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Active Citizenship Dialogue and Partnerships

A SITUATIONAL ANALYSIS OF CIVIL SOCIETY IN WESTERN CAPE

JUNE 2012



BEYOND **10** yrs
OF UNLOCKING
POTENTIAL

ACTIVE CITIZENSHIP, DIALOGUE AND PARTNERSHIPS

A SITUATIONAL ANALYSIS OF CIVIL SOCIETY IN THE WESTERN CAPE

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ACRONYMS AND ABBREVIATIONS

<p>AHI-Afrikaanse Handelsinstituut</p> <p>ALARM-Alliance of Land and Agrarian Reform Movements</p> <p>ALF-Adult Learning Forum</p> <p>AsgiSA-Accelerated and Shared Growth Initiative of South Africa</p> <p>BBBEE-Broad Based Black Economic Empowerment</p> <p>BCM-Black Consciousness Movement</p> <p>BUSA-Business Unity South Africa</p> <p>CAL- Cape Action League</p> <p>CBM-Consultative Business Movement</p> <p>CBO-Community Based Organisation</p> <p>CCMA-Commission for Conciliation, Mediation and Arbitration</p> <p>CDW-Community Development Workers</p> <p>CHAMSA-Chambers of Commerce and Industry South Africa</p> <p>COSATU-Congress of South African Trade Unions</p> <p>CSI-Corporate Social Investment</p> <p>CSO-Civil Society Organisation</p> <p>DPLG-Department of Provincial and Local Government</p> <p>EJNF-Environmental Justice Network Forum</p> <p>FABCOS -Foundation for African Business and Consumer Services</p> <p>FBO-Faith Based Organisation</p> <p>FEDUP-Federation of the Urban Poor</p> <p>FEDUSA-Federation of Unions of South Africa</p> <p>GCTCA-Greater Cape Town Civic Alliance</p> <p>ICOSA-Independent Civic Organisation of South Africa</p> <p>IDP-Integrated Development Plan</p> <p>JCT-Job Creation Trust</p> <p>KDF-Khayelitsha Development Forum</p> <p>MDM-Mass Democratic Movement</p> <p>MEC-Member of the Executive Council</p> <p>MFMA-Municipal Finance Management Act</p> <p>MP-Member of Parliament</p> <p>MPL-Member of the Provincial Legislature</p>	<p>MTSF-Medium Term Strategic Framework</p> <p>MTEF-Medium Term Expenditure Framework</p> <p>NACTU-National Council of Unions</p> <p>NADCAO- National Alliance for the Development of Community Advice Offices</p> <p>NAFCOC-National African Federated Chamber of Commerce</p> <p>NBI-National Business Initiative</p> <p>NDA-National Development Agency</p> <p>NEDLAC- National Economic Development and Labour Council</p> <p>NEF-National Economic Forum</p> <p>NGO-Non-governmental Organisation</p> <p>NILC-National Interfaith Leaders Council</p> <p>NPO-Non Profit Organisation</p> <p>NRLF-National Religious Leaders' Forum</p> <p>PFMA- Public Finance Management Act</p> <p>PGDS- Provincial Growth and Development Strategy</p> <p>PRA-Participatory Research Appraisal</p> <p>RDAC-Regional Development Advisory Committee</p> <p>RDP-Reconstruction and Development Programme</p> <p>SABTACO-South African Black Technical and Allied Careers Organisation</p> <p>SACC-South African Council of Churches</p> <p>SACCI-South African Chamber of Commerce and Industry</p> <p>SAHPPF-South African Homeless Peoples' Federation</p> <p>SANCO-South African National Civics Organisation</p> <p>SANGOCO-South African Non Governmental Organisations Coalition</p> <p>SBDC-Small Business Development Corporation</p> <p>SETA-Sector Education and Training Authority</p> <p>SMME-Small, Medium and Micro Enterprises</p> <p>TAC- Treatment Action Campaign</p> <p>UDF- United Democratic Front</p> <p>WCEDF-Western Cape Economic Development Forum</p> <p>WCPDC-Western Cape Provincial Development Council</p>
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EXECUTIVE SUMMARY

The Western Cape has a rich tapestry of associational life that straddles business associations, labour unions, community based organisations, NGOs, FBOs and social movements. It tended to represent the specific interest of citizens as reflected by its organisational forms. Some were membership based while other provided specific services with governance structures that are not necessarily mass based. The co-ordination of interest to enhance collective action within and across sectors was critical dimensions of the organisational forms that emerged. It is in this sense that the local chapters of organisations were affiliated to provincial and nation-wide organisations.

While labour unions and business associations has developed strong membership based organisations that enabled the mobilisation of resources, CBOs, FBOs, NGOs and social movements providing services to poor neighbourhoods had a lower level of self-provisioning and a high level of dependency on donor support. This was evident when three labour federations and organised business facilitated the establishment of the Job Creation Fund and the Business Trust between 1998 and 2000 without compromising advocacy positions. The low levels of self-provisioning fuelled perceived tensions that existed, however, concerning the relation between advocacy and conditional funding from donors for NGOs, social movements, CBOs and to a lesser extent FBOs. This was compounded by decreased opportunities for engagement, however, with the change in administration since 2009. The dissolution of the PDC and the Social Transformation Project, despite its problems, curtailed opportunities for dialogue and partnership formation. While the aforementioned initiatives were replaced by alternatives the perception of clientalist patronage to CSOs by the state at sub-national level prevailed.

What are required are facilitation, institutional support and funding arrangements that empowers CSOs to engage the state and other CSOs to fulfill its strategic objectives of providing pro-poor public services without forsaking advocacy. The NDA as a funder and facilitator is well positioned to provide such support for CSOs. This requires it to move beyond the oft perception as a funder to a facilitator of strategic engagement between the state and civil society that eschews clientalism.

1. INTRODUCTION

The forging of partnerships between the state and civil society were deemed central to the successful development and implementation of public policy since 1994. Hence the importance of a focus on issues that informs the involvement of civil society organisations (CSO) with particular reference to Non Governmental Organisations (NGOs), Faith Based Organisations (FBOs), Community Based Organisations (CBOs) and Non Profit Organisations (NPOs) participation in policy development, planning, and implementation, including monitoring and evaluation of employment, poverty and inequality with reference to the legislative and executive processes of various spheres of government operative in the province. Here the relation of CSO with the state is informed by the organisational capacity and strategic orientation of civil society to engage using its requisite skills and resources. Organisational capacity and strategic direction that is central to civil society's ability to act beyond the means of individual citizens, particularly among the poor, and leverage more public goods and services using various methods of engagement. Its impact on its participants and public interest, albeit through partnerships, self-provisioning or various methods of advocacy, is, therefore, considered important when addressing the triple challenges of employment, poverty and inequality in the Western Cape.

Internal governance arrangements, resourcing, transparency and accountability to the public are some of the critical issues informing CSO organisational capacity and strategic orientation. Distinctions between informal and formal organisational arrangements based on considerations such as membership, legal status and participation trends are critical to perspectives of active citizenship as facilitated by associational life. At a more systemic level it reflects how the sustainability of democracy as informed by active citizenship and associational life influences growth and development as well as how it informs the form of the state and tests its institutional limits¹.

¹ Comparative analysis among sub-national units in developing countries similar to South Africa such Mexico and Brazil has produced interesting insights. See Snyder, R: After Neo-liberalism-The Politics of Reregulation in Mexico, *World Politics* 51, January 1999, 173-204; Baiocchi, G, Heller, P and Silva, M.K.: *Making Space for Civil Society-Institutional Reforms and Local Democracy in Brazil*, Social

The impact on employment, poverty and inequality of changes in sub-national government as a result of national and provincial government elections in 2009 and the local government elections in 2011, however, features prominently in public discourse about development in the Western Cape. While it is difficult to discern and compare the impact of public policies of previous and current regimes due to the lack of impact assessments, certain trends can be identified to detect whether there was any significant changes in public policy disposition that had or can have significant impact on the activities of civil society and active citizenship. An analysis of the impact of administrative changes on developmental initiatives, programmes and projects will, nevertheless, assist policy makers to understand changes in policy and action in the province that affect the poor.

While the aforementioned tasks is wide ranging the opportunity provided would assist the development of research initiatives of sub-national dimensions of development such as participatory planning and development. This is despite the inherent limitations of the research methodology deployed due to resource constraints².

2. PUBLIC POLICY AND DEVELOPMENT

The sub-national political system since 1994 involved the establishment of a provincial government and 29 Municipalities, of which one is a metropolitan or category A municipality, 5 District or category C municipalities and 23 category B municipalities, in the Western Cape. Each of these municipalities, the provincial government and the national departments and public entities operative in the province were accorded an array of competencies as determined by the Constitution and relevant legislation. It is in this context that public policies were developed that informs the nature of interface with local

Forces, Volume 886, Number 3, March 2008 and Houtzager, P.P. and Acharya, A.K: Associations, Active Citizens, and the Quality of Democracy in Brazil and Mexico, *Theory and Society*, 40(1): 1-36, 2011.

² The author were only able to engage in a survey of secondary resources and the conduct of a limited number of interviews whilst reliant of own work experience with the CSOs to conduct this analysis due to the limited brief provided and funded by NDA.

citizens and its civil society. Policies that were historically shaped by various governing parties and coalitions.

These spheres of government were, nevertheless, required to operate within the confines of policies and planning systems as determined by national legislation. A central feature of such policies and planning systems involves the development of Provincial Growth and Development Strategies (PGDS) and municipal Integrated Development Plans (IDP). Planning frameworks that support a variety of sector strategies subject to the competencies of the respective sphere of government. While the IDPs were prescribed by legislation such as the Municipal Structures and Systems Acts of 2000, the PGDS were informed by Presidential Guidelines. This was resourced by fiscal and accountability arrangements as determined by the Public Finance Management Act (PFMA) and Municipal Finance Management Act (MFMA).

Since 1994 it has been the practice that Provincial Governments and municipalities develop public policy instruments and planning processes consistent with the priorities or outcomes envisaged in the Medium Term Strategic Framework (MTSF) and resourced by the Medium Term Expenditure Framework (MTEF). The ward related Community Based Plans, municipal-wide IDPs, PGDS and sector plans provided the strategic orientation of the Annual Performance Plans of various departments, albeit municipal or provincial. The development of these policies and planning regimes had to consider an urban-rural divide and an urban hierarchy of a metropolitan area and towns varying in size.

These settlement patterns that reflected social and economic issues such as the distribution of economic activities, employment trends, income inequality, life expectancy and poverty, informed the nature of associational life among citizens commonly referred to as civil society. Civicus Index Project define civil society as:

*The sphere of institutions, organizations, networks and individuals (and their values) located between the confines of the family, state and the market, which is bound by a set of shared civic rules, and in which people associate voluntarily to advance common interest.*³

Civil society is, however, not a homogenous body of organizations but reflects interests that are largely constituency specific. Hence an organizational typology that reflect a historically rooted commonality of interest and modus operandi ranging from labour unions, community based organizations to faith-based organisations to business associations. They engaged in a broad spectrum of activities such as the expansion and entitlement of rights to self-provisioning using an array advocacy and dialogue methods within political, economic and social systems and institutions.

Private-public partnerships, usually referred to as the relation that government and private sector companies enter into to provide a set of 'value for money' public services consistent with standard models of public sector procurement, encapsulated some of the most commonly known relationship forms. Some analysts consider this public-private partnership trend as an integral part of a globally embraced thrust towards a changed mode of government based on "generalized criticism of bureaucracy, ever louder rhetoric about the virtues of the free market and private enterprise, and generalized discourse about globalisation and transnational flows and networks".⁴ The National Treasury has developed guidelines to detail relations between the principle and the agent - the responsibilities of the taxpayer, the end users of the services being provided - and implications for employment conditions and trends. These guidelines have elicited a range of protest,⁵ frequently - and crudely - rhetorically articulated as nationalization versus privatization. These types of public private partnerships are however, distinct from citizens participating

³ IDASA and CORE: Two Commas and a Full Stop - Civicus Index on Civil Society South Africa Report, October 2001, p3.

⁴ Hibou, B. (ed): *Privatising the State*, Hurst and Company in association with CERI, Paris, 2004, p xvii.

⁵ The positions of organisations such as COSATU and the existence of the Anti-Privatisation Forum attest to such sentiment.

and engaging the state, through their associations, to develop and implement public policy to augment social contract formation.

While cherishing the important role CSOs has played in forging the new constitutional dispensation, it is rather important to observe the parlous state of various forms of associational life in its interface with the state. This involves a lack of understanding the Constitutional rights conferred, the capacity to use such rights when engaging the state particularly at sub-national level. While litigation has often been used by CSOs to ensure the administration of justice in relation to issues such as HIV AIDS, access to housing and water, its limitations in raising the awareness and improving the exercise of Constitutional Rights and the strengthening and deepening of democracy through partnerships has been evident for some time. Prominent academic, Professor Bilchitz, has recently also commented on the limitations of the 'reasonableness approach' underpinning the judgements of the Constitutional Court pertaining to the use of social rights by the poor to ensure their interest get the attention and resources they deserve. "This requires courts to evaluate the reasonableness of the measures the legislature and executive have taken to realise the social rights of individuals. The emphasis is placed on whether these other branches of government can provide an adequate justification for their policies and actions in a particular area. The court does not seek to prescribe the exact details of what the government must do, or what individuals can claim from the government: it is simply the arbiter of whether the government's actions are reasonable."⁶

It is therefore imperative that the use of the rights conferred on citizens, including freedom of association, by CSOs be considered in relation to the extent to which it empowers citizens to engage the state and other constituents outside of mere reliance on electoral processes and litigation. Provision has been made in a plethora of legislation for citizens to participate in public policy processes that has a significant bearing on the plight of the

⁶ Bilchitz, D: *What is reasonable to the court is unfair to the poor*, Business Day, 16 March 2010.

poor. It is conceptually supposed to provide access to executive and legislative decision-making processes that impact on the allocation of resources essential to enhancing human capability. Furthermore, its involvement in the implementation public policies and the monitoring and evaluation of its impact were, however, uneven if not sparse in certain circumstances. It is in this context that recently established forums facilitating state-civil society interface have dealt with local sectoral and integrated planning matters particularly where no forums exist.

Public participation in policy development, nevertheless, provides space for collaboration, contestation and transformation on a number of development fronts. Although notions of public participation at a sub-national level was closely linked to the emergence of regional development as a discourse and practice, particularly before and after the Second World War, the post-Apartheid period provides unprecedented opportunities for the state to engage with a redefined citizenry. It is in this sense that active citizenry and associational life involves new challenges in dealing with state-society relations. Although the leadership of civil society was denuded by the departure of key leadership, the transformed political system, growing unemployment, impoverishment, widening inequalities and heightened expectations from the citizenry, refocused the priorities and strategies of existing and newly established organizations. It is a refocus that has embraced social identities, facilitated by corporate, occupational and social rights but traversed by issues such as race and class.

To argue that participation in mechanisms facilitating intra-civil society and state-civil society relations leads to a compromise of interest and co-option is misleading. Previous practices have demonstrated that participation in such institutional arrangements does not necessarily negatively affect the growth and development of such organisations nor blunt its strategic objectives⁷. How institutional arrangements are used and transformed to attain envisaged gains

⁷ See the case of the registration debate in the labour movement in 1980s in Sayers, A: *The Labour Movement in South Africa: Undercurrents, Trends, and Possibilities*. in Reform and Revolution: South Africa in the Nineties .Eds. G. Naidoo, CODESRIA Book Series, Skotaville, Johannesburg, 1991.

through protest and negotiation has been pivotal to reinforcing the importance of advocacy. It has shaped whether allocative arrangements were efficient as well as the distribution of income and access to opportunities for capability enhancement. The level of participation also contributed towards defining the actual character of citizenship and the nature of instrumental freedoms.

A central problem among a large number of organizations, however, has been the capacity to develop appropriate tactics and strategies in using existing instruments while fulfilling an advocacy role and simultaneously entering into acts of self-provisioning and partnership arrangements among CSOs and/or with the state. Disaggregating or profiling CSOs and assessing opportunities for engaging internally and the state provide telling insights about the complexity of the challenge.

3. PROFILING CIVIL SOCIETY

Reflections on the varied character and number of constituents with an extensive history of involvement in advocacy and partnership formation processes demonstrates the existence of a rich associational life in the economic, social and political spheres, beyond the confines of an enterprise or neighbourhood. Involvement were specific to issues, the effectiveness of the available forums for engagement and the propensity to resort to the use of methods such as boycotts, strikes and other forms of protests to augment involvement or abstention. This frequently gave rise to sector based associations operating at local, regional and /or national level. This is particularly evident in the history of the formation of employer and employee associations that were defined by the nooks, crannies and crevasses of power relations shaping specific issues. The unevenness in membership concentration and the capacity of organised business and labour to engage each other and different forms of government tends to reflect a spatial dispersal consistent with urban, metropolitan and rural settlements trends. The organisational forms that have evolved, nevertheless, provided the constraints and opportunities essential for dealing with the specific challenges.

Various dimensions of co-ordination and where appropriate integration at macro, meso and micro levels among sectors has largely been dealt with using co-ordinating structures often considered as federational or confederal forms rooted in particular sectoral or geographical dynamics. Co-ordination was based on perceptions of shared interest informed by commonalities in policy disposition and also internal regulation that informs rule compliance albeit with limited enforceable sanctions. The issues, tactics and strategies used for engagement often exacerbated the difficulties of attaining coherence in approaches towards development. It together with ideologies informing the politics of development facilitated a range of alliances and coalitions. They gave credence to the notion of a civil society being partly shaped through its interface with various state forms albeit collaborationist or oppositional. The efficacy of these organisations however depended on the support of the individual citizen they purported to represent in an environment where no compulsion to comply with the collective and neo-corporatist arrangements exist⁸.

The ability of these non-state formations to articulate the interest of constituents, played a role in the pursuit and realization of their interest through advocacy and partnership formation activities with different spheres of government and is pivotal to successful dialogue processes. It involves forging agreement on policies and strategies and resource mobilisation and the monitoring and evaluation of implementation strategies. It is in this context that the term social partners were used as an organizational device to identify and group constituency or stakeholder interest to facilitate dialogue between state and civil society generally. Constituents of provincial or national significance such as organized labour and business were easily identifiable as social partners. Constituents such as CBOs, FBOs, NGOs and social movements provided a unique challenge and have loosely been grouped as the 'civil society' or 'community constituency' social partner in both the

⁸ See debate concerning different positions about social contract in Bilchitz, D: *Poverty and Fundamental Rights-The Justification and Enforcement of Socio-Economic Rights*, Oxford University Press, 2007 and Mkandawire, T: *Building the African state in the age of globalisation: The role of social compacts and lessons for South Africa*, MISTRA, March 2012.

Western Cape Provincial Development Council (PDC) and National Economic Development and Labour Council (NEDLAC). 'Social partner' does not constitute a conceptual instrument to be used to develop a typology of organizational forms nor a replacement of stakeholder analysis, but definite trends that could inform such profiling of organisational diversity have been discerned⁹.

(a) Non Governmental Organisations

Non Governmental Organisations (NGOs) usually refer to a plethora of organizations that does not form part of a constellation of institutions that forms an integral part of the state. The South African Non Governmental Organisations Coalition (SANGOCO) has been initially established as a broad coalition of a range CSOs such as CBOs, FBOs, NGOs and labour unions. Until recently it comprised primarily of NGOs, that is Section 21 or Non Profit Organisations (NPOs) providing services in specific niche areas. That is a plethora of organizations such as Advice Offices, Soup Kitchens or Nutrition and Social Welfare Centers, Early Childhood Development organisations, Adult Education, Drug Rehabilitation Centers, Health and Disability Centers has historically been established to provide specific environmental, social and economic services. They largely consist of staff using limited infrastructure under the auspices of some form of a governance structure. Services are usually provided free of charge or for a nominal fee.

They have historically provided a conduit for the funding of projects by foreign donor agencies, businesses' corporate social responsibility programmes and have entered into service agreements with various spheres of government. While certain relations have been developed with the various funding agencies, their advocacy role has remained prominent. The complex but symbiotic relation that has evolved between it and the state reflects its centrality not only in public policy formulation and implementation but also monitoring and evaluation processes. While the state has relied on NGOs for

⁹ IDASA and CORE: Two Commas and a Full Stop - Civicus Index on Civil Society South Africa Report, October 2001.

the implementation of its policies, particularly in the area of social development, it has experienced various trials and tribulations in the areas of policy development and the monitoring and evaluation of its implementation. The tensions that occurred related to the divisions caused by the relations sought between donors and NGOs as reflected in the funding arrangements and advocacy. Sector specialisation and the differentiation that has developed between the larger more established and well resourced NGOs and its smaller counterparts were significantly informed by relations with donors.

It is precisely NGOs operations around advocacy and as donor-funded service providers that gave impetus for the establishment of co-ordinating structures facilitating collective action. Networks such as the Adult Learners Forum (ALF), the National Coalition for Social Services and National Alliance for the Development of Community Advice Offices (NADCAO) co-ordinated sector activities while coordination across sectors has been facilitated by Sangoco. Organisations whose capacity to facilitate co-ordination has been reliant on membership fees and donor funds. While SANGOCO's development has been uneven in various provinces, its Western Cape provincial structure has experience a renaissance over the last number of years as reflected by increases in membership and programmatic activities. It has been able to attract membership from various sectors such as labour, education, youth, rural and the interfaith groups giving it a profile akin to that of a social movement¹⁰.

(b) Community Based Organisations

Civic associations or ratepayers and residents' associations are the most common form of community-based organisation (CBOs) in the Western Cape. It is based on membership of tenants, homeowners and the homeless in designated neighbourhoods. The general trend has been for these organizations to engage in secular activities that emphasize civic issues or basic needs such as housing and land use and transport and rights in some

¹⁰ Interviews with SANGOCO staff members: Jacky Thomas and Babalwa Magida, 23 May 2012.

form or another. This is not to deny the existence of more sectoral-based non-governmental organisations with a considerable membership based on activities such as sport and cultural. Both types, nevertheless, tended to form broader geographical associations based on a commonality of interests and interfaced particularly with municipalities.

While South African National Civic Organisation (SANCO) has historically played a leading role, a plethora of independent local civic organizations have demonstrated a presence at local level to engage on matters such as rates or rents, land use zoning, housing, energy and transport. While networks such as the non-metro based Independent Civic Organisation of South Africa (ICOSA) has contested municipal elections, other such as SANCO and various co-ordinating networks of ratepayers and residents associations such as the Greater Cape Town Civic Alliance (GCTCA) have concentrated on advocacy while some has also forged relations with established political parties. Homeless people have also become the focus of range of activities by organizations such as the South African Homeless People's Federation (SAHPF) - later renamed the Federation of the Urban Poor (FEDUP)¹¹, Abahlali baseMjondolo and the Anti-Eviction Campaign, which operates in south east metropolitan areas such as Khayelitsha and Mitchells Plain¹². It was located at the intersection of the prevalence of informal settlements, the demand for land and housing and related services and the political imperative and capacity to provide and service such infrastructure.

Some developed relations with selected NGOs, FBOs and university-based institutions to augment access to resources and support networks for self-provisioning and engagement with the state. This involves facilitating skills training, savings initiatives, representation of residents on local development forums or/and project management arrangements to organising protests. In a resource-starved environment, it remains an arduous task, however, to

¹¹ Swilling, M: *Beyond Cooption and Protest-Reflections on the FEDUP Alternative*, in Consolidating Developmental Local Government-Lessons from the South African Experience, (eds.) Van Donk, M, Swilling, M, Pieterse, S, Parnell, S., Isandla Institute, UCT Press, 2008.

¹² Patel, R: *Electing Land Questions: A Methodological Discussion with Reference to Abahlali baseMjondolo, The Durban Shackdweller Movement*, CODESRAI, April 2007.

develop and sustain organizational infrastructure and networks capable of providing leadership in engagement, delivering defined outputs and outcomes and organizational growth.

While most played a critical role in the struggle for human rights during the pre-Apartheid period, it is their widely held belief that influence was denuded by the absorption of leadership into party politics. New organizational alignments have been formed as reflected with the emergence of the Western Cape Anti-eviction Campaign, Abahlali baseMjondolo and backyarders associations. The civic associations has, nevertheless, remained a significant form of organization locally despite being overshadowed at times by sector or issue specific organizations and social movements that has been pivotal in initiating issue specific public campaigns.

(c) Faith Based Organizations

The activities of faith-based organisations (FBOs) have intensely shaped the social identity of citizenry in the Western Cape. A significant number of denominations and congregations subscribing to various forms of Christianity, Judaism and Islam has been organized through bodies such as the Western Cape chapters of the Muslim Judicial Council, South African Council of Churches and the Jewish Board of Deputies, to name a few. Denominations and congregations not only dispensed and administered beliefs, mores and values rooted in a specific faith but played a central role in advocacy and dialogue processes that affected public policy issues such as culture, education, social welfare and matters of the economy.

FBOs focus have also been on social welfare and social development and housing in addition to core activities. The establishment of affiliated or secular agencies such as Hope and Cape Flats Distress Association (CAFDA) demonstrates the prevalence of sustained efforts to deal with development challenges of local communities. It augments a long involvement in housing and social welfare issues such as food security. Attempts have been made to co-ordinate actions concerning human rights issues at a provincial and

national level, but sustained involvement in development policy and implementation issues at provincial level has however been uneven.

(d) Corporate Citizenship and Organised business

"Businesses are fragmented, they are competitive. They put their heads down and produce goods and services....But business has to learn there is a new language, a new grammar about being an effective corporate citizen, about being in the public space and raising their voice about inflation targeting, about growth, about joblessness, about health care, about all the important issues of the day." Bobby Godsell-former Chairman of BUSA¹³

While not eschewing the significance of Corporate Social Investment (CSI), advocacy and the forging of successful partnerships between the private sector and government has profound implications for the province's sub-national social and economic landscape and its social fabric. It is critical to facilitating economic growth and development and defining corporate citizenship. Central is the forging of a common multi-stakeholder strategic orientation, the development of effective and efficient dialogue and implementation processes and the management thereof through appropriate steering structures.

Associational life among enterprises

Various business organisations had been constructed on the basis of an extensive history of local and regional dimensions of associational life among enterprises. Business Unity South Africa (BUSA), founded in October 2003, described itself as a "confederation of SA chambers of commerce and industry, professional and corporate associations, and uni-sectoral employers' organizations".¹⁴ It became the business representative in National Economic Development and Labour Council responsible for policy advocacy at national and international level and implementation of growth, development and transformation strategies. Its membership included associations such as

¹³ Ross, Keith: *Crisis good for Eskom, says Godsell*, Business Report, 1 December 2009.

¹⁴ See the Constitution of Business Unity South Africa (BUSA) signed on 11 October 2003.

Business Leadership South Africa,¹⁵ an association of all the largest corporations and multi-national organisations in South Africa that strives to represents their interest in policy development on national and international affairs. The recent relaunch of the Black Business Council (BBC) by disaffected BUSA members has, however, compounded issues of fragmentation. The four major national chambers of commerce and industry, namely AHI, NAFCOC, FABCOS and SACCI, despite their aborted attempt at the formation of CHAMSA also forms a pivotal constituency. It together with uni-sectoral organizations such as AgriSA and Chamber of Mines and professional associations such as SABBACO and corporate associations constituted the fulcrum of BUSA membership. Most of the associations tended to have provincial structures and branches or sakekamers attempting to interface with municipal and provincial governments and national departments operative in province. Structures that traversed the boundaries of municipal wards.

Attempts to develop more inclusive arrangements, such as Business Cape and later Chamsa-Western Cape, to facilitate a level of organizational co-ordination while accommodating the identities of the old associations such as National African Federated Chamber of Commerce (NAFCOC), Afrikaner Handels Instituut (AHI) and Western Cape Business Opportunities Forum (WECBOF) has improved co-operation as demonstrated by their co-ordinated involvement in the PDC. They also articulated a collective approach for dialogue mechanism at sub-national level, including opposition to the dissolution of the PDC in 2011. Questions have, however, been asked about the larger corporate entities located in the region such as Old Mutual, Sanlam, BP and Shell. While some of the associations, such as the AHI, have developed appropriate mechanisms to facilitate collaboration, the establishment of Accelerate Cape Town (ACT) reflects the most recent form of collaboration involving the larger corporates.

¹⁵ Formerly known as the South African Foundation founded in 1959.

It facilitated networking and collaborative arrangements, including lobbying, pertaining to issues such as legislation, investment, procurement and markets that had a significant impact on the exogenous and endogenous factors shaping economic enterprise. Protocol governing associational life within and among these organizations, however, does not compel any business organization to comply with positions adopted during social dialogue processes other than in areas where required by statute. Statutory regulated collective bargaining arrangements do have a rich history of ensuring compliance to agreements. While the establishment of bargaining councils constitutes one of the oldest forums for dealing with some of the sectoral concerns such as wage determination, industrial policy and macro, meso and local economic issues have, however, been, until recently, neglected.

Corporate Social Investment

Business historically incorporated into its strategies a more extensive involvement in public activities frequently conceived as its flagships of corporate social responsibility or citizenship. Involvement in corporate social investment initiatives, initially based on the challenges faced by business during the latter period of Apartheid, was, however, reconfigured in the new democratic environment. The earlier establishment of the Urban Foundation, the Small Business Development Corporation (SBDC), the Consultative Business Movement (CBM) and the more recently formed National Business Initiative (NBI) signalled attempts to facilitate investment in programmes to enhance human development in an array of social and economic areas. All of these associations had a presence in the Western Cape. Most corporations have subsequently developed social corporate responsibility programmes to engage in direct funding of projects without the assistance of these intermediate organisations.

A survey of corporate citizenship in South Africa has established that among the 50 leading companies surveyed in 2002/3, an average of R36 million

(including sport) is spent annually on CSI¹⁶. It further observed that “CSI while substantial, has not risen as a proportion of net profits and has probably fallen as a percentage of gross income”¹⁷ between 1998/9 and 2002/3. While CSI were targeted involvement in areas such as sports and competitions, arts, music and drama, health, welfare and benevolent agencies, education and training, SMME development, environment and conservation and BBBEE, adherence to the regulatory requirements, ethical standards and norms formed an integral part of defining its status as corporate citizens.

Self-regulation of compliance has, however, not always aided the elevation of isolated incidences of best practice to a generic occurrence. The prevalence of corruption and collusion on price fixing as recently revealed by the Competition Commission provides some veritable examples. It has, nevertheless, become important for organised business to redefine its responsibilities as corporate citizens beyond the confines of past practices that emphasised CSI. The establishment of the Business Trust in 1999 to facilitate the development of partnerships with government in the areas of tourism, business process outsourcing, community investment, education, infrastructure and public works using R1.2 billion provisioned from more than 140 member companies signalled this trend. Furthermore it emphasised the need to support strategic dialogue between government and business. Through the use of an accumulated fund of R1.8 billion it claimed to have impacted on the lives of 4 million people through its employment and income generating initiatives, human resource development and improvement of living conditions between 1999 and 2011¹⁸.

Current government policy frameworks now also provide a range of areas where such investment can be effected. There was the transformation of SBDC into Business Partners. There was also the establishment of a range of agencies that involved business organisations and entrepreneurs in its governing structures and dialogue mechanisms provided more sustainable

¹⁶ Schlemmer, L: Business in Change-Corporate Citizenship in South Africa, Occasional Paper No2, South African Foundation, 2004.

¹⁷ *ibid*, p8.

¹⁸ See details at <http://www.btrust.org.za/>

development platforms for public policy engagement. These developments also reflect the extent to which they can collaborate to seize opportunities that enhanced clustering and agglomeration of enterprises provides, with particular reference to programmes that focus on issues such as public infrastructure investment, skills development, housing and social welfare. Business associations have, nevertheless, developed a rich tapestry of experience about the local economy, its sectors, general demand and the leadership necessary to develop and champion appropriate strategies.

(e) Occupational Citizenship and Organised Labour

Although South Africa has a rich history of labour organisation, limited experience concerning involvement in industrial strategy formulation and other sectoral and local economic issues particularly among the non-national leadership exist. The recent involvement of trade unions in dialogue processes concerning social and economic issues at micro, meso and macro levels of society have essentially been dominated by three labour federations, namely Congress of South African Trade Unions (COSATU), Federation of Unions of South Africa (FEDUSA) and National Council of Trade Unions (NACTU). The federations, representing a number of affiliates organized on a sectoral basis, tend to come to the fore when cross cutting issues such as macro-economic policy and labour legislation is considered. Issues that has the capacity to facilitate commonality in problem identification, strategy formulation and the development of campaign platforms across sectors at national, provincial and local levels.

While the centres of organized labour are critical to policy co-ordination and synthesis and the development of strategic and facilitative approaches, its is the affiliates that deal with issues specific to sectoral mandates. Individual employees are subscription-paying members of sectors based unions in return for the provision of services that has a bearing on the exercise of occupational rights. Affiliates tend to house the necessary capacity and infrastructure having historically dealt with particular issues affecting the employment and income of workers directly at Bargaining Council or Wage

Board levels nationally and in the respective regions. This was made possible as a result of its long and relentless pursuit and enforcement of recognition and procedural agreements attained at plant and centralised bargaining levels. Unions tend to combine their interest and resources when embarking on broader campaigns concerning social and economic issues that affect their constituency directly. Their adherence to internal rules of decision-making, versatility in the use of advocacy methods together with the enforcement of agreements enabled it to become a formidable force in public policy dialogue.

Organised labour also wields considerable influence over investment resources through their investment companies or their involvement in the governing bodies of pension funds. This is in addition to involvement in collective bargaining arrangements and skills and health forums in attempts to provide social services to members. The commendable involvement of the Southern Africa Clothing and Textiles Workers Union (SACTWU) and South African Municipal Workers Union (SAMWU) in the development of bursary schemes and a network of health centres is however not a general trend in the union movement. Some unions also tended to negotiate and provide a range of social benefit services such as insurance and funeral cover to members. Most unions were however struggling to provide basic services related to improvements in the conditions of employment to members.

It is only with the establishment of the Job Creation Trust that the three federations were able to raise at least R89 million in 1998 from among its members to “assist social enterprises and communities to create sustainable jobs to previously disadvantaged communities”¹⁹. Unions has since 1994 also established investment companies that enabled them to increase its economic influence in addition to its involvement in an array of pension and provident funds. While these initiatives enabled it to augment its involvement in the provision of a broader array of services to its members, it was now also

¹⁹ see <http://www.jobcreation.org.za/>

required to deliberate about investment strategies and programme and project management issues at enterprise level²⁰.

What is critical for the success of most programmes however is the need for the involvement of these affiliates as an affected party in clearly identified macro, meso and local economic policy matters, public infrastructure investment, skills development, housing and social welfare issues. The central question is the strategies that they deploy to enhance this capability not only concerning public policy formulation but also pertaining to questions of implementation, monitoring and evaluation despite differences among the sector unions affiliated to different federations. The coalescence of this capacity into the development of strategic positions concerning meso and macro social and economic matters therefore present a daunting challenge. It requires greater levels of co-ordination and a refined use of appropriate tactics and strategies based on an understanding of local conditions.

(f) Social Movements or Forums?

Social movements are largely rooted in issue-based dynamics involving affected and interested parties drawn from different types of non-governmental organizational forms. Well known movements that have recently emerged rooted in issues such as HIV/Aids, environmental advocacy, evictions and rural development are the Treatment Action Campaign (TAC), the Environmental Justice Network Forum (ENJF), the anti-Eviction Forum and Alliance of Land and Agrarian Reform Movements (ALARM). This is not inconsistent with the broader based movements such as the All African Convention (AAC), Black Consciousness Movement (BCM), Cape Action League (CAL), Mass Democratic Movement (MDM) and United Democratic Front (UDF) that have existed historically. These movements constituted

²⁰ Information about union investment companies are obtainable from their Annual Reports of the respective investment companies and union websites.

critical instruments for galvanising disparate protest concerning social and economic issues into more cohesive organisational forms.²¹

While human rights and development was a central feature of campaigns, these movements' existence was usually period and issue specific with a significant impact on the politics of development of the time. Although a large number of protests were registered recently, no new significant social movements have been established that encompass a wide spectrum of organizations with a regional or national presence. Existing movements provided the required organizational and political leadership to engage the state as illustrated by the land reform and housing issues.

The establishment of the Khayelitsha Development Forum in 1994, after a two year period of deliberations, is arguable the most significant sustainable initiative to attainment of greater coherence among a plethora of non-state organizations in a designated neighbourhood. It facilitated the participation of "political, labour, civic, women, youth, religious, professional, business, sport and disabled formations"²² in reconstruction and development issues such as local economic development, human resource development, social development, arts and culture and urban renewal. It also engaged in self-provisioning and other resource mobilization activities through the development and management of projects, its monitoring and evaluation. Its engagement of governments in regulatory issues using its organizational strengths enabled it to attain high levels of organizational autonomy and sustainability.

What became evident, on examining associational life, is that a high level of organizational autonomy exists around self-organization among business, labour, NGO and FBO entities, while CBOs and social movements tend to have difficulties with the procurement of resources - which makes it conducive for tutelage relations to flourish. The presence of specific organizations with

²¹ See T. Lodge and B. Nasson: *All, Here, and Now: Black Politics in South Africa in the 1980's*, Ford Foundation-David Philip, Cape Town, 1991 and Z Jaffer: *Our Generation*, Kwela Books, Cape Town, 2003.

²² See <http://www.kdf.org.za/>

clientalist characteristics, albeit voluntary or kinship related, can be established across most organizational categories, when considering pre-and post-apartheid organization forms. Analysis of state-civil society relations in Brazil and the USA revealed similar typologies - ranging from citizens' control or autonomous associationalism to manipulation or prostrate clientalism²³ as characterizing public participation or modes of engagement. Some South African commentators have, with qualifications, grouped social movements along a continuum of 'out of system' mass outburst of anger and the pursuit of adversarial relations and 'in system' collaborative interactions and engagements. All have cautioned against the use of heuristic typologies as insights and have demonstrated that any one or more of these ideal types can inform how these organizations engage the state.

4. OPPORTUNITIES FOR DIALOGUE AND PARTNERSHIP FORMATION

After 1994 a range of local forums, involving local organisations and supported by municipalities or provincial government departments, were established consistent with agreed guidelines. Attempts at the development of a more systematized approach for all municipalities across the country were aided by the promulgation of the Municipal Systems Act and its regulations. The Act provided the potential for local engagement of the citizenry in official IDP processes, including public policy issues such as Urban Renewal and Integrated and Sustainable Rural Development. In some instances it even informed discussions about the constitution of Sub Councils and/or Ward Committees, albeit extremely limited. It is precisely at the intersection of municipal wide and neighbourhood interest that the distribution of resources spatially, becomes important, with particular reference to enterprise development, labour market dynamics, human settlements and social wage issues.

²³ Arnstein, Sherry R. *A Ladder of Citizen Participation*, JAIP, Vol. 35, No. 4, July 1969, pp. 216-224. Baiocchi, G, Heller, P and Silva, M.K.: *Making Space for Civil Society-Institutional Reforms and Local Democracy in Brazil*, Social Forces, Volume 886, Number3, March 2008.

The establishment of Thusong Service Centers (formerly Multi-purpose Centers), the process of izimbizos, Community Development Workers Programme, the Batho Pele Revitalisation Strategy to facilitate improved access to government services and governance institutions, such as the ward committee system provided for in the Municipal Systems Act were critical instruments in forging relations between the state and its citizens. Furthermore, the establishment of municipal-wide forums and participatory processes associated with project design and management, albeit relatively under researched, added to the evolving participatory institutional architecture. How these relations were mediated through civil society using consultative processes is critical to understanding citizens' involvement in public policy and practice. It, however, does pose the question of its impact on the quality of active citizenship, particularly at a civil level that is distinct from the political representative democratic processes.

The utilisation of the opportunities for dialogue is, however, dependent on the strategic orientation and capacity of CSOs to engage the state on a variety of fronts. The work of CAOs reflects a microcosm of access to justice issues that the poor and marginalised experience in respective neighbourhoods on a daily basis and thus worthy of examination. Similarly the engagement of the state on broad and strategic issues is dependent on enhancing CSO self-provisioning and partnership formation capability using opportunities for social dialogue at local and provincial level.

(a) Access to Justice and the Case of Community Advice Offices

Many poor people, especially those who are illiterate and who live in rural and traditional communities find it difficult to navigate institutions and bureaucracy, or to access basic information about their rights and constitutional entitlements. More odious, is the increasing level of corruption that results in the further exploitation of poor and the frustration of their human rights. Many poor people have no access to legal recourse as a result of their physical location or access to finances. In these

*instances, they rely on CAOs as a place where they can seek assistance with their social, legal and personal problems.*²⁴

Community Advice Offices (CAO) has been established in various impoverished neighbourhoods throughout South Africa to assist individuals to deal with an array of problems ranging from evictions, family disputes to labour relations issues during the Apartheid years. Activities that in a number of instances led to the establishment of a new generation of associations such as unions or community based organizations based on the commonality of the issues identified. The establishment of the General Workers Union and a number of civic associations in the greater Athlone area bears testimony to these endeavours. Advice Offices, such as the Bonteheuwel Advice Office, established in the 1982-3, continued to provide similar services during the post-Apartheid period, albeit in an environment where a plethora of rights were conferred as an integral part of new citizenship arrangements. Forty-five (45) in the Western Cape are currently members of a network of 230 Community Advice Offices providing services in poor communities in the nine provinces in South Africa.

Case analysis and management trends

The Community Advice Office has recorded problems ranging from employment rights and benefits, social security and poverty alleviation to human rights awareness and possible course of action it or support organizations should take to its resolution. Issues such as citizenship documentation, wills and estates, consumer protection, civil matters, support for migrants, enterprise and youth development was also dealt with.

²⁴ NADCAO Business Case CAO Partnership Model, p3

Province	Number of Reported Cases at 169 CAO in 2005									Total Cases
	1 Welfare	2 Employment	3 Consumer	4 Family	5 Customary	6 Farm workers	7 HIV/AIDS	8 Domestic Violence	9 Others	
Eastern Cape	6142	12155	2872	2548	2451	2388	12013	975	780	42324
Free State	824	2045	232	672	39	412	304	400	78	5006
Gauteng	4014	2572	2698	7458	1214	353	8365	1829	322	28825
KZN	3808	1693	601	1138	134	312	843	347	297	9173
Limpopo	814	726	487	1241	109	295	390	536	204	4802
Mpumalanga	367	493	171	911	65	151	334	304	129	2925
North West	1422	2649	755	1118	211	1068	3041	2	2	10268
Northern Cape	1446	1709	1103	218	8	257	415	540	6	5702
Western Cape	2586	3551	1621	2836	66	530	255	0	30	11475
National	21423	27593	10540	18140	4297	5766	25960	4933	1848	120500

Source: NADCAO Business Case CAO Partnership Model

Individual and collective problems arise due to the failure of institutions and enterprises to provide the requisite private and public goods and services such as the registration of birth and the provision of an ID document, access to social services such as grants such as pensions, child support services, access to schooling, housing, health services, land, water, transport and the resolution of disputes such as alleged unfair dismissals. The case management arrangements can involve taking up the individual cases through the provision of assistance or referral for resolution and possible litigation.

It is, therefore, important to distinguish between collective and individual cases that can easily be referred to relevant organizations and between cases that can be resolved through the use of clearly identified procedures and those requiring policy shifts. This requires that CAOs build relations with a network of organizations that can augment its work by contributing to the resolution of the cases or engaging in advocacy arrangements. It is thus important to warehouse pertinent information in relation to case trends in addition to case management systems.

Resourcing core functions

Resourcing of the core functions of Community Advice Offices to be a depository of information, dispensing advice, case management, conflict

resolution and dialogue facilitator is essential to facilitating access to justice. Staff, with a description akin to the profile of a community development practitioner/worker, frequently performed the work of paralegals while also fulfilling an advocacy role. They developed keen insights into human rights issues while managing casework that ranged from consumer protection to labour relations. While the CAOs could not depend on a steady stream of revenue for operations and to remunerate core staff, it largely depended on voluntary workers drawn from its immediate neighbourhoods.

CAOs entered into relations with relevant authorities such as state consumer protection and legal agencies to facilitate the provision of public services. Despite CAOs performing a variety of functions that falls within the remit of various government departments and state entities, the relations that developed were uneven and unsustainable. Recently, attempts were made to overcome fragmentation and vulnerabilities through the development of a network of CAOs with the establishment of the National Alliance for the Development of Community Advice Offices (NADCAO)²⁵.

*The CAO sector has formulated a comprehensive sector development model following an extended process of consultation and research to define the vision and strategy for the sector. The focus has been on ensuring that CAOs, while they remain independent civil society institutions, become permanent features of communities, rather than vulnerable institutions that are subject to the volatility of the donor funding environment. Communities will ultimately be better served by a reliable, well-resourced and regulated CAO network that has distinct services and operated by committed and experienced staff who are appropriately trained and qualified.*²⁶

It is however, important that institutional support and resourcing strategies take into consideration the need for **appropriate partnership arrangements** to govern and develop requisite **agreements** and **funding models** that is **inclusive**. It raises issues of a comprehensive registry of COAs and networks such as NADCAO to facilitate the identification and the development of a targeted assistance programme.

²⁵ Interview with former NADCAO Co-ordinator Gregory Erasmus, 3 June 2012.

²⁶ NADCAO Business Case CAO Partnership Model, p3

(b) Self-Provisioning and Partnerships

Various institutions have for years engaged in activities of self-provisioning and the development of partnerships with private and public organisations. Earlier examples are the establishment of organisations by faith-based organisations to facilitate the provision of public goods and services such as housing as the examples the Bishop Lavis and Cafda Utility companies demonstrate. The most recent being the initiative of the FEDUP to develop housing for the poor in areas such as Phillipi. Various organisations has been involved in a range of social welfare activities such as early childhood development, caring for the disabled, soup kitchens.

Unions and business organisation has also been engaged in acts of self-provisioning using its constituency. Unions such as SACTWU and SAMWU have for years provided health, educational and welfare services to the families of members using a well-established medical aid funds and a network of clinics, bursary schemes and death benefits. The Presidential Job Summit held in 1998 encouraged social partners such as business and labour to embark on initiatives to deal with issues such as economic growth, employment creation and poverty alleviation. It added a different dimension to resource mobilisation in relation to the oft-cited CSI initiatives.

Between 1999 and 2011 R1.8 billion was mobilised particularly from 140 companies and government departments by the newly established Business Trust to resource programmes and projects particularly in the areas of education and tourism. Similarly the three labour federations, namely COSATU, NACTU and FEDUSA established the Job Creation Trust (JCT) in 1998 that raised R89 million primarily from its members for job creation. Although these were national initiatives, criteria were developed to incorporate the distribution of funds across provinces, including the Western Cape. Investment in the Creative Design Company in the ailing clothing and textile sector by the JCT is one such example. Whereas the Business Trust established a fulltime staff compliment to manage its fund, the JCT entered into a management and technical support agreement with DBSA in 2000.

While the state is primarily responsible for the provision of social development public goods and services in areas such as early childhood development, Health, Social Welfare, it became reliant on FBOs, NGOs and to a lesser extent CBOs, on the provision of goods and services to poor neighbourhoods and rural areas. A significant number of organisations are also dependent on funding from donor agencies/foundations and corporate social investment from large enterprises. Possibilities for partnership formation were largely dependent on the type of funding models developed. This enabled the development of relations epitomised by the service level agreements that prevailed. Service level agreements prescribed by state institutions are at times regarded as onerous to administer.

All required the organisations to follow certain procedures when applying for funding. This involves developing a business case or/and using existing procurement procedures to access private and state funding. Even though the CSOs in Cape Town are favourably located in relation to the proximity of donor agencies offices, the same level of access does not exist for those in the non-metropolitan areas of the Western Cape. Similarly, the funding application or procurement processes require procedures that presuppose a certain level of organisational capacity that only the larger CSOs can command.

Governance arrangements and accountability of CSOs also provided a number of challenges. While partnerships in the entire service delivery value chain require involvement in the design and implementation of programmes and projects, CSOs were often found wanting when having to account how resources were used and responsibilities in relation to broader accountability for the impact of its work. Furthermore the impact of the activities of CSOs is not always ascertained while monitoring and evaluating the projects. A situation that is compounded by the consideration that even results orientated impact assessment of state and private sector initiatives has not been effectively conducted. Hence the dearth of appropriate assessment instruments and data.

The NDA has supported CSOs in a number of areas such as food security, early childhood development, income generating projects. Its stated intention is to continue to support such initiatives in addition to attending to the capacity building requirements of CSOs. A recognition exist, however, that the NDA has limited resources while a plethora of funding instruments exist, albeit that its use is at times uncoordinated and thus lacking a strategic thrust. This should inform deliberations as to how the NDA reposition itself to deal with challenges beyond the funding of projects.

(c) Advocacy and opportunities for dialogue

Recent opportunities for dialogue and partnership formation in the Western Cape have been fraught with difficulties since the repeal of the PDC Act in 2011 and the disbanding of the Social Transformation Project in 2010. The former involved the dissolution of the only statutory enabled multi-stakeholder dialogue forum of provincial significance that has been established in 1996. It was preceded by the pre-1994 WCEDF and RDAC and focussed on attaining consensus on the PGDS and related sector strategies. While the CSO were able to engage the provincial government and municipalities on approximately 40 issues using the PDC as a vehicle, its dissolution closed down most of the opportunities for dialogue. Engagement now depended on the prerogative of individual departments and municipalities. The 21 neighbourhood areas identified and associated forums established under the auspices of the STP were also dissolved while different institutional arrangements were instituted. The establishment of Ward Committees and IDP processes required in terms of the Municipal Systems Act, despite its chequered history, continues to provide opportunities for non-state organisations to engage in the construction of Community Based Plans.

Local Engagement

The PDC supported the development of civil society participation, particularly in districts, through the establishment of Regional Development Councils (RDCs) in what were then the seven planning regions or districts of the

Western Cape. These forums were to facilitate the co-ordinated participation of local development or RDP forums in the category B municipalities in public policy issues. It highlighted the need for these organisations to engage state organs based on notions of holistic and integrated planning.

These RDCs struggled under the weight of attempting to get organisations and forums together while not being adequately resourced. There was also poor understanding of rules for effective and efficient functioning and little support from municipalities, and lack of local appreciation for their usefulness in developing civil society networks at a regional level. Plenty of lessons can however be drawn in terms of the nature of local social fabric, methods and capacities required for the engagement of the local citizenry in relation to the development challenges and policy instruments required. This was particularly evident in terms of work in areas such as the Central Karoo and Metro South East area in the City of Cape Town.

The work of the City Partnership, established in July 1999 to develop urban management systems to address issues of crime and grime, should not be neglected. It was an initiative involving the City of Cape Town and organised business that focussed on the rehabilitation of the central business district of Cape Town through addressing issues of urban degeneration and disinvestments. Its impact on urban development throughout the metropolitan area was, however, limited. Recent attempts by the Provincial Government in 2007 to establish forums in 21 poverty-stricken priority areas within and outside the metropolitan area as an integral part of the Social Transformation Programme (STP) were, however, fraught with problems despite the injection of considerable financial resources. The design and imposition of forums without regard for local associational life dynamics together with the limited intergovernmental co-operation were regarded as root causes of the problems experienced.

Provincial engagement

The establishment of the PDC in 1995 as a statutory body in terms of the Western Cape Provincial Development Council Law, No5 of 1996 to facilitate

social dialogue were embraced by all stakeholders of provincial significance, including municipal and provincial government. It was able to deal with a plethora of critical issues vital to the Western Cape's growth and development despite changes in its powers and functions and composition when the PDC Law was amended in 2005 with the adoption of the Western Cape Provincial Development Council Law Amendment Act, No 4 of 2004²⁷. Although it dealt with more than 40 issues (see attached *Annexure: Key Development Issues: 2003 - 2008*) using various methods of engagement, it primarily attained agreement at policy level among the social partners. It is only with some strategies such as the Agriculture and Agribusiness strategy that a concerted attempt was made to monitor the implementation of the agreed strategies. The recent initiative to assess the impact of the Agriculture and Agribusiness Strategy signals the conduct of an evaluation process that will contribute to a review of the strategy before the end of 2012.

Some sectoral initiatives and accompanying institutional arrangements such as the Western Cape Anti-Corruption Forum, the Premiers Skills Council and the Agriculture and Agri-business Initiative survived, however, the dissolution of the PDC with the adoption of the Western Cape Provincial Development Council Act Repeal Act of 2011. The newly established Western Cape Economic Development Partnership is primarily business driven and has not involve other social partners in its conception and design.

Furthermore, the development and implementation of public policies and the much-vaunted national Outcomes Based Performance system currently provides a new set of opportunities and challenges for dialogue and action. The focal areas of such interface involve the development of collaborative strategies to develop the service delivery value chain to attain certain Outcomes. This also involves developing co-operation in the value chain ranging from programme and project design, resource mobilization and implementation and the monitoring and evaluation thereof. It is, therefore,

²⁷ The Western Cape Provincial Development Council Law Amendment Act, No 4 of 2004, Provincial Gazette Extraordinary, 6172, Thursday, 30 September 2004.

KEY DEVELOPMENT ISSUES: 2003 - 2008²⁸

Transversal/Cross Cutting Issues		Economic Participation, Enterprise Development and Employment Creation		Social and Human Resource Development		Infrastructure and Spatial Development	
<i>Issue</i>	<i>Status</i>	<i>Issue</i>	<i>Status</i>	<i>Issue</i>	<i>Status</i>	<i>Issue</i>	<i>Status</i>
A consensus based Provincial Growth and Development Strategy (PGDS)	NA	Agriculture and Agri-business	C	Integrated ECD strategy	C	Western Cape Spatial Development Framework (WCSDF)	C
Sustainable Development	C	Fishing and Mari-culture	C	Human Capital Strategy: Grades 1-9 years	C	Provincial Land Transport Framework (PLTF)	NA
Land Reform	C	Clothing, Textiles, Footwear and Leather	C	Human Capital Strategy: ABET	C	Provincial Strategic Infrastructure Plan (PSIP)	C
		Metals and Engineering (includes Oil and Gas, Boat building and Ship repair)	C	Human Capital Strategy: FET	C	Law Reform Project	NA
		Paper, publishing, printing and packaging	NA	Human Capital Strategy: Learnerships and RPL	C	Provincial Sustainable Human Settlements (PSHS)	C
		Construction	NA	Human Capital Strategy: Higher Education	NA		
		Furniture	C	Learning Cape Initiative	C		
		Cultural Industries	C	Poverty Reduction Strategy	C		
		Tourism	C	Social Capital Strategy	C		
		Call Centers	C	Safety and Security	C		
		ICT	C	Health Strategy	C		
		Film Industry	C				
		Investment in priority sectors	C				
		BBBEE	NA				
		Comprehensive support for SMMEs	C				
		Cooperatives	NA				
		Expanded Public Works Programme	NA				
		Monitoring Employment Trends	C				
		The Proudly South Africa Campaign	C				
		Micro Economic Development Strategy (MEDS)	NA				

C: Concluded-the relevant structure has concluded an agreement that has not necessarily been ratified by the Council **NA:** No agreement exists and discussions are ongoing.

²⁸ Information extracted from the Annual Reports and Three Year Review of the Western Cape Provincial Development Council

imperative that the requisite processes be developed, agreed to and managed in an effective and efficient manner using appropriate steering structures such as Implementation Forums and appropriate Programme and Project Management arrangements. It provides the environment for the exchange and cross-fertilization of ideas, innovation and knowledge management.

The Western Cape province government, like some provincial counterparts however, has adopted 12 customised strategic objectives. Each of the objectives, nevertheless, corresponds with the national Outcomes as reflected in the MSTF. It developed an Integrated Management System that integrated the work of various departments to fulfil the Provincial Strategic Objectives. How it involved stakeholders in particular service delivery value chains were, however, not informed by the design of specific implementation forums linked to Outcomes or Strategic Objectives as envisaged by the Outcomes Based Performance System.

Research²⁹ conducted into sub-national participatory processes and experienced gained through active involvement therein demonstrate that serious defects exist in these processes. The use of izimbizos, Ward Committees and associated Community Based Planning processes, IDP processes and representative IDP forums, Provincial Growth and Development Strategies and related consultative processes has not been as effective as envisaged for a number of reasons. First and foremost is the manipulative manner in which consultative processes is conducted with little regard for the social rights of participants. A significant number of officials (including the employment of CDWs) do not necessarily have the organizational intelligence and experience to facilitate engagement with a variety of organizations with diverse interest. Basic skills such as the conduct of stakeholder analysis and the design of participatory processes are deficient. This has frequently led to the perception that such processes are meaningless. Recent protests in a number of local areas throughout the

²⁹ See working papers by A Sayers titled *Poverty, Development and Public Participation-Reflections on the case of the Western Cape Provincial Development Council as a vehicle for Public Participation c. 1996-2008*(July 2009) and *Participation and Regional Development Discourse and Practice in South Africa* (December 2009).

country over a protracted period are symptomatic of these problems. This also places a youthful democracy on the precipice of encouraging all forms of rent seeking and other practices symptomatic of a clientalist state.

Secondly, the associations has not been effectively organized and capacitated to engage the executive and legislative branches of the state as well as the corporate sector using evidence based advocacy methods. Despite the rich history of engaging the state, a lack of understanding exist about the nature of the state and associational life in neighbourhoods and what is required for citizens to become more actively involved in its activities. Furthermore the lack of organizational, management and advocacy skills has impaired the use of processes to effectively engage the state in its various forms on public policy issues. Involvement in participatory process that covers the entire planning cycle-from policy, implementation and monitoring and evaluation- has been dismal.

A more careful analysis to ascertain the impact these changes on opportunities for dialogue at provincial and local levels and the activities of CSOs is, however, required. This includes their involvement in policy development, the implementation thereof and its monitoring and evaluation. The involvement of CSOs in service delivery value chain analysis while engaged in self-provisioning and advocacy could provide insights into the plight of CSO types such as community advice offices.

(d) Capacity Development

Capacity development cannot be dealt with in isolation from the organisational types and what is required to optimize its functioning. Organised labour and business has historically developed various strategies based on the utilisation of its own resources.

Organisational development and funding

It is evident that the organisational development and the resourcing thereof are critical to the engagement of CSOs internally and with the state on a

sustained basis. Various resource mobilisation and management strategies have informed the core business and project related funding of CSOs. The development of appropriate funding arrangements that does not compromise the dual responsibilities of advocacy and involvement in the service delivery value chain and monitoring and evaluation. A diversity of funding models and sources exist necessitating capacity development to understand and inform this environment. This should include measures of financial accountability linked to acceptable governance practices.

Project and programme management

Self-provisioning and accessing donor funding is reliant on the capacity to develop the requisite skills to design, develop and implement sustainable projects and programmes to fulfil the objectives of the specific organisations. The development of these appropriate skills assist with the optimal and effective use of resources to address and empower people to address the triple challenges of unemployment, inequality and poverty.

Advocacy and dialogue

While a rich history of advocacy and dialogue arrangements has evolved, the requisite skills for the development of the array of methods required is lacking particularly among CSOs. This includes conflict resolution and various forms of partnership formation that incorporates policy formation and the entire service delivery value chain.

5. CONCLUDING REMARKS

It is evident that the changes that occurred as a result of policy shifts has impacted on the opportunities for collaborative arrangements between civil society and the state at sub-national level with particular reference to the Western Cape province. This is evidenced by the trends such as the changes in the design of mechanisms to facilitate partnership formation at both provincial and local level. The dissolution of the PDC and the social transformation programme impacted on opportunities for CSOs to engage the state at provincial and metropolitan level.

The development of partnerships in the service delivery value chain was also affected. Here the process of implementing policies through partnerships with CSO organizations such as Community Advice Offices as reflected by the withdrawal of funding affected crucial issues related to access to justice. These decisions were either informed by a simply a lack of insight about the nature of civil society and its importance in the development of the social fabric and cohesion deliberate acts that borders on clientalist practices. The former observation being informed by the type of information availed publically and recent decisions about the dissolution of intermediary mechanisms such as the PDC.

The lack of capacity among CSOs also affected their advocacy activities and involvement in the development of effective partnerships with the state. Hence capacity to engage in social dialogue at both local and provincial level to inform policy development as well as implementation and monitoring and evaluation processes significantly informed the legitimacy and quality of the outcomes of public policies. The capacity issues revolved around capacity to engage and develop and implement agreements that underpin partnerships, programme and project management and impact assessment. Various areas of intervention can consequently be identified to empower CSOs. These include among other:

- **Advocacy and opportunities for dialogue:** While citizens and its various forms of associational life referred to here as CSOs has been conferred a range of rights to facilitate advocacy, the propensity of CSOs to engage various spheres of government is critical to deepening and sustaining democratic practices. The NDA could explore ways and means to assist or facilitate the interface between spheres of government and CSOs at sub-national level using its four priority areas as a platform. This could improve possibilities of partnership formation to expedite the provision of public goods and services particularly for the poor.

- **Governance and accountability:** Good governance and effective accountability measures is not only applicable and critical to various spheres of government in relation to society but also essential to the operations and empowerment of CSOs in relation to the citizens it represent. The NDA can make a significant contribution to these processes by ensuring good governance and accountability in relation to its involvement in the four priority areas it has agreed to focus on. Resolving existing problems identified in the projects it funds constitute a useful starting point.
- **Project Management:** The limited number of NDA funded projects has raised the issue of programme and project management capability among CSOs. It reflects a broader the broader malaise of a lack of programme and project management skills among civil society that need to be addressed. This could enhance CSO participation in the service delivery value chain beyond the current focus on policy issues as a precursor to the development of effective partnerships.
- **Monitoring and evaluation:** Evidently a significant number of the programmes and projects that involved CSOs, including partnerships between the CSOs and the state have not effectively been subjected to impact assessments. This makes it difficult to report and account to citizens about the successes and failures and the pitfalls to be avoided and best practices to embrace. The NDA can assist with monitoring and evaluation that can lead to more effective benchmarking.
- **Capacity:** CSOs has experienced a range of capacity problems concerning all the aforementioned areas of intervention. It is recommended that capacity building programmes and projects be tailored to deal with the aforementioned challenges.

It is recommended that further research work be conducted with particular reference to assessing the impact of NDAs activities in the Western Cape to

ascertain how concrete strategies can be developed to resolve some of the issues identified.

Select Bibliography

- Arnstein, Sherry R. *A Ladder of Citizen Participation*, JAIP, Vol. 35, No. 4, July 1969.
- Baiocchi, G, Heller, P and Silva, M.K.: *Making Space for Civil Society- Institutional Reforms and Local Democracy in Brazil*, Social Forces, Volume 886, Number3, March 2008.
- Bilchitz, D: *Poverty and Fundamental Rights-The Justification and Enforcement of Socio-Economic Rights*, Oxford University Press, 2007
- Bilchitz, D: *What is reasonable to the court is unfair to the poor*, Business Day, 16 March 2010.
- Hibou, B. (ed): *Privatising the State*, Hurst and Company in association with CERI, Paris, 2004.
- Houtzager, P.P. and Acharya, A.K: *Associations, Active Citizens, and the Quality of Democracy in Brazil and Mexico*, Theory and Society, 40(1): 1-36, 2011.
- IDASA and CORE: *Two Commas and a Full Stop - Civicus Index on Civil Society South Africa Report*, October 2001.
- Jaffer, Z: *Our Generation*, Kwela Books, Cape Town, 2003.
- Mkandawire, T: *Building the African state in the age of globalisation: The role of social compacts and lessons for South Africa*, MISTRA, March 2012.
- NADCAO Business Case - CAO Partnership Model.
- Lodge, T and Nasson, B: *All, Here, and Now: Black Politics in South Africa in the 1980's*, Ford Foundation-David Philip, Cape Town, 1991
- Patel, R: *Electing Land Questions: A Methodological Discussion with Reference to Abahlali baseMjondolo, The Durban Shackdweller Movement*, CODESRAI, April 2007.
- Ross, Keith: *Crisis good for Eskom, says Godsell*, Business Report, 1 December 2009.

- Constitution of Business Unity South Africa (BUSA) signed on 11 October 2003.
- Sayers, A: *The Labour Movement in South Africa: Undercurrents, Trends, and Possibilities*. in Reform and Revolution: South Africa in the Nineties .Eds. G. Naidoo, CODESRIA Book Series, Skotaville, Johannesburg, 1991.
- Sayers, A: *Poverty, Development and Public Participation-Reflections on the case of the Western Cape Provincial Development Council as a vehicle for Public Participation c. 1996-2008*, July 2009
- Sayers, A: *Participation and Regional Development Discourse and Practice in South Africa*, December 2009.
- Schlemmer, L: Business in Change-Corporate Citizenship in South Africa, Occasional Paper No2, South African Foundation, 2004.
- Snyder, R: *After Neo-liberalism-The Politics of Reregulation in Mexico*, World Politics 51, January 1999, 173-204;
- Swilling, M: *Beyond Cooption and Protest-Reflections on the FEDUP Alternative*, in Consolidating Developmental Local Government-Lessons from the South African Experience, (eds.) Van Donk, M, Swilling, M, Pieterse, S, Parnell, S., Isandla Institute, UCT Press, 2008.
- The Western Cape Provincial Development Council Law Amendment Act, No 4 of 2004, Provincial Gazette Extraordinary, 6172, Thursday, 30 September 2004.
- Western Cape Provincial Development Council:
 - Integrated Development Planning and Urban Renewal in Cape Town, A Discussion Document, June 2002.
 - Shaping the Cape-Towards and Provincial Growth and Development Strategy-A
 - Development Review, A Provincial Development Council Publication, July 1998.
 - The State of Development in the Western Cape, A Provincial Development Council Publication, July 1998.
 - The Western Cape –A Socio-Economic Profile: A Provincial Development Council Publication, October 1996.

- The Framework Agreement for Growth and Development and Social Dialogue: A Progress Report Prepared by the Western Cape Provincial Development Council, December 2004.
- Negotiating the Pathways of Growth and Development: A Review of the Travails of Partnership Formation Through Social Dialogue and Public Participation-2003 to 2006.

Websites

- Organised Business: <http://www.btrust.org.za/>
- Organised Labour: <http://www.jobcreation.org.za/>. Information about union investment companies are obtainable from their Annual Reports of the respective investment companies and union websites.
- Khayelitsha Development Forum: <http://www.kdf.org.za/>

Interviews

- Interviews with SANGOCO staff members: Jacky Thomas and Babalwa Magida, 23 May 2012.
- Interview with former NADCAO Co-ordinator Gregory Erasmus, 3 June 2012.



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