officials and implementing a new system of area-based management to integrate planning spatially within the city. At the same time the city has found itself drawn increasingly into international networks of management and funding, and it seems clear that the top leadership have global ambitions for the city of eThekwini.

All these trends suggest a growing managerialism among the city elite, an attitude reflected in the indifference towards public participation of late. In the words of city manager Mike Sutcliffe (2006), 'we know what people's needs are. Indeed, for the next hundred years the needs will remain the same, although the rank order might well change.' By implication, public participation can contribute in this regard. He further expressed the view that the IDP and budget processes were too complex for ordinary people and that meaningful public participation was a long-term strategy:

> communities will spend their money on things that do not do anything. Communities spend their money on things that have no lasting impact on their lives. All that happens is that the public feels better about developing their area. Interest groups play a more significant role in public participation as they are useful in having more practical goals for the municipality.

Invented spaces: public participation as radicalism If the implementation of participatory governance 'from above' has been uneven, and undermined by party conflict and managerialism, the engagement with the new institutions 'from below' has been quite vigorous. Not only has community participation in the IDP process been enthusiastic, but direct action outside of these limited participatory governance mechanisms has been significant, with several communities engaged in militant protest against a perceived council lack of both delivery and policy. Unfortunately time and money have prevented us from working in the NGO sector to fill out this picture with responses from a sector historically more amenable to partnership with government.

SOCIAL MOVEMENTS eThekwini is famous for its radical social movements. Communities in eThekwini, especially in Chatsworth, were beginning to mobilize around issues relating to poverty, social delivery and housing as early as 1997, just a few years into the new democracy. In eThekwini, the Concerned Citizens Group (CCG), which eventually evolved into the Concerned Citizens Forum (CCF), is considered one of the earliest documented community-based social movement formations, mobilizing around the plight of poor and indigent communities in KwaZulu-Natal. The origins of the CCF are located in a series of political engagements arising out of attempts by well-known sociologist Professor Fatima Meer to campaign on behalf of the ANC in the Indian township of Chatsworth in 1999 (Dwyer 2006: 93). She discovered, however, a reluctance by the community to vote for the ANC, given the high levels of poverty and pending evictions faced by residents. Eventually, mobilization led to a situation where the cases of several families facing eviction were taken up by the CCG. This mobilization also led to the revival of 'flat residents associations' in various parts of Chatsworth.

What is arguably significant about these early mobilizations is that they began within the context of a refusal by poor residents to participate in local government processes, or a frustration with the lack of responsiveness from local councillors and the city. As long as these structures of local government, and in particular the municipality, were seen as the cause of the social problems faced by these residents, they were not going to 'legitimize' these structures by participating in them. Arguably this political stance came to define and shape much of the social movement formation and history that followed.

Between 1999 and 2003, a series of protest activities took place in the eThekwini metro under various organizational banners, including

the CCF, and some under the auspices of a variety of coalitions such as the anti-war coalition, the Palestine Support Committee and People Against War. In 2003 a group of eThekwini-based activists and academics came together to form a social movement group called the eThekwini Social Forum, which eventually evolved into the People's Social Movement (PSM). The broader space of the PSM then affiliated to the KwaZulu-Natal branch of the nationally based Social Movements Indaba (SMI), which was formally launched in 2005/06, with a variety of eThekwini-based civic groups such as the South Durban Community Environmental Alliance, the Bayview Flat Residents Association and the Wentworth Development Forum being part of this broader collective. Since 2006, the KwaZulu-Natal SMI, together with its affiliate bodies, has been one of the most active spaces for protests against state forces in eThekwini and the province of KwaZulu-Natal, on issues such as housing, service delivery, subsistence livelihoods and the environment.

In 2005 a series of frustrations concerning living conditions felt by people residing in the various shack settlements in and around the Sydenham and Clare Estate area of eThekwini spilt over into a sustained day-long protest, which resulted in the residents blockading major roads in the city and burning tyres. This protest activity was the start of a number of ongoing protest actions organized by a coalition of shack dwellers, who eventually came to call themselves Abahlali baseMjondolo (ABM) or the Shackdwellers Movement. The ABM has become very popular in the social movement landscape, both provincially and nationally. It is regarded as one of the largest mass-based movements in the country and attracts a considerable amount of financial support from a variety of donors.

The ABM has also become well known for its popular campaign slogan, 'No Land, No House, No Vote', reflecting once again a clear refusal to participate in local governance processes if their very basic social demands are not addressed first. This social movement perhaps stands out from the SMI of KwaZulu-Natal in that it represents primarily informal shack residents and has a very specific agenda, focusing on improving housing rights for its members. While the ABM started out in KwaZulu-Natal, it has also established satellite branches in other provinces.

Social movement protest in eThekwini tends to be very fluid and dynamic, and is usually in response to various ongoing initiatives by the city government to bring about major changes that will impact on city residents in a substantive manner. What has become far more evident within social movement activity in this municipality since 2006 is a growing resentment by particularly low-income communities at the way in

which their lives are being disrupted by proposed citywide changes that are being carried out by the city authorities in preparation for the 2010 FIFA World Cup. This is most evident in the increased levels of protest activity that are being undertaken by groups such as the KwaZulu-Natal Subsistence Fishermen's Coalition, the street traders, the residents' associations of South Durban (most of whom are affiliated to the KwaZulu-Natal SMI) and various groups representing informal settlements throughout the city, which are all in some way affected by actions taken by the city authorities in an attempt to create, according to its IDP, 'Africa's most caring and liveable city', having factored into their plans the changes that must be made to the city in order to host the soccer World Cup (Nadvi 2007).

Conclusion

Our examination of the cases of Msunduzi and eThekwini confirms much in the broader literature on the centrality of political parties to popular mobilization in South Africa. This is clear in the way political parties manage to dominate the formal local governance landscape, including the supposedly neutral and inclusive institutions of 'participatory governance'. There is also evidence, however, of significant civil society and social movement mobilization, even if the latter is somewhat uneven across the case studies. Furthermore, and perhaps most importantly, there is evidence to support the claim of growing disenchantment with service delivery failure, and the incapacity of the new institutions of participatory governance to change this. Indeed, it seems safe to conclude that the failure of 'participatory governance' can only exacerbate dissatisfaction, and so the pressure for change can only grow.

Importantly, though, there is also reason to assert that such change is best led by oppositional movements rather than ruling political parties. One obvious critique of participatory governance is that the new institutions are largely disempowered, through explicit design in limiting the powers and resources of ward committees and public consultation processes, but also through less than optimal practices by politicians and officials. Where politicians are quick to hijack ward committees – and, to some extent, *izimbizo* – to their own more particular ends, officials have approached public participation issues with either indifference or a technocratic gaze. In different ways, both actors have undermined the limited potential dividend offered by the new 'invited' spaces.

While the technocratic approach of officials may be ascribable in part to the elitist managerialism of the Mbeki regime (which effectively centralized local government financial practices through the MFMA and

procurement policies), the behaviour of politicians cannot. Notably the political capture of ward committees is not simply an ANC problem, and therefore is not fully explicable, as Heller (2001: 154) suggests, in terms of the 'dominant party syndrome'. Rather, the reason political parties tend to capture ward committees has to do with a design that places ward councillors at the heart of ward committees. It is in the interests of every politician to minimize risk and maximize power, and hence political capture is incentivized. Importantly, this capture is less obvious in relation to processes of public consultation, precisely because these are tied less closely to institutions of local party power.

What this means is that even empowering the structures and processes of 'participatory governance' is not the entire solution in seeking more inclusive and constructive state–society relations. They need to be better designed, especially ward committees, so that power can be shared between officials and politicians on the one hand and civil society and communities on the other. As Gaventa (2007) notes, however, empowered institutions of local power-sharing are not enough. Politicians and officials have to want to make them work, and civil society must be strong enough to take the opportunities new spaces provide. To our mind, the second of these criteria is the larger challenge. As regards political will, it is important to note that, contrary to what Heller (2001) says, the ANC is the party with the greatest commitment to public participation in South Africa. Hence there is a 'people's democracy' strain in the ANC rooted in the 'people's power' style of politics opposing apartheid of the 1980s (Friedman 2005). Of particular importance here was the experience of participation in civic and other community-based organizations in historically black areas, which directly influenced the drawing up of the Municipal Systems Act of 2000 (Carrim 2006). Further, with the leadership change in the ANC, forces more sympathetic to the discourse of popular democracy have a greater status.

Of more concern, then, is the relative weakness of civil society and especially social movements as regards political parties in South Africa. Consequently, the vivification of state–society relations requires the rebirth of oppositional movements strong enough to make ruling parties pay attention and take communities seriously. At the moment it is only really the labour unions which have the potential to do this, but they are very closely tied to the ruling party, especially the incoming faction of the ANC. Hence, until there is a shift in the broader patterns of social mobilization for the poor and marginalized, and at the expense of ruling political parties, invited spaces will remain meaningless or co-opted

spaces. The good news for oppositional movements is that it is precisely by excluding the poor and marginalized that 'invited spaces' help to create the conditions for the emergence of the movements needed to transform local power.

Note

Big Mama workshops include all sectors (youth women etc.), areas (wards) and actors (civil society, officials, politicians) in eThekweni around development planning and budgeting.

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