A study of Local Government and intergovernmental relations in South Africa: A case study of Local Municipalities in North West Province

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1.0 Introduction

• South Africa has a national government, nine provinces and 267 local Municipalities (otherwise referred to as Local governments).
• This paper reviews municipalities in the post apartheid regime.
• Emerging from authoritarian rule, municipalities were reconstituted as democratic and unified municipal governments.
• Municipalities were repositioned to deliver social and economic services at the grassroots.
• The powers and functions were clearly stated in the 1996 Constitution of Republic South Africa.
• The sources of funding were also spelt out in the constitution.
Statement of the problem

• Implementation and monitoring challenges
• Founding objectives like the provision of electricity, refuse removal, water and sanitation are not met in most of the local rural municipalities.
• Inefficient service delivery in form of gaps, duplications, lack of capacity, waste of fiscal resources.
• Lack of basic amenities or poor service delivery have led to demonstrations in many parts of South Africa.
• This is evident in the results of the last local government elections.
Research questions

Against this background, the paper is initiated to respond to the following queries:

• What are the powers and functions of municipalities under the constitution?
• What are the sources of revenue for the municipalities?
• What are the constitutional provisions for the relationship between the national government, the provincial government and the municipalities?
• What has been the performances and the challenges faced by the municipalities in North West province in particular and South Africa in general?
• What is way forward?
Research Objectives

The paper aims to assess the performance of the municipalities, identify challenges facing them and proffer solutions to those challenges in order to improve their performance. In order to do this, the paper is set to achieve the following objectives:

• To examine the powers and functions of municipalities under the constitution.

• To identify the sources of revenue for the municipalities.

• To analyse the constitutional provisions for intergovernmental relations between the national government, the provincial government and the municipalities.

• To assess the performances and the challenges faced by the municipalities in North West province in particular and South Africa in general.

• To suggest and recommend way forward, in terms of policy options, for efficient and effective grassroots development.
Methodology

• This paper relies on qualitative method of research.
• It relies on primary legal sources like relevant national legislations, Constitution of RSA.
• Apart from primary sources, it shall employ secondary sources like books, journal articles, published and unpublished reports and other relevant materials.
• It shall employ internet sources to gain access to materials on local governments and intergovernmental relations.
Significance of study

It is no gainsay that the deliverance of social and economic services to the people of the grassroots is of particular interest to policy makers, legislators, regulators, and the citizens.

• This paper hopes to afford the stakeholders the opportunity of Knowing the level of performance and the challenges facing the municipalities in North West province in particular and South Africa in general.

• It will assist the government and its regulatory agencies in the sphere of intergovernmental relations to device means of settling dispute arising from interactions between the levels of government.

• It hopes help the government of south Africa in finding lasting solutions to the problems of service delivery at the grassroots level.
Literature review

• This paper reviews literature in the field of local government and intergovernmental relations.
• It also reviews authors work on decentralization and problems associated with it in a modern state.
• It identifies contributions of authors (like Netra Eng (2016), Ibrahim (2012), Lawson(2011), Navin Girishankar, et al (2006) and Akpan, (2004) to knowledge and also identifies the gaps that are needed to be filled.
Municipalities/Local government and intergovernmental relations

• In section 40(1) the constitution laid the foundation for the existence of the three levels of government in South Africa
• In section 41(1), (2), (3) and (4), the constitution highlighted the principles of co-operative government and intergovernmental relations.
• The provincial government is given a supervisory power over the municipalities in Section 139 but with proviso to curtail the likely excesses.
Local government/municipal funding

• Section 214 of the constitution provides for equitable shares and allocation of revenue raised at the national level between the national, provincial and the municipalities.

• (S. 227 (1) (a) and (b) provides for allocations from national government revenue, either conditionally or unconditionally to the municipalities for provision of basic services.

• The municipalities are empowered by (S. 229 (1) (a) and (b) to impose rates on properties and surcharges for services within the confines of their powers and not contrary to the ones imposed by the national or provincial governments.

• They can also raise fund through loans within the ambit of the enabling law.
An examination of performance of the municipalities

Municipalities' general performance in south Africa.

- The Constitutional and legislative framework of local government in South Africa is recognised internationally.

- Recorded some successes in extending service delivery to the people at the grassroots levels.

- However, they are facing a number of challenges like intra-political tensions affecting municipalities, municipal capacity and skills deficiencies and fundamental imbalances with the current local government funding model.

- The following provinces are identified as backward in the provision of basic services, they are: Mpumalanga, North West, Eastern Cape and Limpopo.
The performance of the Local Municipalities in North West Province

- North West comprises of four district municipalities which are in turn divided into nineteen local municipalities. Mahikeng (previously Mafikeng) is the capital of the province.

- By the constitutional provisions North West municipalities are expected to ensure the provision of services to communities in a sustainable manner, promote social and economic development, promote a safe and healthy environment, and encourage the involvement of communities and community organisations in the matters of the municipalities (S. 152).

- It was reported by the auditor-general the 15 out of the Municipalities are distressed in that they were unable to perform to expectation.

- It was equally found out that there were no proper monitoring of the municipalities by the national and provincial governments.
Recommendations

• There is the need to provide Political and administrative leadership in the municipalities.

• Appropriate resources needed to be allocated for improve service delivery.

• The staff should be trained for proper service delivery and that roles and responsibilities of all staff should be clearly determined and communicated.

• There is the need to give incentive for good performance and erring staff should be disciplined.

• It is also recommended that available resources should be geographically and sectorally targeted to meet service delivery priorities of the municipalities, as identified by both government and the users of services themselves.