

ISSUES: THE BIG FIVE

In the next five articles, the Editors of the *Local Government Bulletin* express their views on five Big Issues in the upcoming local government election.

1. Nico Steytler asks whether this is the last time we vote for district councils.
2. Jaap de Visser and Phindile Ntliziywana argue that professionalism in local government is a must.
3. Annette May and Jaap de Visser reflect on rescuing the ward committee system.
4. Phindile Ntliziywana wonders what will happen to the skillful municipal manager who finds herself on the wrong side of politics on 19 May.
5. Finally, Derek Powell explains why a single electoral cycle is a bad idea.

ELECTING THE Last district councils?

On 18 May voters will again vote for 44 district municipal councils. Forty percent of the councillors in the district councils are directly elected by voters in the district and the remaining 60 percent are indirectly elected by the local councils in the district.

The question waiting to be answered is whether this will be the last election that features districts as a political institution.

Of the three local government structures – metropolitan, local and district municipality – only district municipalities' value in promoting developmental local government is questioned. Many critics suggest that districts do indeed serve a purpose. Others contend strongly that they should be disestablished.

In the debate three broad options have surfaced. At one extreme are calls for the abolition of districts as an institution of government; at the other, calls to strengthen districts to enable them to realise fully their statutory mandate as set down in the Structures Amendment Act of 2000. Somewhere between the extremes are arguments for redefining the objects of districts by realigning them to the White Paper's vision, and for redetermining the areas appropriate for two-tier local government.

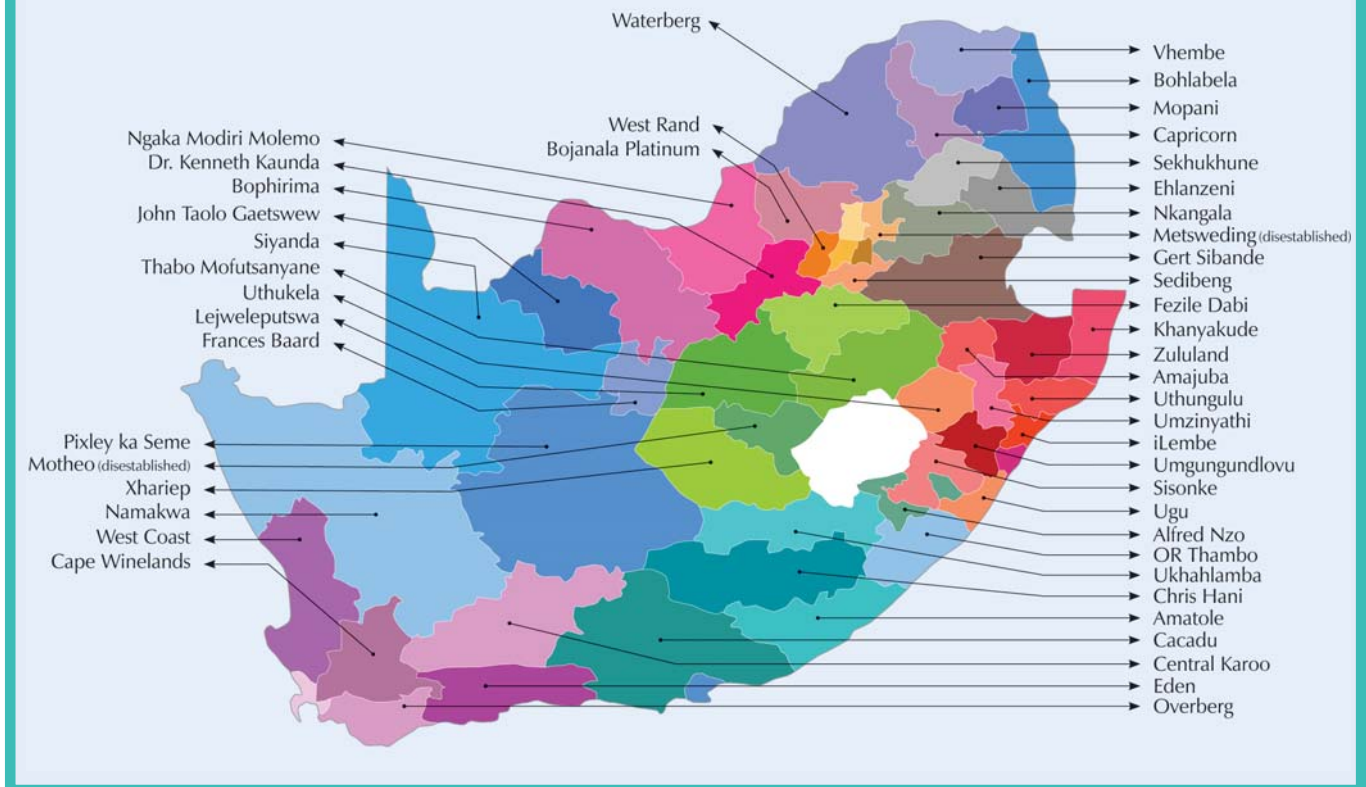
These options should be assessed within the normative framework of developmental local government: which option would contribute the most to achieving this constitutional goal? The argument for redefining the role of districts is not based on the current capacity problems or adjustments to the new system; it is more systemic than that.

Current practice

The role and place of district municipalities have been questioned, not least because their functioning has been fraught with confusion, conflicts and uncertainty. More than half of the districts are not performing the functions prescribed in the Municipal Structures Act of 1998; strong local municipalities are still executing the core functions of water, sanitation, electricity and health services. The redistributive function of districts has been undercut by the repeal of the regional services council (RSC) and joint services board (JSB) levies as from 1 July 2006. The deproclamation of district management areas (DMAs), in terms of which current DMAs will become part of local municipalities on 18 May, will further reduce the role of district municipalities. The relations between districts and large urban municipalities have been problematic, with the former questioning the need for the latter.

Practice confirms that, for the most part, districts are not performing their statutory responsibilities. On the whole, districts are most active in the rural areas, including the performance of their water and sanitation authority function. However, districts have hardly any presence in the secondary cities. Districts play a limited role in service provision in most urban areas. Secondary

South Africa's district municipalities (as at April 2011)



cities perform most district functions in their jurisdictions. Districts also do not constitute the communication link between secondary cities and the provinces, as was intended. Furthermore, with the repeal of the RSC levies, the function of redistributing locally generated revenue across the district has lapsed.

The district council was perceived as a vehicle that would bring local municipalities together so they could benefit from integrated planning, economies of scale and mutual support. The experience of the past ten years suggests that instead of integrated, interdependent and interrelated government involving district and local municipalities, a distinctly two-tier system has developed, characterised by hierarchical relations, a lack of coordination and, in the end, competitiveness. Local councillors for the district are not certain whether they are delegates of their local councils or simply members of district councils in their own right. District issues do not often feature on local council agendas, and feedback from the district council is also rare. The sense is that local and district councils are delinked, operating in isolation from each other.

More often than not, local council leaders are not represented on the district councils and local councillors do not take ownership of the council. Local mayors and their mayoral committee members or portfolio chairpersons are usually not elected to represent their local municipality on the district. Even where local leaders are represented on the district council, they are unlikely to take on

further leadership positions there as they are already in full-time positions and may be unwilling or unable to do so.

The future of districts was on the agenda of the ANC Summit on Provincial and Local Government held in December 2010. The summit resolved that a Presidential Commission should be appointed to revisit the future of provinces and districts. The question is thus, what are districts to do in the meantime? Are they to float in a sea of uncertainty, only serving the persons who sit on their councils and are employed by them?

We argue that in the interim period, district councils should obviously, in the first place, perform the task at hand. This could be done better if local councils took districts seriously by electing their leadership onto the district councils and taking charge of those councils. Where the districts are not water authorities, this would at least facilitate the coordination and alignment of integrated development plans across a district.



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Editor