THE VALUE & PRINCIPLES FOR PUBLIC PARTICIPATION

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DIRECTOR'S NOTE

It seems ironic that the global status of isolating and social and economic lockdowns caused by the Coronavirus Covid- 19 has led to an intensification of communication in new ways never considered possible before. Global webinars and meetings can catapult people into levels of immediacy of access that would have been unimaginable 18 months ago. The severity of the challenges and needs for real time adaptation I have found has also removed previous rules and protocols in much day-to-day work. This is particularly true of the hours of NEDLAC involvement of SPII in the National Rapid Response Task Team that was established to assist national decision making on issues pertaining to the impact of Covid-`19 on all socio-economic aspects of life.

And yet the inescapable presence of inequality in South Africa, and globally, shapes this inclusion and exclusion too of course. One of the critical calls SPII made with other CSOs at the inception of the first lockdown was for free data to be embraced as a national emergency measure. Some initiatives arising from the Competition Tribunal's ruling of December 2019 about data free public interest sites have come through, but this was a moment, a crisis that with greater commitment might have led to a differently shaped society just months later. The huge inequalities between state and private education that widens daily might well have been

arrested with creative partnerships between resourced and under resourced schools had the possibility of sharing platforms and teachers been carried forward on free to access sites.

In this edition of SPII Talk, staff members were tasked with writing a piece that resonated with their understanding of the value and principles of public participation. Common to each piece is the emergent take home that our Constitution was built on the premise of an actively engaged citizenship and that participation should be central to the formulation, the implementation and the evaluation of core state functions. This has sometimes worked, but frequently not. The early architects of our democratic state perhaps overlooked the many ingredients demanded for effective and consistently executed participation.

Did we expect too much in the crafting of our participative democracy? Should we slip back into a more representative democracy and focus more on holding our elected representatives to account? What is the optimal mix for us in this moment and moving forward?

We trust that these freely conceptualised pieces deepen thinking in this regard, and lead to constructive social responses in turn.

THE IMPACT OF COVID-19 ON PUBLIC PARTICIPATION - PAST AND FUTURE

HANNAH ATKINS

Looking Back

Covid related lockdowns, social distancing requirements and limits on venue capacity restricted the ways people traditionally gathered to discuss issues, and forced us to reimagine how public participation might work in this era of a global public health emergency.

On one hand, going virtual had several positive impacts - people were not restricted by geographic location, which opened up a space for new voices from across the globe to share knowledge and exchange ideas in cross-continental initiatives. This inclusivity also extended to those who are often excluded from participation processes by virtue of mobility, such as people living in far-off areas or those with disabilities or chronic illnesses, who could partake from their own home. And, for those limited by scheduling conflicts, they can catch up later, as events are generally recorded and exist in perpetuity for future reference.

On the other hand, the digital divide between areas with IT infrastructure and those without has never been more apparent, whether township or suburb, urban versus rural, or even developed versus developing country. The lack of internet connectivity was compounded in South Africa by the exorbitant cost of data, regular power outages and the lack of devices to connect with in the first place. Several NGOs attempted to mitigate the data issue by supplying would-be participants with a certain amount of data, and while this is an admirable attempt, poor cell reception in many areas thwarted this effort. Moving to a more online form of public participation also has implications for those living in areas with a low rate of digital literacy.

Ultimately, it seems that during a time of restrictions on freedom of assembly and movement, public participation was relegated to the realm of the privileged, by virtue of postcode or prosperity.

A core focal area of SPII's work involves direct engagement and consultation with people in the surrounding community. As such, our 2020 plans were somewhat derailed by the restrictions, and it revealed clearly where the fault lines lay in terms of adaptability. Our budgeting workshops, for example, had to be cancelled and could not move to an online version due to the lack of IT connectivity amongst participants. However, our Decent Standard of Living refresher survey, initially planned to take place via a series of panel interviews, was able to pivot to a telephonic version instead.

Looking forward

We already have a plethora of information[1] on how to facilitate public participation in a manner that is empowering, useful and inclusive. None of them, however, quite anticipated a situation such as the one we have found ourselves in since the beginning of last year - a global health emergency that ebbs and flows across the world.

The impact of Covid-19 on future public participation is particularly pertinent considering that South African local government elections have been scheduled for 27 October 2021. Several by-elections from 2020 and early 2021 have already been delayed, with the Electoral Court citing that the Level 3 lockdown restrictions hindered campaigning and gatherings by political parties, which in turn would infringe on the requirement for election to be free and fair[2].

How can we use the lessons learnt in the last year and half to ensure South Africans are still able to participate in local government processes - including elections - to the fullest? This of course does not just mean getting to the polling station in a socially-distanced manner, although it is important, but being able to access information in an understandable and timely manner, share their views and feel heard - especially in a time

when we feel more distanced from governing authorities than ever before.

Pivoting to digital will not be an effective solution for as long as we lag behind in terms of ICT development. In the City of Johannesburg 2021/2022 budget speech, finance MMC Jolidee Matonga announced the rollout of 1,000 free Wi-Fi hotspots across the city, specifically referencing the experience of Covid where learners for example where unable to keep up with studies due to lack of internet connection[3]. Metropolitan Trading Company, a Broadband Network company designed to offer both wholesale data services to public and private entities as well as retail and incidental services on behalf of the city of Johannesburg, has an expenditure budget of R556.5 million to implement programmes through the Smart City initiative which includes rolling out free Wi-Fi services to the City's residents[4]. Group Information and Communication Technology, meanwhile, has an expenditure budget of R863.2 million for various IT-related projects, including an item listed as "Wi-Fi roll out phase two"[5].

In a tweet from the COJ on 13 September 2020, the city announced that they had relaunched the Joburg Wifi free hotspots initiative after it had taken a backseat for the past four

years . Indeed, the original plan from 2012 was to have 1,000 hotspots installed by the end of 2016, and for Johannesburg to become a smart city by 2020[7]. This, unsurprisingly, never materialised. Then, in August 2016, the COJ promised free Wi-Fi for all residents within the next five years[8]. They have two months to meet this goal.

As of September last year, there were 84 solar-powered wi-fi hotspots across Johannesburg providing users with 500mb per single device per day. They can be found throughout the Braamfontein Precinct and in some of the city's municipal customer service centres. These hotspots were accessed by an average of 6,000 users a day, although this dropped to 3,500 due to Covid-restrictions during lockdown[9]. Future rollouts are set to target clinics, taxi ranks, libraries, licensing centres, fire stations, hostels, revenue centres, bus rapid transport stations,, community halls, recreation centres, social housing, and tourism destinations.

Indeed, the location of these hotspots is key. They need to be in places where people often spend a long time waiting, are permitted access, are safe to spend a significant amount of time in and have extensive opening hours. For example, students who come home after school or university

need a safe place to access the internet - not having to stand on a dark street corner because the public library is now closed. The amount of data provided is also an issue. For those trying to attend online lectures, this amount will be rapidly depleted.

Ultimately, we need to prioritise ICT infrastructure and continually hold local government accountable for the provision of these services. We also need to keep in mind the lessons we learnt during the pandemic regarding inclusivity - the online sphere provides a way for those with disabilities, conflicting schedules, lack of transport or any other of the myriad of reasons there might be to take part in discussions that affect their lives. While the internet certainly comes with its fair share of problems, the fact that it gave many of us a way to connect, mobilise, lobby and share during a time we were confined to our homes should not be discounted.

What is Budgeting for Change?

Budgeting for Change consists of several initiatives, including workshops in the local Chiawelo community, aimed at making budget information more accessible, user-friendly and empowering. Budget literacy and public participation are instrumental tools in improving service delivery and access to basic services. Read Lehlohonolo Kekana's article in this issue for an in-depth look at what our budget training workshops involve.

What is the Decent Standard of Living survey?

The aim of this ongoing project is to derive an understanding of what constitutes a broadly acceptable standard of living that should be used to reflect a basic living level. In collaboration with our partners, we've come up with a set of 21 socially perceived necessities (SPNs), the possession of which would allow people to not only survive, but live a life without struggle. The last survey was conducted in 2014, and this year, 2021 we are refreshing the survey to see how the results have changed.

[1]Links here

[2]https://www.sabcnews.com/sabcnews/electoral-court-grants-iec-application-to-postpone-by-elections/

[3]https://www.timeslive.co.za/news/south-africa/2021-05-25-electricity-rates-to-soar-as-city-of-joburg-balances-service-delivery-challenges/

[4]https://www.joburg.org.za/documents_/Documents/2021-24%20Final%20Medium%20Term%20Budget%20Reports/2021-22%202023-24%20Final%20Budget%20Book.pdf

[5]Ibid

[6]https://twitter.com/CityofJoburgZA/status/1305090905486110722

[7]https://mybroadband.co.za/news/wireless/367292-joburg-residents-can-now-get-500mb-free-wi-fi-per-day.html

[8]https://mybroadband.co.za/news/wireless/176819-why-joburg-wants-free-wi-fi-for-all-residents.html

[9]https://www.itweb.co.za/content/VgZeyqJokWYvdjX9

CHIAWELO BUDGETING FOR CHANGE PROJECT: FOSTERING PUBLIC PARTICIPATION THROUGH ACTIVE ENGAGEMENT WITH THE LOCAL GOVERNMENT BUDGETING PROCESS AND IDPS.

LEHLOHONOLO KEKANA

In a democratic society that encourages a citizen-state relationship premised on public participation in the constitution, and as a way of enabling the division of power through a system of 'checks and balances' between government and its citizens, it is of paramount importance that citizens understand the nature of this relationship and their respective roles. This is what the SPII Budgeting for Change Project aims to achieve at its core: to capacitate ordinary citizens with the necessary knowledge to negotiate and perform their role in this relationship.

In reality, many citizens are not privy to the existence and extent of the roles that they are supposed to play in public participation. As far as some people are concerned,

public participation is only limited to voting and protesting. In most cases, such events, sadly often lead to a dwindled public trust in government while eroding the citizen-government relationship[1].

To a larger extent, much recent citizen-government relationship in South Africa has tended to be confrontational. This might be attributed to the frequent failures of government in attending to the various problems inherent in our communities. As such, people always feel the need to take to the streets and burn tires, loot and damage infrastructure in an attempt to command the attention of the government. So it may seem that protests can be an effective way of holding the government to account, however looting and damaging infrastructure only adds fuel to the fire as it creates unnecessary costs, and often the protest is about a lack of delivery of the types of infrastructure damaged or destroyed in the protest.

In an attempt to foster meaningful

public participation, on the 20th and 21st of May 2021, the Studies in Poverty and Inequality (SPII) hosted its third local government budget training workshop as part of the Budgeting for Change Project. Community members, made up of a cocktail of vibrant individuals, came out in numbers to participate and receive the necessary knowledge needed to champion better service delivery for themselves. The focus of this workshop was centered around local government budgeting processes with an emphasis on the Integrated Development Plan. The goal of this focus on the local government budgeting process was to bring budget information closer to the people in a manner that simplifies the often alienating and complex nature of the budget information[2]. By simplifying this information, it becomes more accessible in terms of engaging with it.

When ordinary citizens are equipped with the necessary information to help them understand issues that affect

them as a community, and that exposes them to the relevant options and solutions in remedying these issues, they are in a better position to participate meaningfully in matters of government in a manner that builds consensus and agreement. For example, in the context of the Budgeting for Change project, budget literacy information can help people understand how local government budgets for the provision of basic services, which in turn can aid in monitoring the progress of infrastructure developments. People can begin to produce meaningful inputs into the decision-making process.
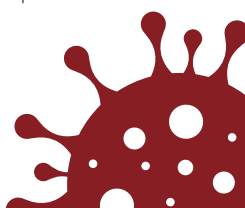
According to Lelona Mxesibe, SPII researcher, in the opening of the budget training, public governance can only be truly meaningful if citizens have full access to sufficient information.

These words epitomize the important role that credible information plays in meaningful public participation. As such, more advocacy work like the Budgeting for Change Project, is needed to equip people with relevant information to encourage a more meaningful public participation guided by the desire to foster progressive social change.

BUDGETING FOR CHANGE

[1]Environmental Protection Agency, 2018. Public Participation Guide: Introduction to public participation. Available at https://www.epa.gov/international-cooperation/public-participation-guide-introduction-public-participation. Accessed on 27 May 2021
[2]The Studies in Poverty and Inequality Institute, 2021. A Working Guide to Budget Advocacy in the Social Justice Arena.

"Education is the most powerful weapon which you can use to change the world."

- Nelson Mandela -

ACTIVE CITIZENRY: THE SCHOOL GOVERNING BODY (SGB) DILEMMA UNDER COVID19 CONDITIONS

Introduction

The South African Schools Act 1996 (Act 84 of 1996) (SASA) stipulates that a School Governing Board (SGB) must be elected every three years. It must: "Promote the best interest of the school and ensure its development. Adopt a constitution setting out how the SGB will operate. ... Encourage parents, learners, educators and other staff members at the school, to offer voluntary services to the school..."

The Picture at present

Frequently, SGB elections have been postponed only to be reconvened because there was a lack of a quorum. For those parents who view these processes as a way of fulfilling their rights and obligations as active participants in their children's school's functioning, the postponement leads to much discontent and disruption of their busy lives.

In light of the Covid19 pandemic, what effect would attempts at facilitating the process of elections entail

NQOBILE ZULU

under Covid19 induced conditions? Would these electronic online processes meet the reasonable and fairness test? The challenging aspect of the SGB convening, running and facilitating the democratic governance function has not only reflected the inequality of the country but marginalised even those new parents seeking to engage and participate in the democratic functions of the SGB. If for example one takes the issue of elections, the fact that election campaigns had to be held in virtual platforms, in an anonymous Gauteng school, meant that those parents struggling with technological challenges were excluded from not only campaigning but viewing the different

pitches for votes, made by the different candidates. That alone makes elections process problematic while the denial of last minute candidate decision voting choices also served to marginalise undecided voters who would have made their choice from listening to the final pitch that normally happens when the platform is made available on the day of the elections at the school. Thus, this begs the question then of the representativeness of the election outcome. How representative are the selected members of the SGB in the Covid19 induced election process? Do the elected members represent the majority, democratically elected members of the parents that have children attending the particular school or it's a case of resource access, in this case technology, trumping democratic, fair voting processes.
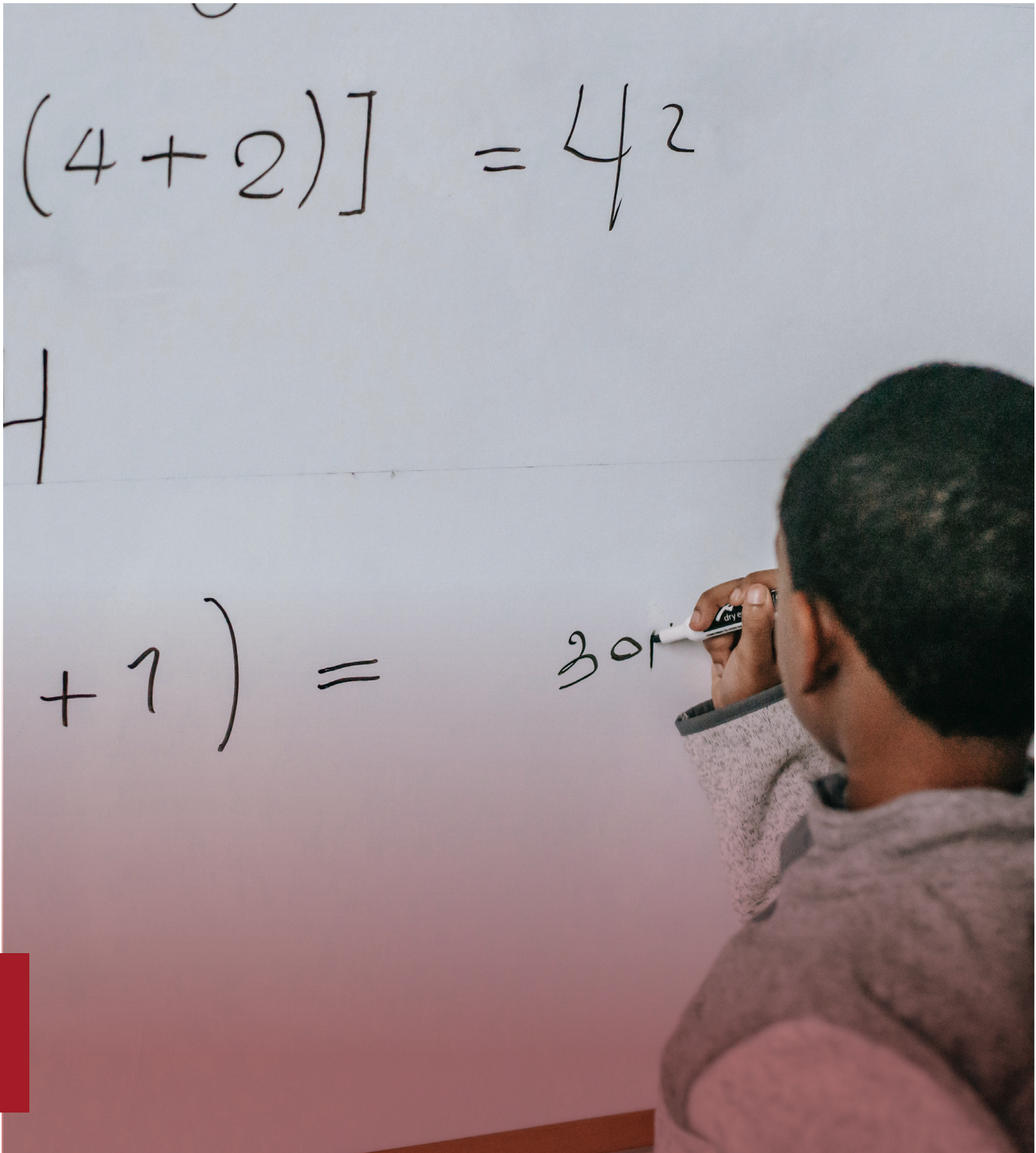
Concluding remarks

Thus despite all the talk of democratic processes being

observed to the spirit and letter of the law, the takeaway from this discussion is that the SGB election process is unfair and exclusionary in its form in some of these spaces. The effects of the pandemic have added significantly to that exclusionary nature thereby leading to rule by resource access and technological ability. With the high cost of data in the country, not many households can and do have the luxury of participating in online polls even if its to select school governing officials. Those able to might not be the most affected by fees increase for example leading to this privileged group making decisions on behalf of the school that impact negatively those who are not as resourced. Sadly, if the voting quorum is met then the spirit of the law has been served and the results of the elections stand. Active citizenry with a twist!

CHIAWELO BUDGETING FOR CHANGE PROJECT: FOSTERING PUBLIC PARTICIPATION THROUGH ACTIVE ENGAGEMENT WITH THE LOCAL GOVERNMENT BUDGETING PROCESS AND IDPS.

MPHO MHLONGO

Civil Society Organisations ("CSOs") often work closely with members of communities that often fall through the cracks of Government's socio-economic development plans. Such organisations have taken on different roles, including, but not limited to, being the last line of defence for most people in the battle of the realisation of basic human rights and the delivery of basic services. In this way, CSOs sometimes function as a bridge between local government and the people; empowering local members through workshops that aim to educate them about their rights and responsibilities so as to be able to hold their respective leaders accountable; and promoting public participation in local government.

Active public participation lies at the heart of a participative democracy. In the South African context, this is a requirement of many processes that have to be implemented by all spheres of government, national, provincial and local. At local government level, which is closest to the people, this is captured in the provisions of the Municipal Systems Act[1.] The Act compels all municipalities to engage members of their communities in public participation, thereby democratising their institutions[2.] More importantly, public participation forms part of the Integrated Development Plan of every Municipality. This process is a combined process between the public and local government whereby the former has an input in development and budget decisions that have an impact on their lives in their local communities.

Stakeholder and public involvement is crucial, and should form the core of the public participation. People should be able to influence and direct the development processes in their municipalities to the extent that it relates to development. Despite this, a great deal of disunity amongst the communities still exists and members are not often aware of the existence of structures that exist to allow them to fully participate in local affairs which could be used to mediate dissent. This has manifested in countless public protests which many people feel is indicative that the local government is failing to fulfil its mandate of fulfilling community development.

SPII has for the last three years worked closely with the Chiawelo and Dlamini community in Soweto. Within those communities, SPII aims to educate and to increase awareness and consciousness by providing skills development and training. At a local level, SPII supports community processes that encourage good governance – which, primarily, is about creating strong relations and partnerships between the

government and its citizens. Without strong relations, let alone good relations, it is difficult to imagine a situation where developmental challenges would be addressed.

In May of 2021, SPII held its third instalment of the budget training workshop where members of the respective communities mentioned above were taken through the IDP process and what it meant for them. The session started with a brief overview of what the government is and the various spheres and levels of government. The overall feedback from the sessions was positive, and this is an example of an initiative that was successful in educating people of their rights and responsibilities, and the partnership between SPII and these communities is worth replicating.

In conclusion, the run up to the coming local government elections presents an opportunity for CSOs to play a vital role of supporting local government in the capacitation of local municipalities, which in turn would have a positive impact on communities. Active public participation is crucial to a functioning municipality as it forms a part of all municipal IDPs. When public participation becomes more than just a tick-box exercise and community members attend meetings to genuinely participate and engage with local government, relations between government and communities will most likely be strengthened. CSOs could assist in this regard by assisting local government with public participation strategies. Furthermore, CSOs could provide specialised training to

municipalities without discounting the efforts that the latter had made. For this to be successful, however, municipalities would need to develop a learning attitude and not see CSOs as overstepping boundaries or interfering with the work of municipalities which often leads to conflict between the two. CSOs should rather be seen as agents who have interacted with communities and have often been closer to the people than government has, and have enough evidence to show that communities are best placed to have answers for the problems that they face and should therefore be the one to guide the IDPs. This has the potential of unleashing a bottom-up approach in the development process.

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20/21 May 2021
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10h00 - 16h00 (SAST)
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https://forms.gle/nZ3NCrKyEhQwxE6T9 by Fri, 14 May 2021.

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¹Municipal Systems Act 32 of 2000.
²Section 16(1)(a).

SPII aims to educate and to increase awareness and consciousness by providing skills development and training.

Please join in to listen to either or both of our

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COVID-19 STIMULUS REVIEW, & MAXIMUM AVAILABLE RESOURCES

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COVID-19 STIMULUS REVIEW, & MAXIMUM AVAILABLE RESOURCES
22 April, 2021, 2.30 – 4pm SAST | Online

Panellists | Duma Gqubule, Isobel Frye,
Prof. Sandy Liebenberg, Dr. Shanelle van Der Berg,
Busi Sibeko and Prof. Philip Alston

How effective in fact was SA recovery stimulus?
How should activitists use maximum available resources
to build back better?

Join as our high-level panel share their innovative analysis that probes the design and execution of the SA Covid Rescue Stimulus against a framing of the human rights obligations on the state to broaden resources for rights realisation, emerging jurisprudence on Retrogressivity, CSO activism in the time of austerity and a critical thinking of radical US departures in fiscal and monetary policies.

RSVP by 16 April to receive the ZOOM panel log in details:
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2021 | INVITE

to the Sixth
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30 SEPT

SPII *Matters*

STUDIES IN POVERTY AND INEQUALITY INSTITUTE (SPII) COVID-19 POLICY

SPII is interested in ensuring that all staff and stakeholders receive objective, verified information on the pandemic and will endeavour to circulate such information from reliable sources.

SPII is committed to implementing policies which mitigate against the transmission of COVID-19, both within the workplace and beyond. We have therefore implemented the following measures:

☐ All staff will work from home.
☐ Where staff do need to go in to the office due to unavoidable reasons, they will be supported in order not to have to take public transportation in and out.

A repository of COVID-19 resources that we have recently developed and continually update, see here: https://spii.org.za/covid-19-resources/

For further information on SPII's recent work in relation to a Basic Income Grant (BIG), see here:
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To see statements that SPII has recently endorsed and support, see here:
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Please contact Isobel Frye at SPII should you wish to have any information about any of the pieces - **Email:** isobel@spii.org.za

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Building up knowledge to break down Poverty

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