



## INCLUSIVE SOCIETY INSTITUTE

### Op-ed

#### **Local government challenges: How far have we come? By Nondumiso Alice Sithole**

Local governments in South Africa were established in order to assist in addressing past inequalities at a grass roots level. This sphere of government was, in fact, a major force leading to the national reform process which began in South Africa in 1990. It is the sphere of government that is closest to the citizens. In essence, it is municipalities that are best positioned to understand the needs of local people and the hopes and aspirations they have for their locality. They should also be able to identify and unlock local potential, and to mobilize local resources. These characteristics of local government do not automatically equate to a higher quality of service delivery and legitimacy of decisions, but they certainly have the potential to do so.

The South African government subscribes to developmental state theory, which is characterized by a state undertaking to prioritize economic development and seeking to design policies and institutions that serve to promote this broad objective and foster transformation. This policy position is reflected in the fact that an entire chapter of our Constitution is devoted to the subject of local government and that it expressly records the developmental duties that are entrusted to local government. For example, a municipality must structure and manage its administrative, budgeting and planning processes in order to give priority to the basic needs of the community, and secondarily, to promote the social and economic development of that community.

As such, the municipalities that comprise South Africa's local government structure have been a focal point since the advent of democracy in our nation and with local elections once again on the horizon, it is an opportune time to reflect on the degree to which local government has succeeded - or failed – as the case may be, in fulfilling its constitutional mandate and delivering on the Executive's developmental objectives for the State.

Judging by the surge of local community protests that have taken place over the past several years, coupled with the number of municipalities facing a crisis, and the continuous findings by the Auditor-General that local governments are in fact regressing, the performance indicators are certainly not, for the most part, positive.

While it must be noted that many municipalities and elected councils have made significant progress in addressing backlogs and extending services, they continue to face significant challenges in that there are still huge infrastructural disparities and inequalities stemming from the past, that remain most visible in grass roots communities. It is also becoming increasingly challenging for municipal governments to accelerate development, owing to the difficulties associated with corruption, mismanagement and maladministration, amongst other factors.

The Auditor General's report for the 2018 to 2019 period showed that fruitless and wasteful expenditure had amounted to R32 billion. Furthermore, this maladministration permeates across all types of municipal categories including district, local and metropolitans alike. This has led to a state

with failing municipalities, and it has resulted in a number of municipalities having been placed under administration. In November 2018, twenty-four municipalities were under administration. In May 2019, fifteen municipalities in the North-West Province alone were placed under administration, citing financial distress; collapse of service delivery; mismanagement of funds; and maladministration as some of the grounds for their failures.

Most recently, South Africa's state capital, the City of Tshwane, was placed under administration due to instability, demonstrating a lack of proper management and a lack of adequate and capable human capital. The pressing need for comprehensive reform in the management of our municipalities is crystal clear.

It is also clear that in order to begin to remedy these deficits and difficulties and to continue working towards the 2030 sustainable development goals, municipalities must focus on a number of key priorities, defined and delineated as a consequence of audits, studies and global best practice.

Foremost amongst these priorities is the capacitation of municipal human resources departments with highly skilled, apolitical human resources specialists, who are both capable of, and committed to, playing a strategic role in the acquisition of skilled human capital. The importance of this simply cannot be overstated given that a shortage of effective human capital is at the epicentre of municipalities failing to perform, the effect of which is compounded by political interference in the recruitment process, which in turn facilitates the deployment of poorly qualified individuals and cadres to strategic positions.

Additional reformation priorities include the prioritization of corporate governance in the public sector, coupled with a revamp in legislation to help guide its implementation; improvements in legislation relating to those in leadership positions, in order to achieve greater accountability and provide for effective checks and balances; the continuous upgrading and modification of monitoring and evaluation systems, so as to align them with global standards; and technology must be used as a tool to assist local government in achieving effective service delivery. In addition, rural municipalities should utilize the assistance of traditional leaders as they are the bridge to their communities, and efforts should also be made to provide for the continuous education of councillors in order to improve accountability.

In short, there has long been much to be done in addressing the deterioration of municipalities and achieving what sections 152 and 153 of the Constitution sets forth as the very essence and purpose of local government, namely the provision of public goods and services to local communities and the facilitation of their social and economic development. Now, the global outbreak of Covid-19, and the devastating impact it has had on the livelihood of many South Africans, has made it abundantly clear just how critical the reformation of local government structures really is. The time is now. If not now, then when?

***This article is an extract from a paper prepared for the Inclusive Society Institute's Journal for Inclusive Public Policy by Nondumiso Alice Sithole, a legal advisor at the City of Ekurhuleni Metropolitan Municipality. This article has been written in her personal capacity.***