Gender Transformative Developmental Local Government? Reinventing the Post-Apartheid Local State within the Context of Neo-liberalism

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Throughout most of the post-war era there was broad agreement across the political spectrum that African states should play the leading role in facilitating development in the continent. By contrast, in the current period the international financial institutions and bilateral donors are utilising conditionalities to enforce a shift to the "enabling state", whose primary role is to facilitate the development and smooth functioning of the market. This policy has failed to promote development, has exacerbated gender inequities, and has deepened Africa's entanglement within exploitative imperialist economic relations.

There is, therefore, an urgent and pressing need to re-establish a proactive role for the African state in fostering development. Such a project cannot, however, simply entail a reversion to previous theories of development in which a strong centralised state bore primary responsibility for providing development. The political and economic context within which that vision was forged no longer exists. Any re-conceptualisation of the role of the African state in development must be firmly grounded within an analysis of the constraints and possibilities within the context of neo-liberal globalization. But perhaps even more importantly, renewed support for a developmental state must overcome the weaknesses within the original model itself. Key amongst these were its blindness towards, and hence reproduction of, gender inequalities, and its conceptualisation of development as a set of outcomes to be delivered by the state to a passive population.

Development must, of course, include improving the material conditions of the majority of Africa's people. However, particularly within a context in which it is difficult to even imagine an alternative to neo-liberal globalization, this paper argues for a redefinition of development as building collective capacity to envision, struggle for, and create a society and economy free of gender, racial and class exploitation. The state still has a critical role to play within this new understanding of development. However, this paper argues that it must be a reconfigured state which is both strengthened by and helps to build collective capacity through processes of participatory democracy which are keenly attentive to addressing and overcoming the overlapping structural inequalities of gender, race and class. As participatory democracy is most easily effected at local levels, the developmental African state of the 21st century must also be a state which involves a high degree of what Heller (2001) calls co-ordinated, democratic decentralisation.

Amidst the continent-wide retreat of the state from an active role in the development process, the ANC government in post-apartheid South Africa has adopted a model of

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what it refers to as "developmental local government". South African policy and legislation clearly establish that developmental local government must be both participatory and gender sensitive, and must entail the granting of local government with significant powers and responsibilities to redress socio-economic inequalities. The South African approach therefore appears to not only boldly reassert a link between government and development, but to also resonate with the reconceputalisation of the role of the developmental state articulated above.

This paper seeks to establish whether the South African approach can map at least part of the way forward for a renewed commitment to state involvement in African development in the 21st century. It explores whether in fact, developmental local government is indeed redressing gender inequality, building capacity and developing new forms of participatory, democratic governance. Based on analysis of the conceptualisation and implementation of developmental local government in South African policy and legislation, this paper concludes that the reduction of commitments to gender transformation to support for women to participate in participatory processes is insufficient to address gender inequalities. The liberal framing of participation forecloses the opportunity to develop collective capacities for transformative struggles, and undermines the possibility of establishing truly gender-sensitive participatory democracy. The paper further establishes that rather than opting for a model that challenges neoliberalism and the shift to the "enabling state", the South African government has sought to wed developmental local government to a contracting model of the local state, which like the enabling state reduces the state to a minimal core and implants market logic into the heart of the local government. Through a detailed case study of Johannesburg it establishes that this contracting model undermines gender transformation, developmental outcomes and processes, and even the structures of liberal democratic government.

Whilst the South African case does not, therefore, provide the rest of Africa with a new model for the developmental state, analysis of the South African experience highlights key lessons and challenges. Drawing on examples from more successful attempts at gender transformative, participatory approaches to governance and development in other parts of the world the paper concludes by exploring the possibilities for implementing a truly gender transformative, developmental local state within South Africa in the current conjuncture.

This paper begins by exploring and critiquing previous conceptualisations of the role of the African state in development, and proposing some elements of a new vision for the developmental state. The following section outlines the South African approach to developmental local government, and explores the weaknesses in this approach. A case study of the transformation of local government in Johannesburg is presented in order to examine the tensions between constitutional and legislative commitments to gender sensitive developmental local government and participatory democracy, and market-oriented restructuring of local governance. The final section explores the potential for feminist, participatory developmental local government in the current South African context.

Re-imagining Development and the Developmental State

The majority of African states achieved independence during a period of fierce debates between the proponents of starkly differing development paradigms. Advocates of modernization theory focused on the key factors required for individual third world states to pass through prescribed stages in the development process and "catch up" to northern, developed countries. Dependency theorists criticized this approach for failing to locate third world states within the context of an unequal international capitalist political economy characterised by relations of dependency and exploitation. In direct contrast to the modernization theory assumption that capitalism was the only route to development, a number of African states attempted to pursue developmental approaches rooted in variants of African socialism.

However, despite the tremendous theoretical and political differences between these approaches, they all shared a number of central assumptions. Each of the approaches equated development with industrialisation, and each argued that the nation state must play a leading role in promoting this process (Leys 1996a; Cooper and Packard 1997; Saul 2004). Within the African context the challenge of promoting development within newly formed, ethnically divided nations added further weight to the presumed importance of a high degree of centralisation within the state (Heller 2001, 135).

This notion of a strong, centralised developmental state has come under relentless attack since the mid-1980s. Casting the state as a rent-seeking hindrance to development, neo-liberals argue that the state must be reduced to a bare minimum, and the market freed to play its "natural" role as the real engine of development. They declare that the very idea of promoting development through state intervention had been misplaced, and that in any event the possibility of state-led national development strategies has withered together with nationally based economies in the face of globalization (Leys 1996a). Informed by this neo-liberal ideology, the World Bank, the International Monetary Fund, and the bilateral donors have used their "good governance" agenda to enforce a shift to what Gilbert and Gilbert (1989) have called the "enabling state" in recipient countries. Within the confines of this new approach the key role of states is to secure property rights, create and facilitate markets, and provide a stable environment for capital (Moore 1999; George and Sabelli 1994; Graf 1995).

However, as has been widely chronicled, the withdrawal of the state from areas such as health care, education, basic services and the provision of food subsidies amongst others has had devastating effects on Africa's population. Foreign direct investment by private capital has largely bypassed Africa, and the continent's marginalisation from the world economy has only worsened (Hoogvelt 2001). As Arrighi et. al. (2003) demonstrate, a clear hierarchy of wealth still persists in the global economy in which Africa is consigned to the bottom of the heap.

Most development theorists concur with Leys' (1996b) assessment that the capacity of states to pursue national development strategies has been fundamentally eroded due to their inability to control capital movements within the current context of neoliberal

globalization. However, a number of theorists nevertheless assert that even within these altered conditions the state must continue to play a central role in the development process. Drawing on Panitch (1994) these scholars start from the premise that globalization is authored by states. Although Saul notes that the room for manoeuvre for third world states is substantially less than for their northern counterparts (2004, 225), he concurs that these states continue to play a pivotal role in the economy. It is argued that as nation-states are central to the creation and perpetuation of neo-liberalism, they must, therefore, play a pivotal role in dismantling it.

Moreover, as Graf eloquently argues:

> "The "real" state in the Third World…remains the major, and perhaps only, framework within which the important social and political issues can be dealt with in the context of a world system permanently stacked against peripheral societies and economies, while the theoretical state is probably the only conceptual framework capable of developing a counter-hegemonic project sufficiently comprehensive to challenge neo-liberal globalization. Without the state, therefore, there can be no large-scale, long-term emancipatory project for the South (Graf 1995: 159)

According to this perspective, despite, or indeed even because of, changes in the global political economy the state must remain at the centre of development theory and practice.

However, arguing for the continued salience of the state within the development process should not be interpreted as a call for a return to the developmental state of yesteryear. As has already been noted, the political and economic context has changed so dramatically in the past several decades that states (and particularly African states) cannot utilise the same instruments previously deployed as part of their development strategies. But, even if the context had not been so radically altered, it would remain vital to rectify the numerous problems in the old mode of the developmental state. This calls for a reimagining of what is meant by both development and the state. Two key aspects of development which must be reconsidered relate to its gendered nature, and its endorsement of narrow, liberal formulations of representative democracy. Each of these will be considered in turn, prior to elaborating some central elements of a new understanding of the developmental state.

Gendering the Developmental State

Since the publication of Boserup's (1970) landmark study on women's role in economic development the inherently gender biased nature of development as traditionally conceptualised has been widely acknowledged. Later critiques moved away from Boserup's "women in development" framework, which sought to simply ensure women's inclusion into existing development processes, towards gender and development analyses which seek to recognise and transform gender-based structural inequalities.

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For feminists the answer does not, however, lie simply in tasking states with implementing more gender sensitive policies. For, as these scholars ably demonstrate, the state itself is a gendered social construct. Writing of the advent of liberal democracy in northern contexts Pateman (1988) argues that the exclusion of women from the public sphere and citizenship rights, and their relegation to the private sphere of the home was central to the formation of the liberal democratic state. A large body of literature has ensued demonstrating the ways in which the northern welfare state was premised on the model of the nuclear family and the male breadwinner. Within this model women were cast as dependents of both men and the state (see for example Brodie 1994, 1995; Bakker and Gill 2003a; Bakker 2003; Fudge and Cossman 2002; Young, 2003).

Many of these same assumptions were carried through to the developmental state in the south. However, third world feminists such as Rai (1996) note that the gendering of the state in third world countries was additionally marked by the colonial experience. Colonial administrations frequently argued that the colonial state was protecting colonized women from the supposedly oppressive structures of traditional society. However, the colonizing power simultaneously encoded and operationalised deeply gendered and racialised assumptions into the workings of that very state. Rai (1996) further demonstrates that insufficient attention was paid to gender issues within development strategies adopted by post-colonial states that were inspired by both dependency theory and modernization theory. Current neo-liberal policies of structural adjustment enforced by the international financial institutions are similarly gender blind. As the edited collection by Elson (1995) first lay bare in explicit detail, rather than being gender-neutral, such policies have profoundly gendered impacts, which serve to further entrench existing gender inequalities. Their gendered assumptions also undermine the ability of the policies to achieve their own developmental goals. Feminist work on development and the developmental state has thus clearly established that any reconceptualisation of development and the state must not only foreground the importance of addressing and eradicating unequal gendered social relations within society and the economy, but must transform the state itself as a gendered institution.

Development as the Development of Collective Capacity

Whilst it is becoming increasingly common for development theorists across the political spectrum to accept the need to address gendered social relations, amongst both post-development theorists and mainstream development theorists associated with the Bretton Woods institutions and bilateral donors, there is a rather profound silence with respect to class relations and the capitalist system which underpin them (Hart 2001: 651; Cooper and Packard 1997: 3). However, as Marxist scholars such as Leys (1996a), Saul (2004) and Hart (2001) note, the material inequality and deprivation experienced by the majority of the world's population is structured by and within the global capitalist economy. They therefore argue that rather than focusing on proposing policy prescriptions to ameliorate conditions within the capitalist economy, any project that seeks to reinvigorate development theory (and the developmental state) must refocus on what Hart (2001) calls the "small d" development of capitalism.

But what does it mean to propose a feminist, anti-capitalist, or socialist approach to development in the 21ˢᵗ century? What does it mean to even launch an approach to development that simply counters the hegemony of neo-liberalism? Most theorists argue that it is impossible to define what this means concretely in advance without falling into the trap of a predetermined, uniform goal for all societies. If we continue to equate development with a bundle of particular outcomes then we are left with an unsatisfactory and hazy vision of what we must do and where we are headed.

However, it is argued here that perhaps the solution lies in fundamentally re-orienting our understanding of development. Liberal development theorists Amartya Sen (1999) and Martha Nussbaum (2000) have developed a capacities approach to development which defines development as the fostering of freedom and capacity. Sen's work has been particularly influential in the formulation of the United Nations' "human development index" (Waylen 1997). This is an inherently liberal framework which focuses exclusively on the level of the individual, and affirms and entrenches the capitalist system.[2] However, the focus on capacities is a useful one, and resonates with innovative work being conducted by Marxist theorists which focus on collective, as opposed to individual capacities, and which foreground the capacities required to effect fundamental societal transformation. As is argued below, such an approach can provide us with a useful way forward in redefining development.

The Marxist focus on capacities is grounded in Lebowitz's elaboration of a Marxist "political economy of the working class". Lebowitz argues that capitalist relations of production limit the ability of workers to even envision a socialist world, let alone develop the collective skills required to achieve that vision. He therefore argues that a central focus of all struggles and mobilizations must be on the self-development of the working class (Panitch and Gindin 2005). The fundamental challenge, therefore, for socialists is what Sam Gindin (1998) calls the "democratic development of our capacities".

Like the development theorists referred to above, Gindin recognises that, "…the truth is that we don't and can't know what socialism will, in any detail, look like". However, he proceeds to provide the important insight that this is because, "socialism is not a state of affairs, but a *process*" (Gindin 1998: 84). He therefore argues that, "[t]he kind of movement that could develop the confidence, understanding, unity, collective capacities, and innovative organizational structure to one day defeat capitalism, would certainly have established its potential for completing the invention of socialism" (Gindin 1998, 85).

Building on this form of analysis it is possible to argue that development should also be seen as a process, one which focuses on building the collective capacity of people to envision, struggle for, and achieve a more just and equitable society free of the deeply intertwined structural inequalities of gender, race, and class. Such an approach does not discount a focus on improving material well-being in the current period. However, it locates this more specific objective within a broader context, seeing it as important in

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[2] Indeed Sen (1999) argues that freedom to participate in the market must be seen as a fundamental right in and of itself.

helping to build a stronger base from which to launch an even deeper and more meaningful process of transformation.

Democratic Decentralisation and the Participatory Developmental State

But where is the state in all of this? A slew of post-development, social movement and civil society theorists would likely argue that the state is either irrelevant, or a hindrance to the development of popular capacities. However, as has been noted above, the state continues to play a critical role in the governing of the economy and society. Eschewing any focus on the state and concentrating only on "civil society" ultimately provides the international financial institutions, bilateral donors, and sympathetic governments in the third world with free reign to transform the state into an agent of neo-liberalism. It is therefore arguable that rather than being discounted, the state must be fundamentally reconfigured to facilitate the achievement of this new reconceptualisation of development.

In recent years an increasing number of theorists have begun to advocate for forms of popular democracy and participatory governance that radicalize and deepen democracy. Such approaches to the redefinition of democracy clearly resonate with the reconceptualisation of development forwarded in this paper. Within the African context Issa Shivji (undated) and John Saul (1994, 2001) argue for a popular or new democracy which is "geared to facilitating and/or expressing a wide-spread mobilisation of the hitherto powerless against the structures of their socio-economic subordination" (Saul 1994: 175). Writing of existing initiatives to radicalise governance Olin Wright explicitly argues that participatory democracy plays an important role in building capacity (2003, 28). The very act of participating in processes of collective decision-making around current governance and development issues therefore not only ensures a democratisation of society in the present, but also builds the capacity required to envision and pursue even more radical transformations in the future.

Development defined as the building of collective capacity to transform our reality, and participatory democracy must, therefore, be seen as going hand-in-hand. Within this framework the developmental state must take a radically different form than its previous incarnation as a highly centralised agent which delivered development to a passive population. It must, rather encompass what Olin Wright (2003) refers to as democratic, co-ordinated decentralisation to the local level, in order to generate maximum opportunities for participatory governance.

Olin Wright and most theorists of participatory democracy do not foreground the centrality of gender to this process, and relatively little work has been done examining the gendered nature of current experiments in participatory democracy. However, at a more abstract theoretical level feminist scholars Alexander and Mohanty have developed a concept of feminist democracy (which is explicitly socialist) that links commitments to participatory democracy, the development of capacities and the eradication of gender and other forms of structural inequality. For them, feminist democracy is both the ultimate goal *and* the collective process through which it will be achieved:

> "…feminist democracy suggests a different order of relationships among people. It suggests understanding socioeconomic, ideological, cultural, and psychic hierarchies of rule (like those of class, gender, race, sexuality, and nation), their interconnectedness, and their effects on disenfranchised peoples *within* the context of transformative collective or organizational practice. Thus, the transformation of relationships, selves, communities, and the practices of daily life leading to self-determination and autonomy for all peoples is crucial in crafting a different order of relationships" (1997, xxviii).

They further argue that the process of "decolonization", in which we think and act ourselves out of the spaces of domination within the context of a collective or communal process, is central component of feminist democracy (Alexander and Mohanty 1997, xxviii).

Alexander and Mohanty thus make the critically important contribution of emphasizing that as we build our collective capacity to struggle and to create a society in which structural inequality will be eradicated, we must grapple with and overcome those inequalities in our own movements, organisations and processes. This has extremely powerful political implications. What it asserts is that far from taking the approach of "liberation/class struggle first, gender second", we must address inequality within our own movements. It also highlights that by addressing gender issues within processes of participatory governance we are actually taking an important first step in addressing gender issues within society at large, and developing the capacity to launch even more radical initiatives as the outcome of these participatory processes.

The South African Initiative - Gender Sensitive Developmental Local Government

The transformation of local government in post-apartheid South Africa would appear to be an attempt to give effect to this new approach to gender-transformative, capacity building governance and development. The South African Constitution of 1996 for the first time established local government as a distinct sphere of government. The Constitution grants local government significant authority in a large number of areas ranging from municipal health services, to water and sanitation services, to electricity and gas reticulation. Even greater responsibilities have been thrust onto the level of local government through the requirement of the Development Facilitation Act of 1995 that it develop Land Development Objectives (LDOs), which were later incorporated into the even more encompassing Integrated Development Plans (IDPs) first introduced by the 1998 *White Paper on Local Government* and *Municipal Systems Act of 2000* (Beall et. al. 2002, 80). Thus although there is no official policy on decentralization in South Africa, Beall et. al. argue that there has been a "decentralization by stealth" (Beall et. al. 2002).

The Constitution of 1996 enshrines a developmental approach to local government which is explicitly intended to overcome apartheid-era exclusions, biases and inequalities. To this effect the Constitution specifically requires municipalities to structure and manage

their administration, budgeting and planning processes, "to give priority to the basic needs of the community, and to promote the social and economic development of the community" (RSA 1996, s. 153(a)).

Decentralization is thus seen as a means to promote development, and indeed Heller argues that the degree to which the constitution and subsequent legislation explicitly empower local government and task it with redistribution and service delivery is likely unprecedented in new democracies (2001, 139-140). Importantly, whilst development is clearly understood as including improvements in material conditions of the impoverished majority, it is also explicitly seen as encompassing participation in general and participatory democracy in particular as developmental objectives in and of themselves. This approach is made most explicit in the *White Paper on Local Government*, which clarifies that "[d]evelopmental local government is local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives" (Ministry 1998, 17). Section 16 of the *Municipal Systems Act* legally entrenches this notion, asserting that formal representative government must be complemented by a system of participatory governance.

Although the Constitution entrenches the right to equality, and prohibits unfair discrimination on the basis of both gender and sex it does not specifically require developmental local government to redress gender inequality. However, after sustained mobilisation and intervention by feminist organisations, a relatively strong gender analysis was incorporated into the *White Paper on Local Government* (Beall 2005, 259). The *White Paper* (Ministry 1998) clearly establishes a proactive role for developmental local government in addressing and assisting in the eradication of gender inequality. It requires municipalities to be aware of divisions within the community, remove obstacles to women's effective participation in local government processes, understand the diverse needs of women, and address these needs in planning and delivery processes. In line with Constitutional prohibitions on discrimination the 'Principles for Service Delivery' included in the *White Paper* state that, 'municipalities must ensure that all citizens – regardless of race, gender or sexual orientation – have access to at least a minimum level of service' (Ministry 1998). The *Act* includes specific measures to ensure that council's specifically target women for inclusion in participatory processes, and also includes guidelines promoting quotas for women councillors.

Historical Legacy – Challenges and Resources

This approach to developmental and participatory local government tasked with overcoming gender and racial inequalities is a radical inversion of the role of local government during apartheid. The apartheid state had been highly centralised, and during that period the sphere of local government had no autonomous existence. Local government structures operated solely in terms of parliamentary legislation and political ordinances which charged them with certain functions and spelt out their powers. Racially based local authorities and structures fell under the direct control of central and regional authorities (Croesser 1991, 144). White South Africans were enfranchised to

participate in whites only elected local government, and received services comparable to those in the First World. By contrast, during apartheid coloured, Indian and African South Africans received substandard services. In many instances Africans received no services at all[6]. Coloureds, Indians and Africans were all subjected to a succession of undemocratic, racially based local government structures (Swilling 1991). This system of unrepresentative, undemocratic local government played a crucial role in the apartheid project. As has been noted by Swilling, "[t]he urban system…underpinned, and was a necessary precondition for, the formal disenfranchisement of the black majority of the nation-state" (Swilling 1991, ix).

This historical legacy creates tremendous challenges for the implementation of the new vision for developmental local government which requires the transformation of local government structures from forces of oppression to agents of development (Heller 2001). This is particularly so given the spatialised racial and class inequalities ingrained into the South African social fabric over centuries of colonisation and apartheid. The fact that outside of former white areas there was no history of effective local government structures further complicates the situation (Beall 2005, 258). As McEwan notes, the fact that black South Africans have a long, lived experience of local government as an agent of dispossession means that democratic, developmental local government must also overcome a culture of alienation and distrust (McEwan 2003, 475).

However, whilst the historical form and nature of local government creates barriers for the achievement of developmental local government, the struggles against those structures provides a strong foundation for this vision. During the 1980s protests and rent boycotts targeting the Black Local Authorities became a focal point for the anti-apartheid struggle. Militant civic movements, largely falling under the umbrella of the United Democratic Front (UDF), demanded an end to racially based local government, "one city one tax base", the upgrading of services, and the establishment of affordable service charges (Chaskalson et. al. 1987; Shubane 1991; Tomlinson et. al. 2003). The democratic nature of these movements has been widely noted, and contrasted with the top-down structures of the ANC in exile.

The urban-based struggles of the 1980s therefore established a deep culture and experience of local participatory democracy within UDF structures, and provided a strong base for the radical reconceptualisation of the role of local government in post-apartheid South Africa (Beall et. al. 2002, 70; Heller 2001, 143). The active role of women within the civic movement also foregrounded the importance of addressing gender issues within a new democratic local government dispensation.

Problems with the Model

Despite the strong popular support for, and constitutional and legislative commitment to, developmental local government, it is arguable that the South African approach is compromised by three fundamental weaknesses at the level of policy formulation. These pertain to the liberal conceptualisation of participation, the reduction of commitments to

gender transformation to a focus on the participation of women, and the endorsement of a contracting vision for the local state which disassociates developmental local government from an active role for either the state or the citizenry in the development process. Each of these three issues will be addressed in turn.

Liberal, individualistic conceptualisation of participation

Building on the approach taken in the *White Paper,* the *Act* establishes Integrated Development Plans (IDPs) as the main mechanism through the citizenry can influence local government. The *White Paper* stresses that IDPs should "serve as a basis for engagement between local government and the citizenry at the local level, and with various stakeholders and interest groups" (Ministry 1998, 27). Moreover, it emphasises that the approach to developing IDPs must be one of "partnership", and that IDPs should play a key role in realising participatory and accountable government (Ministry 1998, 27).

According to section 25(1) of the *Act* the IDP is to serve as "a single, inclusive and strategic plan for the development of the municipality". Section 35(1) further establishes that the IDP is the framework within which all planning and development decisions must take place, and is binding on the municipality. The requirements regarding the participatory nature of the IDP should therefore be interpreted as entailing that the overall vision and plan for the municipality must be collectively developed through participatory processes.

The *Act* makes clear that municipalities have a responsibility to ensure that the citizenry is aware of its right to participate and is provided with the information necessary to facilitate that participation. For example, it stipulates that municipalities must inform communities of their rights and duties, the issues on which they can participate, and as well the mechanisms, processes and procedures for participation. The public must both be informed of meetings of the council and allowed to attend council meetings. The *Act* even specifies how the council must communicate with the public to ensure that information reaches the illiterate and those who speak only African languages.

With respect to participation in the IDP, section 29 of the *Act* stipulates that the process to develop the IDP must be in line with a predetermined programme that includes timeframes for each step; allow for the community to be consulted on its development needs and priorities; allow for the local community to participate in drafting the IDP; allow for organs of the state including traditional leaders, and other role players to be identified and consulted on the drafting of the IDP; and provide for the identification of all plans and planning requirements binding on the municipality.

Despite the rhetoric of partnership, the mechanisms for participation in the *Act* clearly establish that the citizenry is being invited to participate in a process still firmly controlled by the local council. The legislation does not include the creation of democratic structures with real decision-making power through which the citizenry can debate, negotiate and collectively develop their vision for the municipality. Citizens are simply expected to make submissions as individuals, or through their pre-existing organisations. The *Act* does not even include mechanisms specifying how citizens' inputs are to be incorporated into the IDP. As a result councils are free to decide whether and how to include any of the inputs from the community. Beall notes that due to lack of gender sensitivity and expertise amongst the officials who ultimately compile the IDPs there has been a tendency for gender issues to be lost as local priorities are aggregated into the final plan (2005, 261). Moreover, as the identification of developmental priorities in the IDP process is not linked to any discussion of the allocation of financial resources, IDPs resemble wish-lists more than strategic plans, and there is no guarantee that gender transformative projects that are included will receive sufficient resources.

As noted above, the *Act* goes into quite specific detail regarding how citizens must be informed of their rights to participate, and provided with opportunities to do so. Commendably the *Act* also requires councils to take women's special needs into account in order to facilitate their participation. However, research by the Gender Advocacy Group has shown that many officials in the Western Cape believe that making special provision for women's participation would amount to unfair discrimination (cited in McEwan 2003, 478). Within a particularly detailed and useful study focusing specifically on women and participation in local government processes in Cape Town McEwan (2003) argues that few meaningful efforts have been made to ensure women's participation and that women's participation has been low. McEwan identifies that, despite the legislative responsibility of municipalities to disseminate information on IDP processes, lack of information was identified as a key hindrance to participation. As access to information is inextricably bound up with class, black working class women were particularly marginalised and disadvantaged. She further notes that although the IDP handbook developed by the Department of Provincial and Local Government fails to recognise that cultural norms regarding gender roles make it difficult for women to participate even when they do attend meetings, and therefore provides no guidance regarding how to overcome this problem.

The approach to participation entrenched within the South African model of developmental local government is rooted within a liberal framework in which it is the responsibility of individuals to avail themselves of the opportunities to participate. It is simply presumed that citizens can and should be able to formulate inputs on complex developmental issues, and that these inputs should be made by isolated individuals, or pre-existing organisations which they have formed for other purposes. The model of participatory developmental local government does not include any obligations on the part of the state to develop the capacity of citizens to participate effectively and meaningfully. Despite the fact that many South Africans gained a wealth of experience working collectively in democratic organisation during the struggle, a significant

percentage was not active in these structures. The culture of democratic centralism within the ANC is also not necessarily compatible with notions of participatory democracy. Moreover, there is an important difference between taking collective democratic decisions regarding issues related to struggle, and those related to governance. There is, therefore, at least as much a need in South Africa to build capacity for participatory democracy as in other contexts.

Gender Transformation, or Women's Participation?

Despite the strength of the gender analysis and specific commitments to gender sensitive service delivery included in the *White Paper*, there are a number of critical weaknesses in the approach taken to gender in South African policy and legislation on developmental local government. Women are consistently treated as a discrete, and homogenous category. There is no acknowledgement of the profound inequalities between women of different races and classes, and hence no recognition that their needs and interests conflict. Although the Constitution clearly mandates local government to prioritise meeting basic needs, policy and legislation on developmental local government are silent on the fact that within the current socio-economic context, the achievement of this goal would necessarily entail focusing on meeting the needs of black, working class women.

Neither the *White Paper* nor the *Act* require councils to disaggregate information analysed as part of the IDP process by gender, race and class, evaluate the impact of the IDP on different categories of women, or indeed ensure that the IDP promotes the objective of redressing structural inequalities of gender, race and class. Concern with gender is reduced to ensuring that councils address barriers that may prevent women from participating in the IDP process and include women on any advisory committees that they may establish.

As has been noted above numerous problems have been encountered in ensuring women's participation in IDP processes. However, even if women were participating en masse, the equating of women's participation with meeting obligations towards gender transformation is highly problematic for a number of reasons. Whilst ensuring gender equity amongst participants in IDP processes is an important goal in and of itself, it is incorrect to assume that women are inherently capable of identifying their practical and strategic interests, and that they will necessarily make interventions which promote the transformation of gender inequalities. If the equally important goal of ensuring that the content of the IDP is gender sensitive is to be achieved it is critical that councils develop the capacity of both community participants and officials to conduct gender analysis and utilise a gender framework when developing the IDP. Crucially, it must be a requirement that IDPs be assessed for their gender transformative potential.

Contracting out of participation, and even a role for the state itself

Whilst the previous sections have highlighted inadequacies in the conceptualisation of citizen participation in the model of developmental local government, other developments are undermining the ability of local government itself to be an active agent in the development process. The casting of the local state as a proactive agent for development and empowerment was consistent with the overall conceptualisation of the state within the Reconstruction and Development Programme (RDP), which served as the ANC's election platform in 1994. The RDP committed the ANC to a macro-economic strategy of "growth through redistribution". Although elements of an export-oriented market strategy were clearly present in the RDP, the document endorsed an interventionist, developmental state.

However, in 1996 the adoption of the neo-liberal Growth, Employment and Redistribution (GEAR) macroeconomic strategy radically transformed this view of the state. Unlike most neo-liberal states the South African state maintains an explicit commitment to poverty alleviation, and GEAR does include elements such as a "national social agreement" not normally associated with neo-liberalism (Gelb 2003, 35). However, as numerous commentators have pointed out, GEAR neglects the link between growth and better income distribution, does not set redistributive targets, and does not demonstrate how its policies will lead to the achievement of its targets (Davis 2003, 39; Marais 1998, 171). GEAR adopts all of the key elements of a standard structural adjustment policy and firmly implants market logic into the heart of the state. Indeed, most key spheres of post-apartheid social policy are explicitly market-driven (SACN 2004; Social Movements Indaba 2004; Pape and McDonald 2002).

At an ideological level, the reconceptualisation of the role of the state in GEAR necessitated a significant shift in the role ascribed to developmental local government. Drawing on Chipkin Beall et. al. argue that:

> …the initial statist conception of local government's task (one of *leading* development) was downgraded to one of *facilitating* development. This occurred as the ANC re-oriented its focus from the original redistributive goals of the RDP to the more neo-liberal objectives of the GEAR policy (Beall et. al. 2002, 73).

It was within this context that the *White Paper on Local Government* cautioned that, "municipalities will be expected to enhance service delivery within the constraints of available resources", and therefore advocated partnerships with business (and also non-profit organisations) as an important way to "mobilize off-budget resources" (Ministry 1998, 34). Amongst other options the *White Paper* cited corporatisation, contracting out, public-private partnerships (PPPs), and the outright sale of assets as service delivery options (Ministry 1998, 94). This approach to service delivery was subsequently entrenched in the *Municipal Systems Act.*

Whilst the *White Paper* and *Municipal Systems Act* simply include public-private partnerships and privatisation as one option for service delivery, national government has undertaken a number of measures to create material conditions which induce local governments to transfer responsibility for service delivery to the private sector. For

example, national government pressurises local government to have balanced budgets (Ruiters 2002, 79). However, it has simultaneously reduced the revenue of local governments by dramatically decreasing the level of intergovernmental transfers from national to local government, and limiting the ability of local governments to raise their own revenue by capping property rates (McDonald 2002, 23). Moreover, national government created the Municipal Infrastructure Investment Unit (which is co-financed by USAID) specifically to assist municipalities in issuing tenders and contracting private companies to deliver municipal services[3].

National government is therefore enforcing a shift to a form of developmental local government in which the private sector, as opposed to either the local state or the citizenry is the key agent for development. In order to explore the implications of this reconceptualisation of developmental local government for the achievement of the kind of gender transformative development advocated in this paper it is useful to explore the implementation of this model with the municipality of Johannesburg.

iGoli 2002 – Anti-development Outcomes, Anti-development process

The restructuring of Johannesburg under the auspices of the *iGoli 2002* plan is widely recognised as the most extreme manifestation of tendencies to yoke developmental local government to market-based models of governance, and is lauded by central government as a prototype for other municipalities[4]. *iGoli 2002* is overtly based on implanting market logic into the heart of the municipality, and fundamentally reconceptualising the city as a business. According to *iGoli 2002,* "[t]he challenge is to transform the current bureaucracy into a business approach because the city is a "big business"" (GJMC, 1999a: 6). The plan repeatedly refers to citizens as customers, and argues that there must be a stronger "customer focus" within the municipality.

Within *iGoli 2002* only an extremely limited number of council functions were identified as being "core administration" and kept in –house as part of the council. The core administration itself was divided into a central administration which plays the client role, and eleven regional administrations which play the contractor role. A number of Council departments, such as Metro Gas, were identified as being non-core, and sold to the private sector. The remainder of council's activities were transformed into either utilities, agencies or corporatised entities (UACs), which are municipal business entities, as defined in the Municipal Systems Act (2000)[5]. Although presently Council is the sole

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[3] There is no form of similar support for local councils wishing to strengthen and improve service provision by the municipality itself.

[4] Indeed, the Council has even formed a special department called Joburg Innovation and Knowledge Exchange, part of whose mandate is to share information on iGoli 2002 and advise other municipalities (both in South Africa and abroad) on issues related to municipal transformation.

[5] The differentiation between utilities, agencies and corporatised units is based primarily on the level of profit they are expected to generate, as well as their level of financial self-sustainability. Utilities, which generally provide services for which consumers are charged per unit consumed (such as water and electricity), are expected to be fully self-sustaining and generate a profit. Agencies provide services such as roads and parks for which no fee can be charged and are therefore fully subsidised from property taxes.

shareholder in each of the UACs, they are registered as private companies and contracted by Council as independent, external corporations to deliver services on its behalf. *iGoli 2002* is therefore firmly grounded within the contracting model of the local state (Barchiesi 2001) in which non-elected government structures are reduced to a minimal core, the services and activities of local government are commodified, key activities are transferred to the private sector, and state activities are based on a series of internal and external contracts in an attempt to secure the supposed benefits of market relations (Stoker 1991; Walsh 1991; Mather 1991).

In order to ascertain *iGoli 2002's* ability to promote gender transformative developmental local government within Johannesburg it is necessary to subject the plan to critical scrutiny at three distinct levels – the contents of the plan, the effects of the plan, and the process through which the plan was designed and implemented.

Silences and Gaps Related to Gender and Development

In recent years attempts have been made to cast *iGoli 2002* as a tool to facilitate the meeting of basic needs. However, careful analysis of its lineage reveals that concerns related to development and equity were largely fused onto the plan as an after-thought, and are not integrated into the logic of the restructuring model. Gender issues remain completely overlooked and ignored.

The content of *iGoli 2002* was largely based on an Organizational Review written for the city council by international consulting firm Price Waterhouse Coopers (see below for further details of the role which consultants played in the process to develop the *iGoli 2002* plan). The Organisational Review was specifically commissioned to identify the problems that led to the financial crisis experienced by the Council in 1997 and to make recommendations to address the crisis. The identification of means to alleviate poverty, facilitate development, and promote gender equity did not feature within its mandate. Only one of the ten principles guiding the phase two report related to basic needs (Price Waterhouse Coopers 1998). The report includes virtually no analysis of the implications of the proposed model for the meeting of basic needs, treats the city as a completely ungendered space, and does not justify why a client-contractor approach should be seen as meeting the needs of the community.

Similarly, the original *iGoli 2002* document (GJMC 1999a) makes scant reference to concerns related to poverty, basic needs or development. In the Message from the Mayor he does note that "[i]t has become imperative for the city to undergo a transformation process in order to meet its responsibility to deliver quality services for all" (GJMC 1999a, 2). However, the "Case for change" section draws directly from the analysis of the Organisational Review, and lists only financial and institutional issues (GJMC 1999a, 6-8). The *iGoli 2002* plan simply asserts that these financial and institutional problems

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Although corporatised units such as the zoo have some income-raising capacity it is recognised that they will continue to require subsidies in order to provide adequate services (City of Johannesburg Council, 2001, p. 102).

"substantially contribute to poor service delivery to the city's residents and businesses" (GJMC 1999a, 4). As the South African Municipal Workers' Union (SAMWU) has noted, highly unequal levels of service delivery and the importance of addressing basic needs do not feature in the *iGoli 2002* document. The union argues that contrary to the approach taken in the plan, the social needs of the poor should serve as the starting point for municipal restructuring and transformation (SAMWU 1999, 1).

It was only after such interventions that more explicit attempts were made by Council to frame *iGoli 2002* within the discourse of developmental local government, and to rationalize the restructuring in terms of meeting basic needs, improving service delivery and enhancing democratic control. In 2000 the Council released an update on *iGoli 2002* called *iGoli 2002 – Making Greater Johannesburg Work* (GJMC 2000). Despite the clear origins of *iGoli 2002* as a response to the fiscal crisis experienced by Council, in this document Council disingenuously argues that its inability to meet the needs of the people is the "key driver for change" behind *iGoli 2002* (GJMC 2000, 4). It asserts that "iGoli 2002 is premised on a mandate of "developmental local government"" (a phrase which actually does not feature in the *iGoli 2002* plan), and the inability of the previous councils to fulfil their developmental roles (GJMC 2000, 4). It also casts the client-contractor model as being necessary to augment democracy and democratic control within the municipality, arguing that, "[t]he lack of separation between policy, regulation and operations makes it difficult for elected representatives to measure performance and hold staff members responsible for non-delivery" (GJMC 2000, 5).

However, there are a number of problems in assuming that the client-contractor model ensures greater accountability. Despite the rhetoric about citizens being valued customers, it is actually the central administration (in its role as client) that must be satisfied and catered to by the service providers (who serve as its contractors). As noted in a research report commissioned by the Public Services International Research Unit:

> "Concerned primarily with the efficiency of urban management, the Plan reduces the complexity of the public administration to a client/contractor relationship. Even if allegedly committed to social priorities the Plan is based on instruments clearly identified with a neo-conservative approach to the public sector, by evaluating its performance by means of private efficiency yardsticks. It shifts core components of the public interest from the multilateral sphere of the social contract – that regulates the main political pacts in society – to that of civil law, regulating bilateral relations between specific actors.
>
> …The public interest is assumed to be fully delegated and represented by the council as the "client". If it acts against the public interest there are no safeguards to ensure the social rights of the public" (Silva 1999, 1).

Other arguments raised by promoters of *iGoli 2002* in order to assert that it will facilitate development are that it will release more money for investment through greater efficiency, and that the efficiency and sustainable growth that they purport will be fostered by the plan are essential prerequisites for equity and poverty reduction (Allen et.

al., cited in Beall et. al. 2002, 100). However, as with similar arguments made about GEAR, the plan itself does not include any analysis or arguments to support these claims.

Whilst the *White Paper* and *Municipal Systems Act* at least genuflect to gender issues, *iGoli 2002* makes no mention at all of women's unequal status in the city, the particular burdens faced by women workers and women citizens in relation to service delivery, or the need to promote gender equity. Similarly, the only concerns related to workers pertain to the need for "workers to work", and for partnerships to be built with unions in order to implement the plan. Repeated requests by labour to draw on workers' knowledge in developing an alternative restructuring plan for the city were rebuffed by management, who simply wanted to secure union support for the existing *iGoli 2002* plan (Interview Mashishi, 13/05/2004; Interview Rees, 13/05/2004). Neither *iGoli 2002* nor the counter-proposals by the unions recognized that workers are gendered. In particular, the union submissions failed to note that due to the gender division of labour men and women workers have specific forms of knowledge and contributions to make within any restructuring process.

Anti-developmental, Gendered Effects

iGoli 2002 was adopted in 1999 and given full effect after the local government elections in December 2000. Within these first five years of *iGoli's* implementation a comprehensive analysis of the plan's effects has not yet been produced. However, given its reliance on market mechanisms, its pre-occupation with profit maximization and its deafening silence on issues related to basic needs, development and gender equity, it should not be surprising that research that has been conducted in the water and waste management sectors has revealed that the implementation of the plan has had highly detrimental and strongly gendered effects for both working class communities and workers.

Within the *iGoli 2002* plan, the privatised utilities are expected to be financially self-sustaining and eventually generate a profit. In order to achieve this goal the privatised water utility, Johannesburg Water, has focused on cost recovery. For its part, the Pikitup waste management utility has centred its efforts on aggressively pursuing lucrative commercial contracts and minimizing expenditure on service delivery, particularly for the provision of non-revenue generating collective public goods such as street cleaning.

Although the Johannesburg Council is the sole shareholder of Joburg Water, the utility signed a five year management contract with Suez and several of its subsidiaries. The water and sanitation system in Johannesburg is therefore effectively controlled by the world's largest water multinational corporation. Under the guidance of Suez Joburg Water has concentrated new investments in (formerly, and still largely white) bourgeois suburbs where residents can afford to pay for services, and is rolling-out pre-paid water meters in the black working class townships (Public Citizen June 2004, 5-6). With pre-paid meters water units must be purchased in advance before water can be consumed. Joburg Water provides every household with 6000 units of free water per month. However, this amount is woefully inadequate for the average household, and falls well

below the World Health Organisation minimum of 25 litres per person per day (Public Citizen, June 2004, 7). Many residents have also reported that they do not receive the 6000 free litres. Citizens who cannot afford to pay for additional water are forced to cut themselves off before they consume it. The utility thus precludes the possibility of residents accumulating arrears, and hence protects its profit-margin. However, poor citizens are left without access to water. It is for this reason that the United Kingdom has outlawed pre-paid water meters.

Research conducted in sections of the township of Orange Farm (which were the first areas of Johannesburg in which pre-paid meters were installed) reveals their devastating effects. Initially formed as an informal settlement Orange Farm was recognised as a township in September 1997. However, service levels remained exceptionally low. Prior to the implementation of the pre-paid system residents received water for free from communal standpipes and tanks transported by trucks (Orange Farm Water Crisis Committee et. al. June 2004, 10-12). In 2003, when the installation of pre-paid meters was completed the free communal standpipes were removed in an attempt to force all citizens to limit their consumption levels to within their individual household budgets (Orange Farm Water Crisis Committee et. al June 2004, 15). At times this resulted in families being compelled to choose between the purchase of food and the purchase of water (Orange Farm Water Crisis Committee et. al June 2004, 20). Of residents surveyed half reported that they had run out of water units due to lack of money (Public Citizen, June 2004, 17). In such instances residents utilised strategies such as obtaining water from the petrol station or requesting water from their neighbours. However, as everyone in the area was also scrambling to pay for water units researchers found that residents had begun to charge others for the use of their water (Orange Farm Water Crisis Committee et. al, June 2004, 22-26). Residents who could not afford to purchase sufficient amounts of water were therefore forced to minimize their water consumption. Of those surveyed 66% reported that due to insufficient funds to purchase water units they limited bathing, 66% limited cleaning, and a startling 57% limited drinking (Orange Farm Water Crisis Committee et. al., June 2004, 23). This forced reduction in water consumption compromised both the health and dignity of these citizens. For example, according to the report by the Orange Farm Water Crisis Committee et. al. (June 2004) residents noted that at the schools it is easy to identify children from the areas where pre-paid water meters have been installed as they have dirty clothing (27).

The implementation of the pre-paid water system has had particularly pernicious effects for women and gender equity. As women bear responsibility for social reproduction within the household, research has found that they are required to walk longer distances to purchase units when they have money, and to seek free water when they don't. 60% of respondents agreed that women are required to work harder when it is more difficult to access water. Respondents reported that water shortages caused tensions within the household and led to an increase in domestic violence. They also cited concerns that because pre-paid water made it prohibitively expensive to move outdoor toilets into the house, women and girls continued to be exposed to the risk of sexual assault and rape when using outdoor facilities (Orange Farm Water Crisis Committee et. al. June 2004, 27; Public Citizen June 2004, 23-24).

The design and implementation of mechanisms for cost-recovery has proven to be a greater challenge in the waste management sector due to the problems encountered in commodifying waste management, (i.e. transforming waste management services into "goods" which can be sold in the market to individual consumers). The waste management services which Pikitup is bound to deliver in terms of the Service Delivery Agreement include collective public goods such as street sweeping and litter picking (collectively referred to as street cleaning) for which it is impossible to charge individuals per unit consumed. Even for those waste management services which are commodifiable, such as removal and disposal, the charging of individual households for removal and disposal services is more complex than charging for water and electricity. Whilst metering makes it possible to charge consumers per unit of water and electricity consumed, it is impractical to charge households per kilogram of waste produced, collected and disposed of. As a result Pikitup's tariffs are based on property size as opposed to volumes of waste produced. In addition, due to the health hazards associated with the non-collection of waste it is not possible for Pikitup to stop collecting waste from households that are in arrears (de Beer, undated).

Unlike Joburg Water, Pikitup could not, therefore, adopt a policy of full cost recovery. Instead it pursued two distinct strategies to boost revenue, decrease expenditure and improve its overall financial position. Pikitup's primary responsibility is to provide waste management services on behalf of the Council in order to fulfil the Council's responsibilities in terms of Schedule 5B of the Constitution. However, the waste management departments out of which it was formed had long competed with private waste management companies to provide bulk business and medical waste services which fall outside of the Constitutional responsibility of the municipalities. Although Pikitup's share of these markets had initially declined, in an effort to boost income it proactively developed and marketed innovative waste management services in an attempt capture a more significant share of this lucrative work. Pikitup promotional literature boldly asserted that it had teams of workers and resources available to meet any business need (Pikitup undated).

However, when it came to fulfilling the constitutional responsibilities of the Council, Pikitup sought to compensate for its inability to ensure full payment for services rendered by minimizing expenditure on service delivery. In South Africa waste management is a highly labour intensive sector, and in 2002/2003 salaries and allowances amounted to 45% of Pikitup's total annual budget (Pikitup 2002a, 35). Pikitup management therefore felt that it was imperative for the utility to reduce its wage bill in order to minimise budgetary shortfalls and eventually make a profit. It did so by outsourcing work to private companies who fell outside of the South African Local Government Bargaining Council (SALGBC), and could therefore pay workers lower wages and benefits, and also by reducing the number of workers which it employed for those services which it continued to provide itself.

Due to the gender division of labour in the waste management sector both of these strategies had deeply gendered effects on the workforce. In 2003, within Pikitup the

workforce in collection services was almost completely male (only 1% of women workers were employed in this section). Although a significant percentage of men workers (40%) were also employed in street cleaning, virtually all women Pikitup employees (93%) were ghettoized within this non-revenue generating section. Amongst private waste management companies subcontracted by Pikitup 100% of female employees worked in street cleaning, and the collection workforce was completely male (Samson 2004, 130). As noted above, when work was outsourced to private companies the workers employed by these companies fell outside of the scope of coverage of the SALGBC. The workers employed by these companies to do collection work (all of whom were male) were covered by the Road Freight Bargaining Council (RFBC). Although the RFBC's minimum wages are only 59% of those in the municipal sector, it does provide a minimum, and workers are eligible for benefits such as a provident fund, and a sick pay fund.

By contrast, there is no bargaining council in South Africa that covers street cleaning workers who work for employers other than municipalities or municipally owned utilities such as Pikitup. As a result, workers employed by private companies subcontracted by Pikitup to provide street cleaning services do not enjoy the protection of any agreements determining minimum wages or benefits. As there is no national minimum wage in South Africa, and as levels of unionisation are particularly low amongst these workers (8% of those surveyed) the private companies are free to pay workers as little as possible. Many workers were paid R35 per shift for working night shift, and two thirds of women workers surveyed were paid less than R980 per month. A significant proportion of these workers did not receive protective clothing and equipment, and did not have access to facilities such as change-rooms and toilets. The strategy of subcontracting work to private companies therefore created a new, gendered hierarchy of workers' rights and status within the sector, and succeeded in saving Pikitup money by paying the predominantly female street cleaning workforce appallingly low wages (Samson 2004).

As noted above, the second strategy employed by Pikitup to lower its wage bill involved reducing the number of workers employed to provide the services that it did not outsource. As a result of negotiations within the unions the provisions of the Agreement of Sale prohibited Pikitup from retrenching workers for the first three years. However, Pikitup retained a moratorium on the hiring new workers that had been instituted by the Greater Johannesburg Metropolitan Council in 1997. Natural attrition (which was greatly accelerated due to the HIV/Aids pandemic) was therefore rapidly depleting the labour force in Pikitup. The company explicitly identified this as an important way to reduce expenditure on salaries (Pikitup 2002, 36).

The prioritisation of revenue-generating collection services as part of Pikitup's corporate strategy meant that collection was shielded from the labour shortage. Management in all depots surveyed by Samson (2004, 139-140) reported that they sustained workforce levels in the overwhelmingly male collection section by filling vacancies in collection with male street cleaning workers. The workforce in the feminised street cleaning section was therefore significantly depleted. This necessitated profound forms of work reorganisation which included the flexible deployment of workers and frequently

requiring workers to work on their own. Workers reported that these changes reduced their control over the work process, severed their links within the community that they serviced, and greatly decreased the safety of their work environment. Although men employed in street cleaning were also affected by these changes in the organisation of work, they had the chance of redeployment to the collection section. Moreover, in a city with one of the highest rape rates in the world the risks associated with working alone were far greater for women workers than for their male counterparts. Lastly, due to the fact that more than 90% of women workers were located in street cleaning it should be cleared that the labour shortage and associated restructuring had a greater impact on the female workforce and as such were strongly gendered.

Less empirical research has been conducted on the gender effects of waste management privatisation as a result of *iGoli 2002* for service recipients. However, research has indicated that as in many other municipalities across the country, women make up the overwhelming majority of participants in long-term volunteer cleaning campaigns in the townships to compensate for inadequate provision of waste management services. Moreover, due to the gender division of labour in the household it is working class women who must deal with the effects of poor waste management services, such as children injuring themselves and contracting illnesses as a result of playing with uncollected refuse (Samson 2003).

Undemocratic, decapacitating process

The previous section highlights the gender biased effects of *iGoli 2002* with respect to developmental outcomes within the water and waste management sectors. However, perhaps the most pernicious effect of *iGoli 2002* has been the ways in which it has undermined development as reconceptualised as the development of collective capacity and the processes of participatory democracy. Patrick Heller (2001) notes that there has been a trend towards the development of IDPs by experts and politicians, and critiques this for undermining the culture of civic participation which lies at the heart of the stated objectives of developmental local government (147). As will be demonstrated below, in the case of Johannesburg the processes to develop and implement *iGoli 2002* not only overrode the participatory nature of the IDP process, but even circumscribed the structures of liberal representative democracy.

The contracting of private companies to deliver local government services had been on the agenda of the Johannesburg regional office of the ANC since at least 1996 when it had established a working group to explore service delivery partnerships (City of Johannesburg Council 2001: 38). However, in the absence of national legislation requiring municipalities to pursue public-private partnerships (PPPs) and adopt a contracting model of the state the Greater Johannesburg Transitional Metropolitan Council (GJTMC) would normally have had to engage in consultative processes prior to embarking on a PPP programme. As will be demonstrated below, the financial crisis which emerged in mid-1997 provided the Council with a pretext to fast-track a radical restructuring of the council whilst simultaneously by-passing these democratic processes.

In mid-1997 the Council declared that Johannesburg was in a deep financial crisis and on the verge of bankruptcy. The city was indeed confronted by serious financial difficulties. In July 1997 the GJTMC was unable to pay a R300 million bill to Eskom for bulk electricity supply (City of Johannesburg 2001: ix). For three months it also failed to make payments to other creditors. It had an actual deficit of approximately 10% and capital expenditure had been slashed from R1,280 million in 1996/97 to R592 million in 1997/98. As a result of these financial difficulties its credit rating had been significantly reduced and it was unable to access new loans from banks (City of Johannesburg 2001: 22-23; Beall et. al. 2002: 91-94).[6]

As noted above, in response to the crisis the GJTMC commissioned Price Waterhouse Coopers to conduct an Organisational Review that would help to identify the causes of the crisis and ways of addressing them (City of Johannesburg Council, 2001). In addition the ANC at all three levels of government agreed that the crisis could best be resolved by the establishment of a small, focused decision-making body. Accordingly, on October 10, 1997 the Provincial Government utilised its powers in terms of the Local Government Transition Act of 1993 to instruct the GJTMC to establish a special committee (which came to be known as the Committee of Ten) to address the financial problems confronting the city (City of Johannesburg Council, 2001: 35). The Committee of Ten was empowered to take decisions and actions, and therefore bypassed the normal democratic procedures within the MLCs and GJTMC (Barchiesi, 2001; Beall et. al., 2002). The formation of the Committee of Ten meant that not only was public participation eliminated, but even the ANC (and other party) caucuses within the five councils that made up the GJTMC[7] lost their powers to scrutinize the plans to address the crisis and make recommendations (Interview, Ngwane: 17/05/2004).

The provincial instruction required the Committee of Ten to introduce strict credit control mechanisms and cost reflective tariffs, reduce operating and capital budgets, and develop proposals to convert short-term capital finance into long-term loans (Gauteng Provincial Government, 1997). However, although the Committee of Ten was ostensibly established to resolve the immediate financial problems of the Council, it was also given a much broader mandate to restructure service provision within the city. From its inception the Committee of Ten was required to identify core functions that needed to be performed by local government, with an emphasis on those that could generate profit, and

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[6] According to the City the financial precursors to these problems lay in a range of factors. High capital budgets in 1995/96 and 1996/97 had been partially funded by short-term bonds. New geographic areas without any real rates based had been incorporated into the city at precisely the moment that intergovernmental grants were drastically reduced. As noted above the MLCs transferred insufficient funds to the metro to pay bulk suppliers due to their failure to collect revenue and their utilization of funds collected as bridging finance. In total the city was owed R2.1 billion in arrears for non-payment of rates and service charges, both in the townships and in Sandton (the 18 month rates boycott in Sandton against the harmonization of property rates resulted in a loss of R220 million in rates from Sandton alone). Accounting systems had masked the true extent of the deficit as they were based on the assumption of full payment for rates and services. Lastly, councillors had approved overenthusiastic budgets and expenditure as they refused to believe that Johannesburg had insufficient funds (City of Johannesburg, 2001: 23-26; GJMC, 1999a: 7).

[7] At this stage the GJTMC was made up of the central council, as well as four municipal substructures – the Northern, Western, Eastern and Southern Metropolitan Local Councils.

those that could be outsourced (Gauteng Provincial Government, 1997). On May 4, 1998 Sicelo Shiceka, the MEC for Development Planning Local Government expanded the committee to fifteen in order to include opposition politicians. More significantly, however, the amendment expanded the terms of reference for the (now) Committee of Fifteen. In particular, the Committee was tasked with responsibilities related to organizational development, and was required to move beyond identifying non-core activities and to proceed with actually initiating public-private partnerships (City of Johannesburg Council, 2001: 37).

By this time Price Waterhouse Coopers had already completed the first phase of the Organisational Review and had presented the Committee of Ten with a draft of the change management plan which formed phase two. Its central recommendation was that the city should be restructured on a "contracting model" in which the entire organisational structure of the Council would be based on a series of clearly identified client-contractor relationships (City of Johannesburg, 2001: 39). On April 6, 1998 the Committee of Ten had endorsed the most radical option presented to it by Price Waterhouse Coopers which, "clearly identifies the Core Client elements, and thus the absolute minimum size of the Councils" (Price Waterhouse Coopers et. al., 1998: 21).

The Committee was, however, aware that such a radical restructuring of the municipality was likely to encounter strong opposition, particularly from the South African Municipal Workers' Union (SAMWU), due to its militant stance on privatisation and market orientation within the local state. According to Khetso Gordhan, who later became the City Manager and the person most closely associated with *iGoli 2002*, the ANC in Johannesburg therefore requested the MEC to instruct them to implement the Price Waterhouse Coopers recommendations. This, they felt, would provide them with a strong line of defence against the unions, as they could claim that they were simply acting under instructions and had no choice in the matter (Interview, Gordhan: 18/05/2004).[8] Accordingly, the Provincial Notice which amended the instructions to the Committee of 10/15 also required the Committee to implement the change management plan proposed by Price Waterhouse Coopers (City of Johannesburg Council, 2001: 39-40).

As the Committee of 10/15 had been established by a provincial instruction, it had a limited life-span. In early 1999 the five councils in Johannesburg agreed to establish the Transformation Lekgotla to take forward the work of the Committee. The Councils agreed to cede certain powers to the metro, and mandated the Lekgotla to provide the metro with assistance (City of Johannesburg Council, 2001: 41). Based on the recommendations of Price Waterhouse Coopers, in January 1999 the five councils appointed a City Manager, as well as a Transformation Manager. They were tasked with leading the Transformation Lekgotla and finalising the organisational restructuring of Johannesburg.

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[8] When SAMWU was eventually made aware of the recommendations of the Organisational Review it did, in fact, declare a dispute over the failure of the Council to consult, and its rejection of the distinction between core and non-core Council activities. This was later withdrawn during the negotiations around *iGoli 2002*, as by that time the *iGoli 2002* plan had superceded the Organisational Review (SAMWU, 1999b: 1).

Within the first two months of Khetso Gordhan's appointment as City Manager, he and the Transformation Lekgotla had developed the *iGoli 2002* plan and secured its approval by Council (GJMC, 1999: 5). This short time frame clearly left very little time for consultation and discussion inside Council. According to Trevor Ngwane, councillors were taken to meetings in which *iGoli 2002* was outlined, but there was almost no time for discussion. A number of councillors were unhappy with the plan, but, "from the beginning it was clear that there would be problems if you didn't agree" (Interview, Ngwane: 17/05/2004). After the public release of the plan *iGoli 2002* encountered serious resistance. As a councillor Ngwane continued to protest against the plan, and was eventually expelled from the party for publishing an article in which he raised concerns around the model being utilised (Interview, Ngwane: 17/05/2004).

The South African Municipal Workers' Union and Independent Municipal and Allied Trade Union (the second-largest union in the municipality) were united in opposition to the plan throughout the course of negotiations and mediation conducted with the Council in 1999 and 2000. They also embarked on several strikes against *iGoli 2002*, one just days before the December 2000 local government elections. However, these actions were to no avail. Aside from changing its position on the privatisation of the Fresh Produce Market Council implemented the *iGoli 2002* plan in unaltered form[9].

The process to develop and adopt *iGoli 2002* precluded the participation not only of the public, but even of elected councillors. Its implementation has further marginalised both of these groups. Despite the legislative requirement that service delivery arrangements be reviewed in the IDP process, the 2001/2002 Johannesburg City Development Plan (Johannesburg 2001) simply took the *iGoli 2002* model as a given. Neither women workers, nor women citizens, nor indeed the unions or citizenry in general have ever been given an opportunity to comment on or input into the current model for municipal governance and service delivery in Johannesburg.

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[9] A number of factors contributed to the steadfast commitment of Council to the implementation of the plan, as well as the unions' inability to halt it. Firstly, SAMWU lacked sufficient internal capacity to effectively engage with the Council in negotiations (Interview, Rees: 13/05/2004; Interview, Gordhan: 18/05/2004). Although Council had offered to provide SAMWU with funding to acquire additional support, the union rejected its offer, as it felt that Council had already made up its mind, and that "you can't take the boss's money to fight the boss" (Interview, Mashishi: 13/05/2004; Interview, Rees: 13/05/2004). Secondly, the calling off of the December 2000 strike, for what many believe to be political considerations related to the local government election removed the last power held by workers in the face of *iGoli 2002*. Thirdly, within Council itself, the powers granted to the Transformation Lekgotla meant that the role of ordinary councillors was minimised. Strong support from senior ANC leadership and internal forms of party discipline meant that councillors did not feel free to disagree with the plan (Interview, Ngwane: 17/05/2004). Fourthly, Khetso Gordhan's two year performance-based contract was specifically tied to the implementation of the plan (City of Johannesburg Council, 2001: 49-50). He therefore had a personal vested interest in ensuring its implementation. Lastly the fact that the Provincial instruction required the city to implement the findings of Price Waterhouse Coopers meant that the city was legally required to implement a restructuring plan. It further strengthened this position by requesting the Department of Finance to make its 2000 Restructuring Grant conditional upon the implementation of *iGoli 2002* (Interview, Gordhan: 18/05/2004). This was duly done (Office of the City Manager, 2000: 1). Hence the city could and did claim that it was required to proceed with the implementation of *iGoli 2002*.

The City Development Plan makes virtually no reference to gender issues, and does not indicate that any of the special efforts required by law to ensure women's participation in the development of the plan were followed. However, even if they had been, such participation would have been largely superfluous, for, as has been noted, none of the key issues related to city governance were open for discussion.

The example of the City Development Plan highlights the inherently anti-participatory nature of the contracting model of the local state entrenched by *iGoli 2002*. The UACs have already been transformed into private companies and have signed multi-year commercial contracts to deliver services on behalf of the city. It is, therefore, in fact impossible for citizens to have any democratic input into decisions regarding service delivery, as these decisions are now made by private companies. As the local government has been reduced to such a minimalist core, there is very little of substance for citizens to actually debate and discuss within IDP processes. The neo-liberal restructuring of the role and structure of local government has rendered the participatory vision of the IDPs superfluous, and has eliminated the potential of local government to provide a space in and through which citizens, and working class women in particular, can develop their capacities through engagement in processes of participatory governance.

<u>Conclusion</u>

Analysis of the *iGoli 2002* plan has demonstrated the incompatibility between a contracting model of the local state and commitments to gender transformative developmental local government. Even if more explicit attention had been paid to gender issues within the formulation and implementation of the plan, the primary focus on profit generation necessarily entrenches and exacerbates existing gendered and racialised socio-economic inequalities. The highly undemocratic manner in which *iGoli 2002* was formulated and implemented was rather extraordinary. However, as the contracting model privatises the bulk of local government activities it effectively places them beyond the reach of even the structures of representative democracy, let alone participatory democracy. Adopting a market-based approach to development and governance which reduces local government to a minimalist core therefore precludes the possibility of meaningful participation in government, and hence the opportunity to use participatory democracy as a means to develop collective capacities to transform structural inequalities of gender, race and class.

The solution does not, however, lie in simply fighting for a rejection of the contracting model, and a reinstatement of the vision of participatory democracy encapsulated in the *White Paper* and the *Municipal Systems Act*. As has been demonstrated, this is predicated on a liberal approach which reduces society to an aggregation of fully-formed, isolated individuals. Whilst the participatory model does provide scope for organisations which individuals have previously formed to make inputs into participatory processes, these too are expected to make discrete interventions. The South African approach to participation makes no attempt to create democratic structures to give meaningful effect to participatory democracy. There is no training or education provided to assist the citizenry

in gaining the knowledge and expertise required to participate effectively. Despite acknowledgement of pervasive gender inequalities, the council's responsibility for ensuring that the IDP prioritises transforming gender relations is limited to ensuring that women in the community are given an opportunity to participate in the IDP process. Even if these women have the capacity to formulate and submit comprehensive gender analyses and proposals, in the absence of legislated requirements to ensure that councillors and staff who compile the final IDP is gender transformative it is unlikely that their proposals will be reflected in the IDP. As has been noted, Beall (2005) argues that this has, indeed, been the case to date.

The South African model of developmental local government does not advance either the development of collective capacity, or struggles to eradicate gender, racial and class inequalities. As Heller notes, whilst the South African government tends to claim that their efforts have been thwarted by the constraints of neo-liberal globalisation, more radical and effective programs for democratic decentralisation have been effected in places such as Porto Alegre, Brazil, and Kerala, India which in fact are subject to greater pressures from the international political economy (2001, 134). Chavez's approach of what Vera-Zavala (2005) calls "parallelism" in Venezuela, in which the state is establishing parallel, participatory structures as a means to challenge entrenched, class biased bureaucracy is another example of the scope for real alternatives within the current conjuncture.

Within each of these cases the state has established structures through which citizens can participate in collective, democratic processes that negotiate community priorities and take meaningful decisions regarding their own governance. They are securing concrete developmental outcomes which redress inequalities in the present, and are building the collective capacity required to envision and work towards even more radical transformations in the future. Although many of these initiatives are currently taking place at the local level, as Vera-Zavala notes, as "[a]ll global decisions must be implemented at local level for them to have any effect", radical initiatives and resistance at the local level have ripple effects and implications on a much broader scale (2005, 19, 14). Moreover, they provide the capacity, inspiration and models for larger, more ambitious projects.

The literature on approaches to democratic participatory governance which advance the notion of development forwarded in this paper is largely silent on gender issues. Scant attention has been paid to whether and to what extent these processes are aiming to, and succeeding at transforming gender-based inequalities. However, the path-breaking work of Seema and Mukherjee (2000) provides insight into the ways in which the People's Campaign in Kerala, India has learned from initial inadequacies, and evolved a method which appears to give meaningful effect to commitments to gender transformation. Key elements include quotas for women's participation in representative and democratic structures, the inclusion of education on gender issues within each of the modules that comprise the extensive training programme for participants in the participatory processes, special training for women elected representatives and women active in the participatory structures, the provision of examples of the types of projects that would promote

women's strategic interests, and the setting aside of dedicated funds for specific women's projects, in addition to the requirement that the general plan work to transform gender inequalities. Seema and Mukharjee acknowledge that the process is still far from perfect. However, through initiatives such as a workshop for all women task force members with the explicit purpose of reviewing and improving the gender component of the Campaign there would appear to be a sincere commitment to continually strengthening the gender transformative potential of Kerala's approach to participatory governance.

It has only been possible to implement this type of approach in Kerala due to the support of a vibrant civil society, and both the Communist Party of India – Marxist and the Communist Party of India. As Heller (2001) notes, given the ANC's history of democratic centralism within the party, its uncontested predominance within electoral politics, its disinterest in engaging with (and indeed its hostility towards) civil society organisations, its long-standing commitment to capturing state power as a means to transform society from above, and its endorsement of market-based service delivery and governance, it is extremely unlikely that the ANC will be supportive of a shift to more truly gender transformative, democratic, participatory governance.

The challenge, therefore, remains for the newly emergent social movements to struggle for this new vision for both development and the developmental state. This would require real shifts and transformations within the movements themselves. To date they have largely focused on fighting cut-offs and evictions, and have made few real attempts to envision and advocate for an alternative approach to governance. Moreover, as has been widely observed, despite the fact that women comprise the majority of members within the anti-privatisation community organisations, they have failed to take up gender issues in any meaningful way (Pointer 2004; Hassim 2004; Beall 2005). Whilst this struggle may be a long and difficult one, by addressing internal gender issues and implementing feminist democracy within their own organisations the movements would begin the important process of developing the capacities required to help mount the struggle for a new form of the developmental state in South Africa.

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