
THE CHALLENGE OF METROPOLITAN GOVERNMENT IN DURBAN

by Simon Bekker

Local and metropolitan government

One might begin by pointing to one of the essential characteristics of good local government: to match collective services to local needs. In order to do this, local government must satisfy a number of criteria. First, it must have adequate capacity or powers, including the power to raise and allocate revenue at local level. Secondly, it must also be legitimate - so as to remain sensitive to local grievances and needs - which demands that it be both accepted by, and representative of, the community it purports to serve. Thirdly, it must be viable, meaning that it must have adequate financial resources and management skills, so that it can effectively and efficiently go about its business of service delivery.

Finally, in a metropolitan region, each separate local government should be fairly and adequately integrated with others in a representative metropolitan authority, so as to streamline service delivery (including capital projects) to the metropolis as a whole. It must, moreover, be recognised that certain public services do show economies of scale, others do not. It makes sense for the metropolitan government to become responsible for the former, and local governments for the latter.

Local government which fulfils these criteria is a particularly important institution, contributing significantly to both democracy and governmental efficiency.

Local government in South Africa today.

The present system of local government in South Africa falls far short of this ideal. It lacks adequate power. It lacks legitimacy (particularly in black communities) and its viability falls far short of what is required. In addition, the system of metropolitan government which is in the process of being implemented has major weaknesses, though it does also have some strengths.

Before turning to Durban, we will first acknowledge the particular significance of local government in South Africa today, and then focus upon the system of metropolitan government which is being established in the country as a whole.

Three very good reasons underlie the special significance of local government in the country. First, it is common wisdom that urbanisation is proceeding apace and bringing with it escalating demands for

serviced land, residential units, adequate water, education, transport and health services. Those requiring these services are, and will remain, largely the urban poor: unable to afford, on an immediate cost-recovery basis, the services which are so vital.

Secondly, given this reality - coupled with the scale of need - it is evident that only the state has the resources to provide many of the services so urgently required. In addition, the state has already begun to acknowledge the inadequacy of its past provision and to recognise that it must do better in future. Critically, moreover, it is also beginning to recognise that it cannot properly achieve this goal without community participation. Community participation, however, lies usually beyond its grasp (a reality of which it is also increasingly aware). And, given the limited resources available - resources which contrast sharply with high aspirations - the difficult political decisions which must be taken need to be taken within a participative context.

Third, local governments and service delivery issues have been, over the past five years, at the centre of sustained conflict and confrontation between black communities country-wide and the South African government. The result is that city and local government in South Africa has become highly politicised and highly problematic - posing a major managerial and developmental challenge.

The issue of metropolitan government is raised when we turn to a recent innovation in the structure of local government: the introduction of Regional Services Councils (RSCs). These are intended to act as an extension of existing third-tier institutions and are responsible for "general affairs" - ie the bulk (or "wholesale") supply of hard services (such as water, electricity, sewerage, transport and planning) as well as the provision and maintenance of infrastructure in areas of 'greatest' need. The primary local authorities constituting an RSC, remain responsible for "own affairs", especially the reticulation (or "retailing") of services to the household level.

RSCs are intended to fulfill a three-fold function. According to the Department of Constitutional Planning and Development, they will promote efficiency and cost-effectiveness through the rationalisation of service-provision; introduce a forum for multi-racial decision-making; and generate substantial revenue (from two new levies on business) for the development of

infrastructure in the areas of greatest need : viz., the black, coloured and Indian townships.

A number of additional reasons underlie the introduction of RSCs. First, they provide a mechanism for "transfer payments" to black, coloured and Indian local authorities, as recommended by the Browne and Croeser enquiries into local government finance. Secondly, they extend the principle of "own and general affairs" from the national tier and the provincial level to the third tier of government. And, thirdly, they provide umbrella institutions at the local level intended to strengthen legitimacy and viability, and thus enhance the capacity of local government, to meet the challenge of rapid urban growth.

RSCs have been established in the Cape, the Transvaal, and the Orange Free State. Their process of establishment in Natal was halted as a result of opposition from a number of quarters, including the KwaZulu government. An alternative form of metropolitan authority - a Joint Services Board which at present is intended to be substantially similar to an RSC - is shortly to be introduced. This makes it important to assess the RSCs which have been introduced to date, in order to identify both their positive elements and their substantial weaknesses.

Positive features of RSCs include:

- the quality of their administrators and managers, or, in other words, their administrative and institutional capacity;
- the fact that they bring together different representatives of different areas of the larger metropolis;
- the recognition they engender of the extent of mutual interdependence within each region;
- the appreciation they bring of the shortcomings and needs of less developed (black) areas;
- their ability to raise and redistribute regional revenue;
- the discretion - and concomitant flexibility - which they have in two important respects:
 - (i) the interpretation of the requirements of the Act, and
 - (ii) the provincial administrator's gate-keeping role.

The flaws of RSCs include the reality that RSCs:

- (i) are based on 'own affairs' local authorities or LAs, many with little credibility;
- (ii) are not directly accountable to residents (since representation is indirect via participating LAs);
- (iii) are in a cleft stick regarding their finances: torn between the need for revenue for capital projects, and the realisation that increased turnover and payroll taxes are likely to depress urgently required economic growth and development;

- (iv) are undermined by deep-seated suspicion on the part of many residents of any state-created administrative and service delivery body.

Metropolitan government in Durban

Let us now turn to the city of Durban.

Over the next decade, this city will grow from three and a half to five and a half million people - an increase of two million in ten years. By the turn of the century, over half of all black residents of KwaZulu/Natal will be living in Durban. The informal or shanty settlements within which approximately one half of black Durban residents presently live will, in all probability, further expand, and will continue to accommodate no less than half of these Durban residents.

An overview of the present public institutional situation in the Durban Functional Region (DFR) reflects :

- (i) a mosaic of unco-ordinated local authorities ('own affairs' local bodies within Natal and a variety of tribal and other bodies within KwaZulu);
- (ii) a resultant fragmentation of service delivery to the DFR's different communities;
- (iii) a highly diversified political culture in the region;
- (iv) a number of rapidly expanding informal settlements with high priority development needs;
- (v) centralised governmental control over planning in the region (rather than devolved and participative planning); and
- (vi) deep division over alternative future scenarios for the city of Durban and the wider metropolitan region.

Given this division and diversity, it is clear that a metropolitan authority is urgently needed in the DFR. Second, as earlier indicated, the metropolitan authority to be established will not be an RSC but a somewhat different body to be called a Metropolitan Joint Services Board. This MJSB will differ in (at least) two significant respects from the RSCs created elsewhere:

- (a) it will cross the homeland boundary, drawing in local bodies from both Natal and KwaZulu.
- (b) it will be responsible, not to the tricameral parliament (via the appointed provincial administrator), but to the Joint Executive Authority, thus placing it in a potentially qualitatively different political position.

Given the critical role of local government, coupled with the demographic realities earlier outlined, it is vital that the MJSB be as effective, efficient and participative as possible. What strategies can be adopted to ensure that the MJSB - to be established next year, in all probability - will meet the criteria and thus be of maximum benefit to the DFR?

Three strategies are possible:

Strategy 1: to oppose the establishment of a DFR-wide metropolitan body until an acceptable negotiated constitutional solution has been hammered out at national level.

I believe that this strategy - which is perhaps the easiest to implement since it requires, at present, primarily protest political action - suffers from four flaws:

- since the time-scale involved is uncertain, the pressing developmental needs in the DFR (especially in its informal settlements) will be exacerbated in the interim;
- absence of action will probably allow the MJSB (which will almost certainly be established in any event) to slide into a RSC-type body with the same flaws as earlier defined;
- valuable revenue which will be raised by the MJSB may, in consequence, be used for less than effective purposes;
- this non-collaborationist stance may not, in fact, bring us closer to the generally accepted goal of a just and democratic society and city.

Strategy 2: The DFR gives its own stamp to the MJSB by exploiting the positive features of the RSC system and engineering changes to identified RSC flaws.

This strategy is undoubtedly more challenging and more difficult to implement. However, it should be recognised that there are a number of factors which would facilitate its successful implementation:

- (i) it would take place in a regional climate characterised by Indaba-type initiatives, and in a national climate in which the emphasis is being placed on negotiation and participation;
- (ii) it is possible to learn from RSC experience elsewhere and to emulate some of their positive steps, such as the creation, in the region, of community committees aimed at exposing RSCs to community perceptions and priorities;
- (iii) the MJSB will be accountable to the Joint Executive Authority on which KwaZulu and Natal enjoy equal power and representation;
- (iv) it is evident that there is expertise available, coupled with significant willingness to participate in an MJSB;

There are also a number of requirements which need to be met if this strategy is to be successfully implemented.

- MJSB participants need to be open to participative planning and decision-making;
- the MJSB needs to be able to obtain sufficient funds for capital development, without too severely constraining economic development in the DFR;

- leaders within the MJSB need to seek imaginative solutions to the challenges in the DFR, especially regarding its informal settlements;
- the DFR public need to be succinctly and simply informed of the nature, functions and significance of the MJSB.

Strategy 3: Accept an RSC-type structure in the DFR and in Natal/KwaZulu.

If this strategy is followed, and the MJSB becomes simply an RSC by another name, the following negative results will become apparent:

- (i) participation (and visibility of participation) will be insignificant;
- (ii) planning and activities will be concomitantly technicist;
- (iii) non-participative planning will provide, for the DFR's pressing developmental needs, at best short-term solutions; at worst, a series of planning disasters.
- (iv) Finally, and most importantly, it must be remembered that this strategy (like the others) must be viewed in the context of on-going attempts at national constitutional negotiations. For this reason, a rigid and static RSC-type service delivery body stands a good chance of being 'left behind' politically: losing further credibility and therefore viability as more advanced national constitutional structures are publicly discussed and begin to emerge.

To conclude:

I believe that strategy 2, rather than strategy 1 or strategy 3, will bring about in the DFR

- a greater measure of democratic participation;
- a redistribution of revenue wider in scope and more effective in application; and
- an improving quality of life for all residents of the rapidly growing city of Durban.

It is my firm belief, moreover, that this process of transition must be an incremental process - one step at a time - rather than a sudden and radical change of local and metropolitan authorities. I say this since these authorities require, as a prerequisite, the continued involvement of experienced and often excellent managers and administrators who presently undertake the complex business of delivering public services to millions of Durban's residents. Let me also, however, immediately say - lest some interpret this statement as a plea for more time - that we need to take these incremental steps as rapidly as possible. We need to accelerate the process of incremental change, to push for one step to follow quickly upon another. □